

NON-COMPLIANCE PART RULES

Supreme Court of the State of New York, Queens County
88-11 Sutphin Boulevard, Jamaica, New York 11435
Courtroom 314
Phone: 718-298-1089

I. GENERAL PURPOSE

The Non-Compliance Part will conference cases wherein parties have not fully complied with the directives set forth in Compliance Conference Orders **dated prior to February 7, 2022**. The parties who appear for a conference in the Non-Compliance Part are expected to enter into a stipulation resolving any discovery dispute(s) and/or outstanding discovery. The stipulation will be So Ordered and e-filed by the court.

Parties whose case is scheduled for a conference in the Non-Compliance Part will be notified of the date and time of the conference in advance of the scheduled conference. **Notification will be made through eCourts.**

II. CALENDAR

The calendar will be held each **Monday**. There will be three (3) separate calendar calls at **9:30 a.m., 11:00 a.m., and 2:15 p.m.**

Attorneys and self-represented litigants **MUST APPEAR IN-PERSON**. **The conferences will not be held virtually.**

Each calendar will be presided over by a Judge and/or a Court Attorney-Referee. The Court Attorney Referee will have the authority to So Order stipulations entered into by the parties.

III. APPEARANCE

All attorneys and self-represented litigants appearing at the conference MUST be fully familiar with and knowledgeable about the case, and MUST have full authority to resolve any and all issues and enter into a stipulation. The attorneys or self represented litigants should bring copies of all prior orders, decisions and stipulations that are relevant to the issue(s) to be discussed at the conference.

The failure of a party to appear at the Non-Compliance conference may result in the striking of the non-appearing party's pleadings or the dismissal of the action.

IV. STIPULATIONS

If the parties email a fully executed Stipulation resolving all outstanding discovery to the court at qnsnoncompliancepart@nycourts.gov, at least seven (7) business days prior to the date of the conference and the Stipulation is So Ordered and e-filed by the court, **no appearance** will be required at the Non-Compliance conference. **The Subject box of the email must state “Non-Compliance Part Stipulation”, and contain the caption and Index Number of the case.**

Submission of a fully executed Stipulation resolving all outstanding discovery shall be made by emailing the Stipulation to the court **with a joint request by the parties that the Stipulation be So Ordered.**

Only stipulations resolving all discovery issues or notice that the action has settled or is otherwise disposed shall be forwarded to the email address listed above. **No inquiries or requests shall be forwarded to this email address.**

Any Stipulation entered into by the parties shall include a blank line for the assigned Compliance Conference Judge to enter a (new) Note of Issue filing date.

Any subsequent stipulation(s) to extend dates or change any provision(s) set forth in the So Ordered Stipulation entered into by the parties at the Non-Compliance conference, shall be emailed to the assigned Compliance Conference Judge.

V. SETTLEMENTS AND DISCONTINUANCE

Stipulations of Settlement or Discontinuance are to be filed by defendant, pursuant to 22 NYCRR 202.28, with the County Clerk within **twenty (20) days** of such settlement/discontinuance. Proof of filing such stipulation shall also be emailed to the I.A. Part.

The parties **must** notify the court, by email at qnsnoncompliancepart@nycourts.gov, prior to the date of the Non-Compliance conference if the case is settled. The email **shall** include proof of filing of a Stipulation of Settlement or Discontinuance with the County Clerk.

(7/20/23)