

5621

2015-2016 Regular Sessions

I N   S E N A T E

May 20, 2015

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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 a subpoena of records for trial

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

1     Section 1. Section 2305 of the civil practice law and rules is amended  
2     by adding a new subdivision (d) to read as follows:  
3     (D) SUBPOENA DUCES TECUM FOR A TRIAL; SERVICE OF SUBPOENA AND DELIVERY  
4     FOR RECORDS. WHERE A TRIAL SUBPOENA DIRECTS SERVICE OF THE SUBPOENAED  
5     DOCUMENTS TO THE ATTORNEY OR SELF-REPRESENTED PARTY AT THE RETURN  
6     ADDRESS SET FORTH IN THE SUBPOENA, A COPY OF THE SUBPOENA SHALL BE  
7     SERVED UPON ALL PARTIES SIMULTANEOUSLY AND THE PARTY RECEIVING SUCH  
8     SUBPOENAED RECORDS, IN ANY FORMAT, SHALL DELIVER A COMPLETE COPY OF SUCH  
9     RECORDS IN THE SAME FORMAT TO ALL OPPOSING COUNSEL AND SELF-REPRESENTED  
10    PARTIES WHERE APPLICABLE, FORTHWITH.  
11    S 2. This act shall take effect immediately and apply to all actions  
12    pending on or after such effective date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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