

3676

2011-2012 Regular Sessions

I N S E N A T E

March 2, 2011

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to stipulation of settlement

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

1 Section 1. Rule 2104 of the civil practice law and rules, as amended
2 by section 28 of part J of chapter 62 of the laws of 2003, is amended to
3 read as follows:
4 Rule 2104. Stipulations. An agreement between parties or their attor-
5 neys relating to any matter in an action, other than one made between
6 counsel in open court, is not binding upon a party unless it is in a
7 writing subscribed by him OR HER, or his OR HER attorney or reduced to
8 the form of an order and entered. With respect to stipulations of
9 settlement [and notwithstanding the form of the stipulation of settle-
10 ment, the terms of such stipulation shall be filed by], the defendant
11 SHALL FILE THE STIPULATIONS OF SETTLEMENT with the county clerk. THE
12 STIPULATIONS OF SETTLEMENT SHALL ONLY BE REQUIRED TO PROVIDE THE
13 PARTIES' AGREEMENT TO SETTLE. THE PARTIES SHALL NOT BE REQUIRED TO
14 SUBMIT THE TERMS OF SETTLEMENT.
15 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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