

**AMENDED INDIVIDUAL PART RULES
EFFECTIVE JANUARY 16, 2012*
Justice Orazio R. Bellantoni
Supreme Court Justice, 9th JD
Westchester County Courthouse
111 Dr. Martin Luther King Jr. Blvd.
White Plains, New York 10601**

Court Clerk	Jude Badaracco-Telephone No. 914-824-5368
Law Clerk	Eric S. Conroy-Telephone No. 914- 824-5395
Secretary	Maria Pierro-Telephone No. 914-824-5394

Motions

Motions are returnable on Wednesday, except by order of this Court. Permission is not necessary to make a motion.

Appearances are not required. Oral argument may be requested by noting “Oral Argument Requested” immediately over the index number on the Notice of Motion. If this Court, in its discretion, requires such argument, the movant’s attorney will be so advised and will be required to notify all parties.

Sur-replies will not be considered, unless this Court otherwise directs. Other papers including letters which are sent after the submission of the motion, will not be considered.

Adjournments

a) On Consent - The clerk of this Part is to be advised by telephone, followed by a letter, that the motion is adjourned on consent. No more than two adjournments on consent will be allowed, unless granted by the Court.

b) Opposed - The application must be made on or before the return date of the motion. The requesting party must advise all other parties of the application. No appearances are required unless directed by the Court.

Trials

Prior to the commencement of a trial, counsel shall provide the court with marked pleadings.

Requests to charge shall be submitted to this Court as directed at a conference immediately preceding trial. The charge will be drawn from the Pattern Jury Instructions (PJI). A complete list of requested charges is to be submitted. Unless counsel seek a deviation from the pattern charge or additions to the pattern charge, only the PJI numbers and topic need be submitted. Where deviations or additions are requested, the full text of such requests must be submitted, together with any supporting legal precedents.

Verdict sheet - Counsel shall jointly prepare a verdict sheet. The verdict sheet is to be typed and in final form for presentation to the jury. If agreement cannot be reached, then each side shall present a proposed verdict sheet. If it is feasible, such proposals shall also be submitted on a computer disc in format convertible to Word Perfect 8.0.

General

Counsel who appear must be fully familiar with the case and have authority to enter into any agreement, either substantive or procedural, on behalf of their clients. Counsel should make every effort to be on time for all scheduled appearances.

Faxes

Faxes to chambers are permitted only if copies are simultaneously faxed or delivered to all counsel. The fax number is 914-995-4010.

If an action is settled, discontinued, or otherwise disposed, counsel shall immediately inform the Court by submission of a copy of the stipulation or other document evidencing the disposition.

E-Filing Rules and Protocol

All parties should familiarize themselves with the statewide [E-Filing Rules](#) (Uniform Rule §§202.5-b and 202.5-bb – available at www.nycourts.gov/efile) and the [Westchester County E-Filing Protocol](#) available at <http://www.courts.state.ny.us/courts/9jd/efile/WestchesterCountyJointProtocols.pdf>

General questions about e-filing should be addressed to the E-Filing Resource Center at 646-386-3033 or efile@courts.state.ny.us

Specific questions relating to local procedures should be addressed to the Civil

Calendar Office 914-824-5300.

Electronic Filing

All documents in mandatory e-filed cases, except documents subject to the opt-out provision of Section 202.5-bb of the Uniform Rules for the New York State Trial Courts, or documents subject to e-filing in which consent is being withheld, are to be filed through the New York State Courts E-Filing System (NYSCEF). All submissions to the Court, including proposed orders, proposed judgments, and letters, must be electronically filed.

***Working Copies**

Effective, Monday, January 16, 2012, it will no longer be necessary to provide working copies when E-Filing.

Notice of E-Filing

Within 24 hours of e-filing a motion, a courtesy copy of said motion shall be sent to all counsel so that they can be aware of said e-filing.

Hard Copy Submissions

This Part will reject any hard copy submissions in e-filed cases unless those submissions bear the Notice of Hard Copy Submission – E-Filed Case required by Uniform Rule §202.5-b(d)(1). The form is available at www.nycourts.gov/efile.

Scheduling

Counsel/parties should address questions about scheduling appearances or adjourning appearances to the Part Clerk, Jude Badaracco, at 914-824-5368.