

PART 7

UPDATED/CONSOLIDATED PART 7 REMOTE/VIRTUAL OPERATIONS RULES

JUSTICE WILMA GUZMAN~ Effective September 1, 2020

Please note that it is my sincerest hope that the members of our Bronx County Legal Community and their loved ones are all safe and healthy amid this COVID-19 pandemic. Effective September 1, 2020, and until further notice, the following are the Remote/Virtual Operational Rules for Part 7.

COMMUNICATION:

Part 7 Chambers staff:

Hon. Wilma Guzman via email: wguzman@nycourts.gov.

Irma Pena, Confidential Secretary via

email: ipena2@nycourts.gov

Cynthia Isales, Esq., Principal Court Attorney via

email: cisales@nycourts.gov,

Chambers Telephone Number: (718)618-1403

Donald Tong, Part Clerk can be reached at (718)618-1288 or via email at dtong@nycourts.gov. Facsimile number is (212)419-8442.

Please include all parties in your email. Please note this court WILL NOT conduct any Ex Parte conversations or conferences.

CONFERENCES:

Attorneys who represent litigants in Part 7 and who would like a conference, with consent of all parties, should send an email to my principal court attorney, Cynthia Isales, Esq. at cisales@nycourts.gov and a copy to me at wguzman@nycourts.gov. A copy of the consent must be attached to the request.

The email message is to include case name/index no./attorney names/contact info, including emails, case history and summary of the issue(s). In response, I will review the request and where appropriate schedule a remote/virtual conference via Skype. Commencing October 2020 all court remote/virtual hearings and conferences will be conducted via Microsoft Teams.

Please be mindful that your adversary may not be equipped to conference at this time because we are all dealing with changes and challenges to our personal and work lives. The Court will ONLY entertain requests made on consent of all parties.

STIPULATIONS:

Please be sure to fax or email cisales@nycourts.gov, lpena2@nycourts.gov and Dtong@nycourts.gov any stipulation reached and/or efiled or mailed to the Court as soon as possible. Proposed stipulations to be So Ordered should also be emailed to chambers staff as the Court does not automatically receive notification of the e-filing of documents.

MOTIONS:

1. Parties must include email addresses on all motion papers as well as telephone numbers where they can be reached.
2. Summary judgment motions shall be made within 60 days after the filing of the note of issue.

3. The parties are free to request oral argument on any motion; however, oral argument is always at the discretion of the court (see 22 NYCRR § 202.8[d]). The court may decide any motion solely on the papers submitted. If the court requires oral argument, the parties will be notified in writing.

4. New E-Filed Motions:

As a result of the motion being automatically designated as “Fully Submitted” on the return date, all counsels appearing in an action, shall:

1. File opposition, if any, to the motion on or before the return date.
2. File reply, if any, to the motion on or before the return date.
3. Notify Justice Guzman’s chambers, by email to Cynthia Isales, Esq., Principal Court Attorney at cisales@nycourts.gov and Irma Pena, Confidential Secretary at ipena2@nycourts.gov, to request any adjournments on the motion.
4. If there is neither opposition nor reply to the motion, the court, in its discretion may email the parties at which

point a response must be received within five (5) business days of that email. If no response is received, the motion will be deemed Fully Submitted and a Decision will be rendered accordingly.

INFANT COMPROMISE:

Once the Infant Compromise Order and necessary documents have been submitted to the Clerk's Office in Room 217, same shall be forwarded to Chambers. Upon review of the Infant Compromise Order and documents attached by the Court and the Court shall approve and schedule a hearing. Justice Guzman's chambers shall schedule a remote/virtual hearing date and inform the parties via email. Please note that, at this time, Skype for Business is the platform which can be used for the remote/virtual hearings and conferences. Commencing October 2020 all court remote/virtual hearings and conferences will be conducted via Microsoft Teams

PLEASE NOTE THE INFANTS APPEARANCE WILL NOT BE WAIVED.

Plaintiff's counsel must make all arrangements to have the infant and parent/natural guardian appear remotely/virtually on the hearing date.

STRUCTURED SETTLEMENT HEARINGS:

After the Order to Show Cause is signed by the Judge, on the return date the Judge will schedule the matter for the virtual hearing. The Petitioner must provide an email address for the payee and a signed consent from the payee to a virtual/remote hearing.

These rules will remain in effect until further notice.