

**SPECIAL RULES OF PRACTICE IN CIVIL *PRO SE* CASES**  
**Nelson S. Román, United States District Judge**

**Pro Se Clerk**

United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601  
(914) 390-4000

**COMMUNICATIONS**

1. **By *Pro Se* Party.** All communications with the Court by a *pro se* party must be mailed to the *Pro Se* Clerk. No document or filing should be sent directly to Chambers. If there are other *pro se* parties, the party sending the communication must include an Affirmation of Service stating that he or she sent copies to all other *pro se* parties.
2. **By Represented Party.** Counsel must follow Rule 1.A. of Judge Román's "Individual Practices in Civil Cases." In addition, counsel must mail copies to all *pro se* parties and attach to the communication with Chambers an Affidavit of Service affirming such mailing.

**FILING OF PAPERS**

3. **Filing by *Pro Se* Party.** All papers to be filed with the Court by a *pro se* party, along with any courtesy copies of those papers, must be sent to the *Pro Se* Office. If there are other *pro se* parties, the party filing the papers must include an Affirmation of Service stating that he or she sent copies to all other *pro se* parties.
4. **Filing by Represented Party.** Counsel in *pro se* cases must serve a *pro se* party with a paper copy of any document that is filed via ECF and must file with the Court a separate Affidavit of Service. The Court will not consider submissions filed without proof that the *pro se* party was served with a paper copy. Counsel must also submit courtesy copies to the Court as explained by Rule 3.D. of Judge Román's "Individual Practices in Civil Cases."
5. **Electronic Service on *Pro Se* Party.** *Pro se* parties may waive paper service upon themselves and rely on service through the ECF system by electronically filing a Notice of Waiver of Paper Service (the form is available on the Court's Forms page on the website, <http://www.nysd.uscourts.gov>, or in the Clerk's Office). If such a waiver is filed, other parties will no longer be required to (i) serve paper documents on the *pro se* party who filed the waiver or (ii) file proof of service of such document. ***Pro se* parties must have reliable internet access waive paper service.**

**DISCOVERY**

6. All requests for discovery should be sent to counsel for the party. **Do not send discovery requests to the Court.**

## MOTIONS

7. **Pre-Motion Conference.** When no *pro se* party is incarcerated, any party wishing to file a motion must first write a letter to the Court requesting a pre-motion conference. The parties are referred to Rule 3.A. of Judge Román’s “Individual Practices in Civil Cases.”
8. **Filing and Service.** Unless otherwise ordered by the Court, papers filed in opposition to a motion must be filed and served within four weeks of the service of the motion papers. Reply papers, if any, must be filed and served within two weeks of receipt of the opposition papers.
9. **Courtesy Copies.** If possible, motion papers should include one courtesy copy for the Court. All courtesy copies must be clearly marked as such, bound, and tabbed. Represented parties should follow Rule 3.D. of Judge Román’s “Individual Practices in Civil Cases.”
10. **Pro Se Notices.** Parties who file a motion to dismiss, a motion for judgment on the pleadings, or a motion for summary judgment must provide the *pro se* party with a copy of the notices required under Local Civil Rules 12.1 or 56.2.
11. **Oral Argument.** Unless otherwise ordered, no oral argument will be heard.

## INITIAL CASE MANAGEMENT CONFERENCE

12. The Court will schedule an initial case management conference. Arrangements will be made for incarcerated parties to appear by telephone.

## TRIAL DOCUMENTS

13. **Pretrial Statement by Incarcerated Pro Se Parties.** Within 30 days of the completion of discovery, a *pro se* party must file a concise, written Pretrial Statement, unless otherwise ordered by the Court. This Statement must contain the following: (1) a statement of the facts the *pro se* party intends to prove at trial; (2) a list of all documents or other physical objects that the party plans to put into evidence at trial; and (3) a list of the names and addresses of all witnesses that the party intends to have testify at trial. The Statement must be sworn by the *pro se* party to be true and accurate based on the facts known by the party. The *pro se* party must file an original of this Statement with the *Pro Se* Clerk and serve a copy on all other *pro se* parties. The original Statement must include an Affirmation of Service stating the date a copy was mailed to the other parties or their attorneys. Two weeks after service of a *pro se* party’s Statement, the other parties must file and serve a similar Statement containing the same information.
14. **Proposed Findings or Jury Charges in Cases with Incarcerated Pro Se Parties.** Within 30 days of the completion of discovery, if the case is to be tried before a Judge without a jury, all parties represented by counsel must submit proposed findings of fact and conclusions of law. If the case will be tried before a jury, all parties represented by counsel must submit a proposed jury charge. A *pro se* party may also file proposed findings of fact

and conclusions of law or a proposed jury charge, within 30 days of the close of discovery, but is not required to do so.

15. **Cases with No Incarcerated Parties.** When no *pro se* party is incarcerated, the parties must follow Rules 5.A. through 5.F. of Judge Román's "Individual Practices in Civil Cases," concerning trial procedures.