



Ann Pfau
Chief Administrative Judge


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2150

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(212) 428-2100

MEMORANDUM

September 29, 2009

TO: Bar Associations

FROM: Hon. Ann Pfau 

SUBJECT: New Request for Judicial Intervention (RJI) form

The Request for Judicial Intervention (RJI) form set forth in section 202.6 of the Uniform Civil Rules for the Supreme and County Courts was last revised in 2000. It does not take into account legislative changes enacted during the past decade and does not fully reflect the court system's current operational needs. A team of administrative and court personnel has been working to revise the form to bring it up-to-date, and we would like to have the bar's views on these revisions.

Attached are the proposed new RJI form and addenda, together with a summary of the changes made and the reasons for each change:

- Attachment A A proposed new form UCS-840 Request for Judicial Intervention (RJI).
- Attachment B Four proposed addenda to the new RJI form (Form 840A - RJI Addendum; Form 840C - Commercial Division RJI Addendum; Form 840F - Foreclosure RJI Addendum and Form 840M - Matrimonial RJI Addendum).
- Attachment C A detailed summary setting forth all of the changes in the forms and the reasons for those changes.

Attachment D A copy of the current RJI form that is being replaced.

The new RJI form significantly revises the format of the existing RJI form, but almost all of the changes are technical – based upon new statutory requirements and the court system's operational and statistical gathering needs. Attachment C, the summary, explains each change and the reason for it. Note that the new form requires that the attorney filer include his or her own attorney registration number and the attorney registration numbers of all other attorneys representing parties in the case. This requirement is discussed in item 23 of Attachment C.

Please examine this material and send me any comments that your association might have no later than November 30, 2009. Comments should be sent to:

Michael Colodner
Counsel
Office of Court Administration
25 Beaver Street
New York, New York 10004

Thank you for your attention.

hm

Attach.

cc: Hon. Jonathan Lippman
Hon. Fern Fisher
Hon. Michael Coccoma
Ronald Younkings
Michael Colodner

ATTACHMENT A

REQUEST FOR JUDICIAL INTERVENTION

UCS-840 (8/2009)

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)

| For Court Clerk Use Only: | |
|---------------------------|--|
| IAS Entry Date | |
| Judge Assigned | |
| RJI Date | |

NATURE OF ACTION OR PROCEEDING: Check ONE box only and specify where indicated.

| | |
|---|---|
| <p>MATRIMONIAL</p> <input type="checkbox"/> Contested <input type="checkbox"/> Uncontested <p>NOTE: For all Matrimonial actions where the parties have children under the age of 18, complete and attach the MATRIMONIAL RJI Addendum.</p> <p>TORTS</p> <input type="checkbox"/> Asbestos <input type="checkbox"/> Breast Implant <input type="checkbox"/> Environmental <input type="checkbox"/> Medical, Dental, or Podiatric Malpractice <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Products Liability: _____ (specify) <input type="checkbox"/> Other Negligence: _____ (specify) <input type="checkbox"/> Other Professional Malpractice: _____ (specify) <input type="checkbox"/> Other Tort: _____ (specify) <p>OTHER MATTERS</p> <input type="checkbox"/> Certificate of Incorporation/Dissolution [see NOTE under Commercial] <input type="checkbox"/> Emergency Medical Treatment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Local Court Appeal <input type="checkbox"/> Mechanic's Lien <input type="checkbox"/> Name Change <input type="checkbox"/> Pistol Permit Revocation Hearing <input type="checkbox"/> Sale of Church/Not-for-Profit Property <input type="checkbox"/> Other: _____ (specify) | <p>COMMERCIAL</p> <input type="checkbox"/> Contract <input type="checkbox"/> Corporate <input type="checkbox"/> Insurance (where insurer is a party, except arbitration) <input type="checkbox"/> UCC (including sales, negotiable instruments) <input type="checkbox"/> Other Commercial: _____ (specify) <p>NOTE: For Commercial Division assignment requests [22 NYCRR § 202.70(d)], complete and attach the COMMERCIAL DIV RJI Addendum.</p> <p>REAL PROPERTY: How many properties does the application include? _____</p> <input type="checkbox"/> Condemnation <input type="checkbox"/> Foreclosure <p>Property Address: _____</p> <p>NOTE: For Foreclosure actions involving a subprime, nontraditional or high-cost mortgage, complete and attach the FORECLOSURE RJI Addendum.</p> <input type="checkbox"/> Tax Certiorari <input type="checkbox"/> Other Real Property: _____ (specify) <p>SPECIAL PROCEEDINGS</p> <input type="checkbox"/> CPLR Article 75 (Arbitration) [see NOTE under Commercial] <input type="checkbox"/> CPLR Article 78 (Body or Officer) <input type="checkbox"/> Election Law <input type="checkbox"/> MHL Article 9.60 (Kendra's Law) <input type="checkbox"/> MHL Article 10 (Sex Offender Confinement-Initial) <input type="checkbox"/> MHL Article 10 (Sex Offender Confinement-Review) <input type="checkbox"/> MHL Article 81 (Guardianship) <input type="checkbox"/> Other Mental Hygiene: _____ (specify) <input type="checkbox"/> Other Special Proceeding: _____ (specify) |
|---|---|

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? | YES | NO | If yes, date filed: ____/____/____ |
| Is this action/proceeding being filed post-judgment? | <input type="checkbox"/> | <input type="checkbox"/> | If yes, judgment date: ____/____/____ |

PRE-NOTE TIME FRAMES: Indicate estimated time period for trial readiness from filing of RJI to filing of Note of Issue.

NOTE: This applies to all actions except Contested Matrimonial and Tax Certiorari cases.

Expedited: 0-8 months
 Standard: 9-12 months
 Complex: 13-15 months

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 Date Issue Joined: ____/____/____
- Notice of Motion Relief Sought: _____ Return Date: ____/____/____
- Notice of Petition Relief Sought: _____ Return Date: ____/____/____
- Order to Show Cause Relief Sought: _____ Return Date: ____/____/____
- Other Ex Parte Application Relief Sought: _____
- Poor Person Application
- Request for Preliminary Conference
- Residential Mortgage Foreclosure Settlement Conference
- Writ of Habeas Corpus
- Other (specify): _____

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**.

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

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

| Un-Rep | Parties: List parties in caption order and indicate party role(s) (e.g. defendant; 3rd-party plaintiff). | Attorneys: Provide attorney name, firm name, business address, phone number, e-mail address and attorney registration number. NOTE: Attorney registration numbers and contact information may be easily searched free of charge at: http://iapps.courts.state.ny.us/attorney/AttorneySearch | Issue Joined (Y/N): | Insurance Carrier(s): | Municipality OR Public Authority: |
|--------------------------|---|---|---|-----------------------|--|
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |

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

ATTACHMENT B

Request for Judicial Intervention Addendum

UCS-840A
8/2009

COURT, COUNTY OF _____ Index No: _____

For use when additional space is needed to provide party or related case information.

PARTIES: For parties without an attorney, check "Un-Rep" box AND enter party address, phone number and e-mail address in "Attorneys" space.

| Un-Rep | Parties: | Attorneys: | Issue Joined (Y/N): | Insurance Carrier(s): | Municipality OR Public Authority: |
|--------------------------|--|---|---|-----------------------|--|
| | 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, e-mail address and attorney registration number. NOTE: Attorney registration numbers and contact information may be easily searched free of charge at: http://iapps.courts.state.ny.us/attorney/AttorneySearch | | | |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |
| <input type="checkbox"/> | Name: Role(s): | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | <input type="checkbox"/> Municipality <input type="checkbox"/> Public Authority |

RELATED CASES: List any related actions. For Matrimonial actions, include any related criminal and/or Family Court cases.

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

COUNTY OF _____ x

Index No. _____

RJI No. (if any) _____

-against-

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s) x

COMMERCIAL DIVISION

Request for Judicial Intervention Addendum

COMPLETE WHERE APPLICABLE [add additional pages if needed]:

Plaintiff's cause(s) of action [check all that apply]:

- Breach of contract or fiduciary duty, fraud, misrepresentation, business tort (e.g. unfair competition), or statutory and/or common law violation where the breach or violation is alleged to arise out of business dealings (e.g. sales of assets or securities; corporate restructuring; partnership, shareholder, joint venture, and other business agreements; trade secrets; restrictive covenants; and employment agreements not including claims that principally involve alleged discriminatory practices)
- Transactions governed by the Uniform Commercial Code (exclusive of those concerning individual cooperative or condominium units)
- Transactions involving commercial real property, including Yellowstone injunctions and excluding actions for the payment of rent only
- Shareholder derivative actions — without consideration of the monetary threshold
- Commercial class actions — without consideration of the monetary threshold
- Business transactions involving or arising out of dealings with commercial banks and other financial institutions
- Internal affairs of business organizations
- Malpractice by accountants or actuaries, and legal malpractice arising out of representation in commercial matters
- Environmental insurance coverage
- Commercial insurance coverage (e.g. directors and officers, errors and omissions, and business interruption coverage)
- Dissolution of corporations, partnerships, limited liability companies, limited liability partnerships and joint ventures — without consideration of the monetary threshold
- Applications to stay or compel arbitration and affirm or disaffirm arbitration awards and related injunctive relief pursuant to CPLR Article 75 involving any of the foregoing enumerated commercial issues — without consideration of the monetary threshold

Plaintiff's claim for compensatory damages (exclusive of punitive damages, interest, costs and counsel fees claimed):

\$ _____

Plaintiff's claim for equitable or declaratory relief [brief description]:

Defendant's counterclaim(s) [brief description, including claim for monetary relief]:

I REQUEST THAT THIS CASE BE ASSIGNED TO THE COMMERCIAL DIVISION. I CERTIFY THAT THE CASE MEETS THE JURISDICTIONAL REQUIREMENTS OF THE COMMERCIAL DIVISION SET FORTH IN 22 NYCRR § 202.70(a), (b) AND (c).

Dated: ____/____/_____

SIGNATURE

PRINT OR TYPE NAME

FORECLOSURE Request for Judicial Intervention Addendum

COURT, COUNTY OF _____

INDEX NO. _____

The following 5 questions **MUST** be answered:

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1) Does this action involve a subprime, nontraditional or high-cost mortgage? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) Is this a one to four-family, owner-occupied, residential property? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3) Is this a residential mortgage entered into between 1/1/2003 and 9/1/2008? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4) Has a summons been served? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5) Was this action commenced on or after 9/1/2008? | <input type="checkbox"/> | <input type="checkbox"/> |

- If the answer to any question #1 to #4 is **NO**, **STOP HERE** and attach to RJI.
- If the answer to all 5 questions is **YES**, a Residential Mortgage Foreclosure Settlement Conference is **MANDATORY**. Select "Residential Mortgage Foreclosure Conference" as the Nature of Judicial Intervention, complete the defendant information below and attach to RJI.
- If the answer to all questions is **YES**, **EXCEPT** question #5, a Residential Mortgage Foreclosure Settlement Conference is **OPTIONAL**. If requesting a conference, complete the defendant information below and attach to RJI. If not requesting a conference, stop here and attach to RJI.

Refer to the instructions in the box to the right.

DEFENDANT INFORMATION: The information below **MUST** be completed for all defendants. List parties in caption order. Attach additional forms as necessary.

1. Last Name: _____ First Name: _____ Primary Phone: (____) _____ - _____ Secondary Phone: (____) _____ - _____
Address: _____ (Street Address) _____ (City) _____ (State) _____ (Zip) e-mail: _____

Comments: _____ 90-day Notice [RPAPL § 1304(1)] mailed on: ____/____/____

2. Last Name: _____ First Name: _____ Primary Phone: (____) _____ - _____ Secondary Phone: (____) _____ - _____
Address: _____ (Street Address) _____ (City) _____ (State) _____ (Zip) e-mail: _____

Comments: _____ 90-day Notice [RPAPL § 1304(1)] mailed on: ____/____/____

3. Last Name: _____ First Name: _____ Primary Phone: (____) _____ - _____ Secondary Phone: (____) _____ - _____
Address: _____ (Street Address) _____ (City) _____ (State) _____ (Zip) e-mail: _____

Comments: _____ 90-day Notice [RPAPL § 1304(1)] mailed on: ____/____/____

4. Last Name: _____ First Name: _____ Primary Phone: (____) _____ - _____ Secondary Phone: (____) _____ - _____
Address: _____ (Street Address) _____ (City) _____ (State) _____ (Zip) e-mail: _____

Comments: _____ 90-day Notice [RPAPL § 1304(1)] mailed on: ____/____/____

5. Last Name: _____ First Name: _____ Primary Phone: (____) _____ - _____ Secondary Phone: (____) _____ - _____
Address: _____ (Street Address) _____ (City) _____ (State) _____ (Zip) e-mail: _____

Comments: _____ 90-day Notice [RPAPL § 1304(1)] mailed on: ____/____/____

ATTENTION: Proof of service must be filed with this RJI for each defendant upon whom a summons and complaint or summons with notice has been served. [CPLR § 3408]

MATRIMONIAL Request for Judicial Intervention Addendum

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

ATTACHMENT C

Summary of proposed modifications to Request for Judicial Intervention form (UCS-840) and proposed introduction of Request for Judicial Intervention Addendum forms (UCS-840A, UCS-840C, UCS-840F and UCS-840M)

- 1) Change the "Date Purchased" field label to "Date Index Issued."

Purpose: Many index numbers are issued without fee (i.e. fee-exempt parties, poor person applications, etc.). "Date Index Issued" is a more accurate and descriptive label.

- 2) The "RJI Date" field has been expanded.

Purpose: This better accommodates the County Clerk stamp affixed to the papers in most jurisdictions.

- 3) The following instruction has been added to the Caption section: "Enter the complete case caption. Do not use et al, et ano, etc. If more space is required, attach a caption rider sheet."

Purpose: To capture the caption exactly as it is entered on the pleadings filed with the County Clerk. Also, to verify that the caption is correct on future filings that require a full caption, such as the Note of Issue.

- 4) The party identifiers in the Caption section have been embellished to read "Plaintiffs/Petitioners" and "Defendants/Respondents."

Purpose: To accommodate the entry of captions for special proceedings.

- 5) "Bill of Particulars Served?" has been removed from under the caption area.

Purpose: To eliminate superfluous data that is not utilized for case initialization purposes.

- 6) In the Nature of Action or Proceeding section, all case types have been alphabetized under their respective sub-headings for consistency, and "Landlord/Tenant" has been removed from the Real Property subsection as unnecessary.

Purpose: To eliminate outdated or superfluous data from this section,

and to provide a more easily navigable form.

- 7) In the Nature of Action or Proceeding section, the following question has been added: "Real Property: How many properties does your application include?"

Purpose: Many Real Property cases list multiple properties on a single application, but each property must be addressed individually by the court. The Committee believes that each property listed should constitute a "filing," and by capturing the number of properties, statistics for the number of filings may be properly assessed.

- 8) In the Nature of Action or Proceeding section, a line has been added to elicit the property address in foreclosure cases.

Purpose: To facilitate notifications for foreclosure actions that meet the specified criteria for the Residential Mortgage Foreclosure Program, and to facilitate the generation of electronic notices, orders and decisions across all foreclosure actions.

- 9) In the Nature of Action or Proceeding section, notes have been added for Matrimonial, Commercial Division and Foreclosure cases, directing filers to the newly created RJI addendums for these case types.

Purpose: To alert filers to complete and attach the appropriate RJI addendum based upon the type of action being filed (new UCS forms 840C, 840F and 840M):

- Commercial Division - The addendum form UCS-840C requires filers in commercial cases who want their cases heard in the Commercial Division to provide the jurisdictional information required by court rules and to certify that the cases meet the monetary and subject matter requirements for Commercial Division assignment. Also, for accurate statistical reporting, and to reflect differences in standards and goals calculations, actions are differentiated from Special Proceedings filed, and thus not categorized as "Other Commercial" as the rules currently require.
- Foreclosure - The addendum form UCS-840F serves to identify those cases that qualify as subprime foreclosures for purposes of the Early Foreclosure Conference Program. If so, personal contact information is collected for all defendants, and the court should use this information to notify all defendants of the conference request as required by the Early Foreclosure Conference Program rules.
- Matrimonial - The addendum form UCS-840M collects the

additional plaintiff, defendant and dependent child information necessary to perform legislatively mandated records checks on prior sex offenses, active criminal or Family Court warrants, order of protection histories, and Family Court abuse and neglect proceeding histories of the parties in those matrimonial actions with children under the age of 18 who may be subject to custody or visitation determinations.

- 10) "Medical/Podiatric Malpractice" and "Dental Malpractice" have been combined into a single selection in the Torts subsection.

Purpose: These types of malpractice are grouped together in statute and do not require separate selections.

- 11) "MHL Article 9.60 (Kendra's Law)," "Article 10 (Sex Offender Confinement-Initial)" and "MHL Article 10 (Sex Offender Confinement-Review)" have been added to the Special Proceedings subsection.

Purpose: To identify and track common special proceeding categories resultant from recently enacted legislation.

- 12) Current "non-RJI" filings have been added, which include, Certificate/Dissolution of Incorporation, Emergency Medical Treatment, Habeas Corpus, Local Court Appeal, Mechanic's Lien, Name Change, Pistol Permit Revocation Hearing, and Sale of Church/Not-for-Profit Property.

Purpose: To require the preparation of an RJI for all civil filings in superior courts. Case types that do not currently require an RJI would be processed without fee. Many courts, as a routine practice, already ask litigants to complete "no fee" RJIs to create what is, essentially, a cover sheet capturing the key information needed for initialization of a new case. Moreover, with e-filing on the horizon, and an on-line RJI in development, this listing is an effective and uniform tool to collect and synchronize information submitted for all filings.

- 13) In the Status of Action or Proceeding section, the following instruction has been added: "Answer YES or NO for EVERY question AND enter additional information where indicated."

Purpose: To clarify what the data filers are required to enter.

- 14) The following question has been added: "Has a summons and complaint

or summons w/notice been filed?," and if so, requests the filing date.

Purpose: Knowing whether or not a summons and complaint or summons with notice have been filed on a case tells us whether it is an action or special proceeding, which in turn serves as a quality control measure for the applicability of selections made in the "Nature of Action or Proceeding" and "Nature of Judicial Intervention" sections, respectively. This ensures greater accuracy and integrity of case data. Moreover, it allows cases to be evaluated for standards and goals purposes to determine if a preliminary conference is required, the scheduling of which may be automated through the collection of this data. The filing date provides the time elapsed from the filing of the summons and complaint or summons with notice to the filing of the RJI, which is pertinent to applications for alternate service.

- 15) The following question and instruction has been added: "Is this RJI being filed post-judgment?," and if so, requests the judgment date.

Purpose: Knowing if a clerk's judgment has already been entered prior to the filing of the RJI provides pertinent information for scheduling and standards and goals purposes. Entry of judgment obviates the need for a preliminary conference unless and until the judgment is vacated, and standards and goals time frames do not apply to post-judgment cases.

- 16) The instruction for Pre-Note Time Frames has been clarified to read as follows: "estimated time period for trial readiness from filing of RJI to filing of Note of Issue."

Purpose: To make it clearer to the filer what these time frames represent.

- 17) In the Nature of Judicial Intervention section, "Date Issue Joined" has been added for Notice of Medical, Dental or Podiatric Malpractice.

Purpose: Collecting the date issue was joined will assist those courts that monitor compliance with the 60-day filing rule for Medical Malpractice actions.

- 18) "Infant's Compromise" and "Poor Person Application" have been added, and all choices have been placed in alphabetical order.

Purpose: Infant's Compromises and Poor Person Applications are common types of applications, and their inclusion expedites the completion of the form and is more concise than noting it as an "other

ex parte application” or “other.”

- 19) In the Related Cases section, the instruction on the current form, which reads: “If NONE, write “NONE” below,” has been removed. An instruction has been added as follows: “List any related actions. For Matrimonial actions, list any related criminal and/or Family Court cases.” “Title” has been changed to “Case Title;” “Index #” has been changed to “Index/Case No;” “Judge (if assigned)” has been added; and “Nature of Relationship” has been changed to “Relationship to Instant Case.”

Purpose: The instruction regarding matrimonial actions is for the benefit of IDV courts. Since the UCMS systems are not yet linked across court types, this serves as an alert to the clerk that this Matrimonial action may meet the criteria for being heard in an IDV court. A notation that a related case has already been assigned to a named judge serves to alert the clerk that further inquiry is required and a possible assignment to the same judge is warranted. The requirement to write “NONE” is superfluous.

- 20) The addition of a “Parties” section wherein each party will be listed with the party’s respective role, counsel, insurance carrier, unrepresented status, and municipality/public authority status information.

Purpose: This section consolidates and enhances the current “Attorneys for Plaintiffs,” “Attorneys for Defendants,” and “Insurance Carriers” sections on page 2 of the current RJI form. The parties will be clearly associated with their counsel representation, insurance carriers, and other pertinent, party-specific information.

- 21) The instruction for entering contact information in the current “Attorneys for Plaintiff(s)” and “Attorneys for Defendant(s)” sections has been relocated to the “Parties” section. It also has been enhanced to read as follows: “For parties without an attorney, check the “Un-Rep” box AND enter party address, phone number and e-mail address in the “Attorneys” space.”

Purpose: To clarify how, what, when and where contact information must be provided.

- 22) Each party entered must be assigned a role (e.g. plaintiff, defendant, petitioner, respondent, third-party plaintiff, etc.). Multiple roles may be assigned to any party as applicable.

Purpose: Party roles must be clearly assigned in the database, and it is an effective way to control for accurate Action Types and acceptable Nature of Judicial Intervention types. It also enables the court to accurately track which parties continue to have active roles in an action and in what capacities, and which parties are no longer in the case.

- 23) NYS attorney registration numbers for each party's counsel will be collected, and the following note has been added: "Attorney registration numbers and contact information may be easily searched free of charge at: <http://iapps.courts.state.ny.us/attorney/AttorneySearch>."

Purpose: The use of NYS attorney registration numbers will provide ease and speed of data entry, as well as increased accuracy and consistency of information that associates attorneys with the parties that they represent in an action. The current collected data, when recorded into our case management systems, has often proven to be inaccurate because of misspelled names, multiple office addresses, and contact information that frequently changes. Because attorney registration numbers are centrally maintained, attorneys can manage their contact information globally across courts. The form also contains a referral to the UCS website, which provides a user-friendly search utility for attorney registration numbers and contact information.

- 24) E-mail addresses for each party's counsel will be collected.

Purpose: The collection of e-mail addresses will enable the courts to send automated electronic notices to attorneys regarding case scheduling and other case milestones, providing an efficient means for attorneys to manage their court calendars. It also would represent a significant operational savings by eliminating the costly time and resources associated with mailings.

- 25) "Date Issue Joined" will be captured in the "Parties" section for each defendant/respondent rather than a general question at the beginning of the form. Moreover, this has been changed to a simple "yes" or "no" question rather than requiring specific dates for joinder of issue.

Purpose: To ascertain if issue has been joined as to all defendants and, if not, to identify which defendants may be in default. The specific dates that issue was joined are less pertinent and more burdensome to filers completing the form. If issue has not been joined as to any defendant, a preliminary conference and other standards and goals time frames are not applicable.

- 26) "Municipality or Public Authority" will be captured in the "Parties" section rather than the general question currently located in the Status of Action or Proceeding section, which requires the filer to re-write the name of the party that is a municipality or public authority.

Purpose: Furthers the intent to contain party information to one section of the form for efficient data entry. Moreover, the current form is not effective when capturing multiple parties that are municipalities or public authorities.

- 27) The filer will be required to provide his/her NYS attorney registration number.

Purpose: See item number 23. The attorney registration number will link the RJI filer to the filing itself and the parties on whose behalf he/she is filing.

- 28) Creation of a Request for Judicial Intervention Addendum Form (UCS-840A), which provides fields to list additional parties and additional related cases. The fields are formatted identically to those on the primary form, and the following instruction has been added in the Related Cases and Parties sections: "If additional space is required, complete and attach the RJI Addendum."

Purpose: Due to frequently lengthy Supreme Court captions, which contain many parties, the addendum provides a consistent means of collecting party and related-case information when the space provided on the primary RJI form is insufficient.

- 29) Creation of RJI addendum forms for:
- Commercial Division assignment (UCS-840C)
 - subprime foreclosures (UCS-840F)
 - matrimonial records checking (UCS-840M)

Purpose: See item number 9.

ATTACHMENT D

Check "YES" or "NO" for each of the following questions:

Is this action/proceeding against a

YES NO YES NO
 Municipality: Public Authority:
 (Specify _____) (Specify _____)

YES NO
 Does this action/proceeding seek equitable relief?
 Does this action/proceeding seek recovery for personal injury?
 Does this action/proceeding seek recovery for property damage?

Pre-Note Time Frames:
 (This applies to all cases except contested matrimonials and tax certiorari cases)

Estimated time period for case to be ready for trial (from filing of RJI to filing of Note of Issue):

Expedited: 0-8 months Standard: 9-12 months Complex: 13-15 months

Contested Matrimonial Cases Only: (Check and give date)

Has summons been served? No Yes, Date _____
 Was a Notice of No Necessity filed? No Yes, Date _____

ATTORNEY(S) FOR PLAINTIFF(S):

| <u>Self Rep.*</u> | <u>Name</u> | <u>Address</u> | <u>Phone #</u> |
|--------------------------|-------------|----------------|----------------|
| <input type="checkbox"/> | | | |
| <input type="checkbox"/> | | | |

ATTORNEY(S) FOR DEFENDANT(S):

| <u>Self Rep.*</u> | <u>Name</u> | <u>Address</u> | <u>Phone #</u> |
|--------------------------|-------------|----------------|----------------|
| <input type="checkbox"/> | | | |
| <input type="checkbox"/> | | | |

*Self Represented: parties representing themselves, without an attorney, should check the "Self Rep." box and enter their name, address, and phone # in the space provided above for attorneys.

INSURANCE CARRIERS:

RELATED CASES: (IF NONE, write "NONE" below)
Title Index # Court Nature of Relationship

I AFFIRM UNDER 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)

 (PRINT OR TYPE NAME)

 ATTORNEY FOR

ATTACH RIDER SHEET IF NECESSARY TO PROVIDE REQUIRED INFORMATION