§ 249. Trial preferences in matrimonial actions. Upon motion of either party or upon its own motion, the court may direct that any action or proceeding brought (1) to annul a marriage or to declare the nullity of a void marriage, or (2) for a separation, or (3) for a divorce, or (4) to enjoin the prosecution in any other jurisdiction of an action for divorce, be placed forthwith by the clerk on the supreme court calendar and be entitled to preference in the trial thereof, in accordance with Rule 3403 of the civil practice law and rules, provided that in the courts' discretion, justice so requires. Such direction may be made by separate order or in any order granted in any such action or proceeding upon any application made pursuant to sections two hundred thirty-six, two hundred thirty-seven or two hundred forty of this article.

Such direction, in the event no note of issue has been previously filed with the clerk, may also require either party to file with the clerk proof of service of the summons, two copies of the note of issue and such other data as may be required.