

New York State Unified Courts System

Public Access Law Libraries

How to ask the Court for Something: Motions and Orders to Show Cause

Motions to Dismiss • Summary Judgment Motions • Discovery Motions • Vacate Default Judgment Motions

Legal Research Question? Ask a Librarian

Go to [CourtHelp](#) for Court Forms and FAQs about: Abuse & Harassment • Appeals • Collecting a Judgment • Criminal • Families & Children • Guardianship • Homes & Evictions • Name Change • Problems With Money • Small Claims • When Someone Dies • www.nycourts.gov/courthelp

This handout describes legal research materials available on-line and in print in New York Court Public Access Law Libraries.

The information provided should be considered a starting point in your research and should not be interpreted as a comprehensive review of the subject or issue in question

Statutes and Court Rules

- Special Note: Westlaw's Practice Commentaries serve as legal essays and should be the starting point for research.
- Civil Practice Law and Rules, Art 21 Papers; Art 21-a Filing of Papers in the Courts by Facsimile Transmission and by Electronic Means; Art 22 Stay, Motions, Orders and Mandates
- Motions to Dismiss CPLR 3211; Motion for Summary Judgment CPLR 3212
- Uniform Court Rules 22 NYCRR, Parts 125, 202-208. Also check local court rules.

Secondary Sources

E-books

- LexisNexis AnswerGuide Civil Litigation, Ch 7 Motion Practice (Moving to dismiss; Moving for Summary Judgment; Moving for Default Judgment; Voluntary Discontinuance; Disclosure Motions)
- 1 New York Civil Practice Before Trial: Ch 16 Motion Practice
- 2 New York Civil Practice Before Trial: Ch 36 Motions to Dismiss; Ch 37 Summary Judgment
- 1 Weinstein, Korn & Miller CPLR Manual, Ch 15 Motions, Orders and Stays; Ch 21 Accelerated Judgment

LexisAdvance

- 1 New York Civil Practice Before Trial: Ch 16 Motion Practice
- 2 New York Civil Practice Before Trial: Ch 36 Motions to Dismiss; Ch 37 Summary Judgment
- 1 Weinstein, Korn & Miller CPLR Manual, Ch 15 Motions, Orders and Stays; Ch 21 Accelerated Judgment

Westlaw

- Carmody-Wait 2d New York Practice with Forms. Check index.
- Siegel's New York Practice: Ch 10 Motion Practice; Ch 11 Accelerated Judgment; Ch 16 The Judgment
- West's Legal Forms: Ch 5 Motion Practice and Accelerated Judgment; Ch 8 Judgments and Their Enforcement

Westlaw Practical Law

- Motion Practice in New York State Supreme Court
 - Practice Notes
 - General Motion Resources
 - Discovery Motions
 - Pre-Trial Dispositive Motions
 - Trial Motions
 - Post-Judgment Motions
 - Sanctions Motions
 - Other Motions
 - Standard Documents
 - County- and Court-Specific Resources
 - Toolkit

Important Disclosures:

Legal Advice

NY State Court System staff are pleased to provide you with basic legal information of relevance to New York State courts, caselaw, statutory and regulatory materials from standard legal reference sources. Our court employees, however, may not provide legal advice, interpret the law or assist with the processing of specific motions or cases.

Copyright:

Use of and reproduction of the Materials herein are governed by the copyright law of the United States (Title 17, United States Code). Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction.

One of these specific conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

Local Library Rules of conduct remain applicable

5/9/2019

Motions – Jacqueline Cantwell