

**CIVIL TERM - PART RULES, PART 22G, PART 22
HON. LEE A. MAYERSOHN
COURTROOM 22**

Justice Lee A. Mayersohn
88-11 Sutphin Boulevard
Jamaica, NY 11435

Courtroom Phone: (718) 298-1037
Chambers Phone: (718) 298-1626
Fax: (718) 298-1149
Part 22 Email: QSCPart22@nycourts.gov
Virtual Motion Calendar: www.tinyurl.com/QSCPart22

Principal Law Clerk: Ilene P. Fern, Esq.
Secretary to Justice: Savannah Gordon
Part Clerk: Pamela Canda

General Part Rules

Part Rules effective January 19, 2023.

ALL COUNSEL MUST APPEAR FOR ALL CALENDARED MATTERS UNLESS SPECIFICALLY EXCUSED.

During virtual proceedings, the parties should maintain the decorum that exists in all courtroom proceedings. Specifically, the parties should appear in professional attire, minimize distractions in their environment, use video as well as audio equipment, and mute their microphones when other parties are speaking.

Telephone calls regarding orders and procedures are to be directed to the Guardianship Office at (718) 298-1040.

Copies of correspondence between counsel should not be sent to the Court as same will not be placed in the Court file.

All proposed Orders in E-Filed Guardianship Cases MUST be E-Filed. After E-Filing a proposed order, Counsel must send an email to GuardianshipQueens@nycourts.gov to alert them to the filing. The email should include the AIP's name, the index number of the matter, and the NYSCEF document number of the proposed order. Failure to do so will result in a delay in the processing of the Order.

All other filings on Guardianship cases not yet converted to E-File should be mailed to the courthouse Attention: Guardianship Department. **NO FILINGS SHALL BE MAILED DIRECTLY TO CHAMBERS.**

All parties are encouraged to convert their matters to an E-Filed case to enable expeditious processing.

Orders to Show Cause to Appoint a Guardian

Contact Information for Interested Parties: Petitioner's attorney must submit a list of email addresses for all parties required to receive notice to the Part via email (QSCPART22@nycourts.gov) seven (7) days prior to the hearing date.

Microsoft Teams: All parties must be able to appear remotely (by both audio and video) on the return date scheduled. Microsoft Teams is the teleconferencing platform used by the New York State Unified Court System. Teams can be accessed via desktop app on Windows, MacOS, or Linux; through a compatible web browser such as Microsoft Edge or Google Chrome; or via mobile app. **All parties and counsel are responsible for ensuring their systems are functional and compatible with Microsoft Teams in advance of the hearing date.** More information is available at <https://www.microsoft.com/en-us/microsoft-365/microsoft-teams/download-app>

Attendance of AIP at Remote Conference: Petitioner's attorney shall be responsible for ensuring the Alleged Incapacitated Person ("AIP") has the capability to appear via Microsoft Teams on the hearing date unless the AIP's appearance has been previously waived.

Applications for Adjournment: Applications for an adjournment may be made by all parties and the Court Evaluator/Attorney for the AIP, as well as approved by the Court prior to the date the matter appears on the calendar. All applications for adjournment must indicate whether the Alleged Incapacitated Person will suffer any harm by the adjournment. Please contact the Part via email or phone to discuss available adjourn dates before making the Application.

Report of the Court Evaluator shall be emailed to QSCPART22@nycourts.gov at least two (2) days prior to the return date of the Order to Show Cause. The Report of Court Evaluator SHOULD NOT be shared with the parties without prior authorization from the Court. If this matter is an e-filed case, the Court Evaluator SHOULD NOT e-file the Report prior to the hearing.

Affidavits of Service of the Order to Show Cause must be filed with the Guardianship Department or e-filed no later than ten (10) days prior to the return date of the Order to Show Cause.

Requests for an in-person hearing must be made to QSCPART22@nycourts.gov no later than ten (10) days prior to the return date of the Order to Show Cause.

Requests for a language interpreter must be made to QSCPART22@nycourts.gov at least seven (7) days prior to the return date of the Order to Show Cause.

Motions

Motion Date: All Motions/Petitions other than to appoint a Guardian are heard on Wednesdays at 9:30 A.M. The motion calendar will be called remotely in a Microsoft Teams meeting and can be accessed at <http://www.tinyurl.com/QSCPart22>. All parties and counsel are responsible for ensuring that their systems are functional and compatible with Microsoft Teams in advance of the motion date.

Notice of Motion: The Notice of Motion MUST indicate that the return date will be a virtual appearance, and MUST include the link to the motion calendar on the first page (www.tinyurl.com/QSCPart22.)

Scheduling: Prior to filing a motion, please contact the Part via email (QSCPART22@nycourts.gov.) for the next available motion date.

Contact Information for Interested Parties: The movant/movant's attorney MUST also submit the Guardianship Motion Submission Form providing a list of email addresses for all parties required to

receive notice, including all pro-se parties, to the part via email seven (7) days prior to the return date of the motion. This form is included at the end of the Part Rules.

Waiver of Appearance for Self-Represented Litigants: If pro-se parties do not oppose the relief requested and are unable to appear virtually, a signed, notarized waiver of the party's objections and right to appear must be electronically filed with the Court prior to the return date.

Petitions for the sale of real property must include the publication provision pursuant to Real Property Actions and Proceedings Law ("RPAPL") § 1722. The publication must include a provision that directs any potential bidders to provide his/her email address to the Part via email at least five (5) days prior to the return date of the Order to Show Cause. The publication shall also reference the Microsoft Teams link for the motion calendar (<http://www.tinyurl.com/QSCPart22>). Petitions for the sale of real property must also include a provision for the appointment of an appraiser to be filled in by the Court.

GUARDIANSHIP MOTION SUBMISSION FORM - HON. LEE A. MAYERSOHN

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X Index Number: _____

In the Matter of

**(Name of Incapacitated Person, Alleged Incapacitated
Person or Person in Need of a Guardian)**

-----X

I, _____, (the movant/cross-movant/attorney for
movant/cross-movant), do attest the following:

(Please Check or Complete The Following)

____ All parties have been served with the motion papers;

The Return Date for the motion as noticed is _____

____ No Opposition Papers have been received OR

____ Opposition Papers have been received from _____

____ Reply Papers were served upon _____

____ Motion withdrawn [Counsel must submit Order]

____ An Adjournment on consent is hereby requested [Counsel must submit Stipulation]

Contact information for movant/cross-movant AND all parties served with this motion:

<i>Name</i>	<i>Party Representing</i>	<i>E-Mail Address</i>

*******THIS FORM MUST BE EMAILED TO QSCPART22@NYCOURTS.GOV NO LATER
THAN SEVEN (7) DAYS PRIOR TO THE RETURN DATE OF THE MOTION. *******

*******FAILURE TO SUBMIT THIS FORM TO THE PART CLERK WILL RESULT IN THE
MOTION BEING MARKED OFF THE CALENDAR. *******