

SUPREME COURT, CIVIL BRANCH
New York County
60 Centre Street, New York, N.Y. 10007

HELP CENTER
Room 116
646-386-3025

How to File a Request for Judicial Intervention
Matrimonial Action Only

Note: All persons involved in a lawsuit should consult an attorney. This office gives you information, forms and instructions on court procedures. As an office of this court, we cannot give legal advice or act as your advocate.

Although a law suit begins upon filing with the County Clerk of a **summons with notice** or **summons and complaint**, or, in the case of a **special proceeding**, a **petition**, the matter has not yet entered the court system and is not known to the court or a Justice. This will happen when a party files a “Request for Judicial Intervention Form” (referred to as an RJI), pays the fee, and asks the court to take some immediate action in regard to the matter.

A special proceeding, because of its particular nature, will have to come into court promptly. However, a civil action brought on by summons and complaint or summons with notice can proceed for a considerable time, even for years, before judicial intervention becomes necessary and before the case actually is in the court. The initial documents containing allegations and responses in a civil action, the **complaint** and **answer**, set the frame of the dispute; some additional action is required to bring the dispute to a head, or to put the plaintiff to his or her proof before the court or a jury. In contrast with the practice in Federal and other courts, in New York cases are litigated between the parties until some dispute arises or the case otherwise requires action by a judge. Only then does the case come into court. The RJI is the method used to assign a Justice to the case. This is done randomly. Once the case is assigned, all future proceedings in the case take place in front of the same Justice (unless the Justice leaves the court or is reassigned to a different category of case).

A point at which many cases first come before the court is upon the making of certain kinds of **motions**, such as a motion to dismiss or a motion for summary judgment. (A motion is a form of application within a case for some form of relief. The kinds of motions available are set forth in the Civil Practice Law and Rules.) A case may also come into court if a party wishes a conference before the Justice for the purpose of setting dates for the completion of information exchange (called “discovery”). If the case does not come before the court for these reasons, the plaintiff may,

at an appropriate time, cause the case to be placed on the trial calendar. Until the case is placed on the trial calendar, it can never be called for trial.

However the case first comes to court, an RJI is required to be filed at the first appearance of the case in court. Only one RJI is filed in a case.

A party wishing to file an RJI must have some purpose for which the intervention of a Justice is required. The principal purposes are to obtain a conference, to make a motion, to bring on a special proceeding, or to place the case on the trial calendar. Each of these objectives requires the filing of a paper or papers. Before the court can accept such filing, the applicant must present an RJI. The form must be completed and signed by the filing party.

In a matrimonial action, an RJI must be filed with an RJI Addendum.

A copy of the RJI and Addendum must be served upon all other parties to the case with the papers to which the RJI relates. The RJI must be paid for in the cashier's office of the County Clerk (Room 160 or Room 141B). The cost for an RJI is \$95. The County Clerk will issue a receipt for the RJI. This, together with an original and a copy of the RJI and Addendum, must be presented to the back office of the court in which the applicant's papers are to be filed.

REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (7/2012)

For Court Clerk Use Only:

IAS Entry Date

Judge Assigned

RJI Date

COURT, COUNTY OF

Index No: Date Index Issued: / /

CAPTION:

Enter the complete case caption. Do not use et al or et ano. If more space is required, attach a caption rider sheet.

Plaintiff(s)/Petitioner(s)

-against-

Defendant(s)/Respondent(s)

NATURE OF ACTION OR PROCEEDING:

Check ONE box only and specify where indicated.

MATRIMONIAL

☐ Contested

NOTE: For all Matrimonial actions where the parties have children under the age of 18, complete and attach the **MATRIMONIAL RJI Addendum**.
For Uncontested Matrimonial actions, use RJI form UD-13.

TORTS

☐ Asbestos

☐ Breast Implant

☐ Environmental: (specify)

☐ Medical, Dental, or Podiatric Malpractice

☐ Motor Vehicle

☐ Products Liability: (specify)

☐ Other Negligence: (specify)

☐ Other Professional Malpractice: (specify)

☐ Other Tort: (specify)

OTHER MATTERS

☐ Certificate of Incorporation/Dissolution [see **NOTE** under Commercial]

☐ Emergency Medical Treatment

☐ Habeas Corpus

☐ Local Court Appeal

☐ Mechanic's Lien

☐ Name Change

☐ Pistol Permit Revocation Hearing

☐ Sale or Finance of Religious/Not-for-Profit Property

☐ Other: (specify)

COMMERCIAL

☐ Business Entity (including corporations, partnerships, LLCs, etc.)

☐ Contract

☐ Insurance (where insurer is a party, except arbitration)

☐ UCC (including sales, negotiable instruments)

☐ Other Commercial: (specify)

NOTE: For Commercial Division assignment requests [22 NYCRR § 202.70(d)], complete and attach the **COMMERCIAL DIV RJI Addendum**.

REAL PROPERTY: How many properties does the application include? _____

☐ Condemnation

☐ Mortgage Foreclosure (specify): ☐ Residential ☐ Commercial
Property Address: _____

NOTE: For Mortgage Foreclosure actions involving a one- to four-family, owner-occupied, residential property, or an owner-occupied condominium, complete and attach the **FORECLOSURE RJI Addendum**.

☐ Tax Certiorari - Section: _____ Block: _____ Lot: _____

☐ Tax Foreclosure

☐ Other Real Property: (specify)

SPECIAL PROCEEDINGS

☐ CPLR Article 75 (Arbitration) [see **NOTE** under Commercial]

☐ CPLR Article 78 (Body or Officer)

☐ Election Law

☐ MHL Article 9.60 (Kendra's Law)

☐ MHL Article 10 (Sex Offender Confinement-Initial)

☐ MHL Article 10 (Sex Offender Confinement-Review)

☐ MHL Article 81 (Guardianship)

☐ Other Mental Hygiene: (specify)

☐ Other Special Proceeding: _____

STATUS OF ACTION OR PROCEEDING:

Answer YES or NO for EVERY question AND enter additional information where indicated.

Has a summons and complaint or summons w/notice been filed?

Has a summons and complaint or summons w/notice been served?

Is this action/proceeding being filed post-judgment?

YES NO

☐ ☐ If yes, date filed: / /

☐ ☐ If yes, date served: / /

☐ ☐ If yes, judgment date: / /

NATURE OF JUDICIAL INTERVENTION:

Check ONE box only AND enter additional information where indicated.

☐ Infant's Compromise

☐ Note of Issue and/or Certificate of Readiness

☐ Notice of Medical, Dental, or Podiatric Malpractice

☐ Notice of Motion

☐ Notice of Petition

☐ Order to Show Cause

☐ Other Ex Parte Application

☐ Poor Person Application

☐ Request for Preliminary Conference

☐ Residential Mortgage Foreclosure Settlement Conference

☐ Writ of Habeas Corpus

☐ Other (specify):

Date Issue Joined: / /

Relief Sought:

Return Date: / /

Relief Sought:

Return Date: / /

Relief Sought:

Return Date: / /

RELATED CASES: List any related actions. For Matrimonial actions, include any related criminal and/or Family Court cases. If additional space is required, complete and attach the RJI Addendum. If none, leave blank.

Case Title	Index/Case No.	Court	Judge (if assigned)	Relationship to Instant Case

PARTIES: For parties without an attorney, check "Un-Rep" box AND enter party address, phone number and e-mail address in space provided. If additional space is required, complete and attach the RJI Addendum.

Un-Rep	Parties:	Attorneys and/or Unrepresented Litigants:	Issue Joined (Y/N):	Insurance Carrier(s):
	List parties in caption order and indicate party role(s) (e.g. defendant; 3rd-party plaintiff).	Provide attorney name, firm name, business address, phone number and e-mail address of all attorneys that have appeared in the case. For unrepresented litigants, provide address, phone number and e-mail address.		
<input checked="" type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input checked="" type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="checkbox"/> YES <input type="checkbox"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, TO MY KNOWLEDGE, OTHER THAN AS NOTED ABOVE, THERE ARE AND HAVE BEEN NO RELATED ACTIONS OR PROCEEDINGS, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION PREVIOUSLY BEEN FILED IN THIS ACTION OR PROCEEDING.

Dated: / /

SIGNATURE

ATTORNEY REGISTRATION NUMBER

PRINT OR TYPE NAME

MATRIMONIAL Request for Judicial Intervention Addendum

UCS-840M
3/2011

COURT, COUNTY OF

INDEX NO.

For use when there are children under the age of 18 who are subject to the matrimonial action.

Plaintiff

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Prior Names (List any other names used, including maiden and/or former married names):

Gender: ☐ Male ☐ Female

Last Name: _____ First Name: _____

Last Name: _____ First Name: _____

Last Name: _____ First Name: _____

Present Address:

(Street Address) (City) (State) (Zip)

**Address History
for past 3 years:**

(Street Address) (City) (State) (Zip)

(Street Address) (City) (State) (Zip)

(Street Address) (City) (State) (Zip)

Defendant

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Prior Names (List any other names used, including maiden and/or former married names):

Gender: ☐ Male ☐ Female

Last Name: _____ First Name: _____

Last Name: _____ First Name: _____

Last Name: _____ First Name: _____

Present Address:

(Street Address) (City) (State) (Zip)

**Address History
for past 3 years:**

(Street Address) (City) (State) (Zip)

(Street Address) (City) (State) (Zip)

(Street Address) (City) (State) (Zip)

Children

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Gender: ☐ M ☐ F

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Gender: ☐ M ☐ F

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Gender: ☐ M ☐ F

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Gender: ☐ M ☐ F

Last Name: _____ **First Name:** _____

Date of Birth: ____/____/____

Gender: ☐ M ☐ F