

7075

I N S E N A T E

April 23, 2014

Introduced by Sen. BONACIC -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to furnishing motion papers to the court

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

1 Section 1. Subdivision (c) of rule 2214 of the civil practice law and
2 rules is amended to read as follows:
3 (c) Furnishing papers to the court. Each party shall furnish to the
4 court all papers served by [him] THAT PARTY. The moving party shall
5 furnish [at the hearing] all other papers not already in the possession
6 of the court necessary to the consideration of the questions involved.
7 EXCEPT WHEN THE RULES OF THE COURT PROVIDE OTHERWISE, IN AN E-FILED
8 ACTION, A PARTY THAT FILES PAPERS IN CONNECTION WITH A MOTION NEED NOT
9 INCLUDE COPIES OF PAPERS THAT WERE FILED PREVIOUSLY ELECTRONICALLY WITH
10 THE COURT, BUT MAY MAKE REFERENCE TO THEM, GIVING THE DOCKET NUMBERS ON
11 THE E-FILING SYSTEM. Where such papers are in the possession of an
12 adverse party, they shall be produced by [him] THAT PARTY at the hearing
13 on notice served with the motion papers. Only papers served in accordance
14 with the provisions of this rule shall be read in support of, or in
15 opposition to, the motion, unless the court for good cause shall otherwise
16 direct.
17 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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