

LOCAL RULES OF
HONORABLE CHRISTOPHER S. CIACCIO
MONROE COUNTY SURROGATE COURT JUDGE
ACTING SUPREME COURT JUSTICE

SUPREME COURT RULES

Rule # 1 - Effective Date:

These rules are effective as of January 1, 2021 and counsel and litigants are charged with knowledge of them.

Rule # 2 - E-filing:

With the exception of Orders for Reference in foreclosure matters, hard copies of any and all filings are **NOT** required. Similarly, dispositional Orders need not be supplied in hard copy. The Court retains the discretion to request hard copies in individual cases.

Rule # 2-a - E-filing deadline:

Pursuant to 22 NYCRR § 202.5-b, E-filing must be completed by 4:00 p.m. of the date in question, including when the Court imposes a filing deadline.

Rule # 3 - Returning Papers:

Self-addressed, stamped, return envelopes must be provided for any items wished to be returned.

Rule # 4 - Motion Papers:

- Legal arguments contained within an Attorney's Affirmation are discouraged (*see* 22 NYCRR 202.8[c]) but will not be rejected.
- Condensed transcripts are NOT permitted as exhibits, and full-sized copies are required.
- Additionally, all exhibits must be clearly tabbed, and no double-sided exhibits are allowed.
- Non-compliant submissions will be rejected.
- Further, when submitting a proposed Order or Judgment with a motion, make it separate from the bound motion. An Order or Judgment will not be signed unless and until the separate submission is made.

Rule # 5 - Reply Papers:

Unless otherwise directed by the Court, reply papers are due to chambers (or must be e-filed) 24 hours before the return date time.

Rule # 6 - Sur-Reply Papers:

Sur-Replies are NOT permitted without prior leave of the Court (CPLR 2214 [b] & [c]).

Rule # 7 - Settlements and Discontinuances:

If a matter is settled, discontinued, or otherwise disposed of, counsel shall promptly E-file the Stipulation, or, if not an efiled case, inform the Court, after filing the stipulation with the County Clerk, by submitting to the Court a time-stamped copy of the Stipulation by email (preferred), or by letter. The case cannot be closed without receipt of the Stipulation (22 NYCRR § 202.28). If the Stipulation is not received within 60 days, the action will be stricken from the calendar.

If the settlement was placed on the record in open court, and the Stipulation is not received within 60 days or the court is not informed that there is a problem with the settlement that is holding up the stipulation, the action will be dismissed without prejudice.