

STATE OF NEW YORK

5736

2017-2018 Regular Sessions

IN SENATE

April 27, 2017

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 venue in matrimonial actions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The civil practice law and rules is amended by adding a new
2 rule 514 to read as follows:

3 Rule 514. Venue in matrimonial actions. (a) This rule applies to all
4 actions wherein all or part of the relief granted is divorce, all
5 actions brought in supreme court for custody or visitation, all applica-
6 tions to modify a supreme court order of custody or visitation, all
7 actions wherein all or part of the relief granted is the dissolution,
8 annulment or declaration of the nullity of a marriage, all proceedings
9 to obtain a distribution of marital property following a foreign judg-
10 ment of divorce, and all post-judgment proceedings.

11 (b) Notwithstanding anything to the contrary in section 503 or else-
12 where in this article, the place of trial in an action subject to subdi-
13 vision (a) of this rule shall be in a county in which either party
14 resides, except for good cause shown.

15 (c) Notwithstanding anything to the contrary in section 509 or else-
16 where in this article, the place of trial designated by the plaintiff in
17 an action specified in subdivision (a) of this rule shall be as speci-
18 fied in subdivision (b) of this rule.

19 (d) In any action specified in subdivision (a) of this rule, the court
20 may for good cause shown, allow the trial to proceed before it, notwith-
21 standing that venue would not lie pursuant to subdivision (b) of this
22 rule.

23 § 2. This act shall take effect on the sixtieth day after it shall
24 have become a law and shall apply to matrimonial actions commenced on or
25 after such effective date.

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

LBD09911-01-7