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

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I N A S S E M B L Y

March 4, 2014

Introduced by M. of A. HENNESSEY, WEINSTEIN -- (at request of the Office of Court Administration) -- read once and referred 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:

Section 1. Subdivision (c) of rule 2214 of the civil practice law and rules is amended to read as follows:

(c) Furnishing papers to the court. Each party shall furnish to the court all papers served by [him] THAT PARTY. The moving party shall furnish [at the hearing] all other papers not already in the possession of the court necessary to the consideration of the questions involved. EXCEPT WHEN THE RULES OF THE COURT PROVIDE OTHERWISE, IN AN E-FILED ACTION, A PARTY THAT FILES PAPERS IN CONNECTION WITH A MOTION NEED NOT INCLUDE COPIES OF PAPERS THAT WERE FILED PREVIOUSLY ELECTRONICALLY WITH THE COURT, BUT MAY MAKE REFERENCE TO THEM, GIVING THE DOCKET NUMBERS ON THE E-FILING SYSTEM. Where such papers are in the possession of an adverse party, they shall be produced by [him] THAT PARTY at the hearing on notice served with the motion papers. Only papers served in accordance with the provisions of this rule shall be read in support of, or in opposition to, the motion, unless the court for good cause shall otherwise direct.

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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