

3514

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 27, 2009

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Introduced by M. of A. GIANARIS, DelMONTE, GALEF, ESPAILLAT, POWELL,  
KOON -- Multi-Sponsored by -- M. of A. HOOPER, JOHN, PHEFFER,  
N. RIVERA -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to the  
cost of transcripts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The civil practice law and rules is amended by adding a new  
2     section 8301-a to read as follows:  
3     S 8301-A. STENOGRAPHIC TRANSCRIPT. UPON FORMAL REQUEST FROM FAMILIES'  
4     SURVIVORS OF HOMICIDE VICTIMS, THE COURT CLERK, AFTER THE CONCLUSION OF  
5     A TRIAL FOR THE CRIME OF MURDER OR HOMICIDE AS DEFINED IN THE PENAL LAW,  
6     SHALL SO NOTIFY THE COURT STENOGRAPHER, WHO, WITHIN A PERIOD OF NINETY  
7     DAYS OF SUCH NOTIFICATION SHALL MAKE A COPY USING AVAILABLE TECHNOLOGY  
8     SUCH AS XEROX OR A SCANNER OF THE TRANSCRIPT OF THE STENOGRAPHIC MINUTES  
9     OF SAID TRIAL OR HEARING, AND SHALL DELIVER SAID TRANSCRIPT TO THE  
10    VICTIM'S SURVIVORS OR THEIR ATTORNEY, AND FILE WITH THE COURT CLERK AN  
11    AFFIDAVIT OF THE FACT AND DATE OF SUCH DELIVERY AND FILING. THE EXPENSE  
12    OF SUCH TRANSCRIPT SHALL BE A COUNTY CHARGE OR, IN THE COUNTIES WITHIN  
13    THE CITY OF NEW YORK, A CITY CHARGE, AS THE CASE MAY BE, PAYABLE TO THE  
14    STENOGRAPHER OUT OF THE COURT FUND UPON THE CERTIFICATE OF THE JUDGE  
15    PRESIDING AT THE TRIAL OR HEARING.  
16    S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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