

3897

2013-2014 Regular Sessions

I N S E N A T E

February 26, 2013

Introduced by Sen. HANNON -- 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 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] THE PARTY, or [his] THE PARTY'S attorney or
8 reduced to the form of an order and entered. With respect to stipu-
9 lations of settlement [and notwithstanding the form of the stipulation
10 of settlement, the terms of such stipulation shall be filed by], the
11 defendant SHALL FILE THE STIPULATION OF SETTLEMENT with the county
12 clerk. THE STIPULATION OF SETTLEMENT SHALL ONLY BE REQUIRED TO PROVIDE
13 THE PARTIES' AGREEMENT TO SETTLE. THE PARTIES SHALL NOT BE REQUIRED TO
14 SUBMIT THE TERMS OF THE 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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