S T A T E O F N E W Y O R K

4273

2011-2012 Regular Sessions

I N A S S E M B L Y

February 2, 2011

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to requiring that all decisions made by referees be subject to judicial approval

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

Section 1. Section 4319 of the civil practice law and rules is amended to read as follows:

S 4319. Decision. The decision of a referee shall comply with the requirements for a decision by the court and shall stand as the decision of a court SUBJECT TO JUDICIAL APPROVAL. Unless otherwise specified in the order of reference, the referee shall file his decision within thirty days after the cause or matter is finally submitted. If it is not filed within the required time, upon the motion of a party before it is filed, the court may grant a new trial and, in that event, the referee shall not be entitled to any fees.

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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