

**CIVIL COURT OF THE CITY OF NEW YORK**

**DIRECTIVES AND PROCEDURES**

**Subject: Reorganization of Civil Parts  
in Civil Court**

**Class: DRP 161**

**Category: GP-40, GP-60**

**Eff Date: Sept. 9, 2002**

=====

**BACKGROUND**

The Civil Court has a multiplicity of judges, parts, courtrooms, trial assignments, etc. In general, it has been up to each County Administration to organize its own Calendar/Trial System. This means that every County is different in terms of names of parts, assignment of part numbers or letters, kinds of cases heard in each part, etc. While some of these differences are due to the physical structure of each of the locations, most of them are simply for convenience or historical. These variations from County to County lead to confusion among the litigants who use different counties and makes case-tracking procedures difficult and often inaccurate. For example, we are unable to compare processing of self-represented cases. In the Bronx these are called on the Part 19A calendar. In New York self-represented cases go to PA1, self-represented pre-arbitration to Part 31 and self-represented jury to Part 1. Queens assigns all cases to Part 1a, and Inquests to Part 17. Richmond has a non-jury and a jury part, and all cases are divided by those categories regardless of whether they are self-represented or not. If we wanted to know our backlog of self-represented cases at any given time we would be unable to do so, nor could we compare the counties to determine time delays for self-represented cases.

In order to have a consistent citywide procedure, the following part designations are to be followed.

**PROCEDURE**

A Part is defined as a specific time and place for the convening of cases in front of a judicial officer.

The following list provides designations for the Parts. Parts presented in capital letters must exist in every County. Other Parts are designated but optional. Numbers left blank allow for further specialization if required. Any further specialization must be cleared with the Administrative Judge.

At present we are designating the following Calendar Parts:

- Part 1 MILITARY: All Civil and Commercial L&T cases marked stayed due to a party being in the military.
- Part 2 Pre Arbitration: A conference part. Civil Cases \$10,000 and under.
- Part 3 Pre Arbitration: Self Represented. A conference Part. Civil Cases \$10,000 and under where any of the parties appears in person.
- Part 4 Arbitration: A calendar part for assignment of ready cases to the arbitration program.
- Part 5 JURY: All jury cases except Transfers.
- Part 6 Jury: City of New York: All jury cases in which the City of New York is a defendant except for Transfers.
- Part 7 Jury: Landlord & Tenant/Small Claims: All jury cases originating from Landlord and Tenant or Small Claims.
- Part 8 Jury: Self-Represented: All jury cases where any of the parties appears in person except Transfers.
- Part 9 Jury: Trial De Novo: All jury cases which have had an arbitration and in which a trial de novo has been filed.

Part 10

- Part 11 SELF REPRESENTED: All non-jury Civil cases in which any of the parties is self-represented except for Transfers, Inquests and Ejectments.
- Part 12 INQUEST: All Civil cases in which a Notice of Inquest has been filed except for Transfers.
- Part 13 Inquest on Submission: All inquests submitted following 22 NYCRR § 208.32.
- Part 14 Inquest: Self-Represented: Any inquest where the plaintiff is self-represented.
- Part 15 NON JURY: All Civil cases in which all parties are represented and no jury demand has been filed. Includes Trial de Novo.
- Part 16 Non-Jury: \$10,000.00 and under: All Civil cases in which all parties are represented, no jury demand has been filed, and the claim is for \$10,000 and under. Includes Trial de Novo.
- Part 17 Non-Jury: Over \$10,000.00: All Civil cases in which all parties are represented, no jury demand has been filed, and the claim is for more than \$10,000.
- Part 18 EJECTMENT: All Civil cases in which the relief requested is the ejectment of a defendant from a premises.
- Part 19 EJECTMENT: SELF-REPRESENTED: All Civil cases in which any of the parties is self-represented and the relief requested is the ejectment of a defendant from the premises.
- Part 20 TRANSFERS: All cases transferred to Civil Court under CPLR § 325.
- Part 21 Transfers: Jury: All cases transferred to the Civil Court under CPLR § 325 where a jury demand has been filed.
- Part 22 Transfers: Non- Jury: All cases transferred to the Civil Court under CPLR § 325 where no jury demand has been filed.
- Part 23 Transfers: Jury, City of New York: All cases transferred to the Civil Court under CPLR § 325 in which the City of New York is a defendant and a jury demand has been filed.
- Part 24 Transfers: Non-Jury: City of New York: All cases transferred to the Civil Court under CPLR § 325 in which the City of New York is a defendant and no jury demand has been filed.
- Part 25 TRANSFERS: PRE-NOTE: Status: All cases transferred to Civil Court under CPLR § 325 in which no Note of Issue or Notice of Trial has been filed beginning with 1999. This may be an afternoon Part and the cases may be sent to individual Judges for conference.
- Part 26
- Part 27
- Part 28
- Part 29
- Part 30 PROCEDURAL MOTIONS: All motions on notice other than those brought pursuant to CPLR §§ 3211, 3212, 3213, and 7510.

- Part 31 Procedural Motions: Transfers: All motions on notice other than those brought pursuant to CPLR §§ 3211, 3212, 3213, and 7510 on cases transferred to the Civil Court.
- Part 32 NON-PROCEDURAL MOTIONS: All motions on notice brought pursuant to CPLR §§ 3211, 3212, 3213, or 7510. Any motion in which this kind of relief is requested to go to this Part.
- Part 33 Non-procedural Motions: Transfers: All motions on notice brought pursuant to CPLR §§ 3211, 3212, 3213, or 7510 on cases transferred to the Civil Court. Any motion in which this kind of relief is request is to go to this Part.
- Part 34 PROCEDURAL MOTIONS: SELF-REPRESENTED: All motions in cases in which any of the parties is self-represented and the relief requested is other than pursuant to CPLR §§ 3211, 3212, 3213 and 7510.
- Part 35 NON-PROCEDURAL MOTIONS: SELF-REPRESENTED: All non- procedural motions on cases in which any of the parties is self-represented and relief is requested pursuant to CPLR §§ 3211, 3212, 3213 and 7510.
- Part 36 ENFORCEMENT HEARINGS: All post-judgment hearings where enforcement of a motion to punish for contempt is requested in a Civil case.
- Part 37 INFANTS COMPROMISE HEARINGS: All cases in which an infant's compromise requires a hearing.
- Part 38 RECOVERY OF CHATTEL: All hearings in which the recovery of any chattel is requested, including cases brought by Utilities.
- Part 39 MISCELLANEOUS HEARINGS: All other hearings: Traverse, Turnover, Change of Name, etc..
- Part 40
- Part 41
- Part 42
- Part 43
- Part 44
- Part 45 SMALL CLAIMS: All Small Claims cases and motions on those cases.
- Part 46 Small Claims: Backup: A trial part for Small Claims Cases ready to be heard by a judge other than the judge presiding over the calendar part.
- Part 47 SMALL CLAIMS: DAY: All Small Claims cases assigned to the day by order of the Court or following CCA § 1815.
- Part 48
- Part 49
- Part 50
- Part 51

Part 52 LANDLORD/TENANT: COMMERCIAL: All proceedings and motions in cases brought for the recovery of commercial premises.

Part 53 Landlord/Tenant: Commercial: World Trade Center. Commercial summary proceedings arising out of the WTC terrorist act.

Part 54

Individual Judge's Parts are to be designated by any number beginning with 55.

**Fern A. Fisher**  
**Administrative Judge, Civil Court**