STATE OF NEW YORK

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5844

2021-2022 Regular Sessions

IN SENATE

March 19, 2021
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Introduced by Sen. COMRIE -- 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 certain
  fees payable to the county clerk

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

1   Section 1. Subdivision (a) of section 8020 of the civil practice law
2 and rules, as amended by section 25 of part J of chapter 62 of the laws
3 of 2003, is amended to read as follows:
4   (a) Placing cause on calendar. For placing a cause on a calendar for
5 trial or inquest, one hundred twenty-five dollars in the supreme court
6 and county court; except that where rules of the chief administrator of
7 the courts require that a request for judicial intervention be made in
8 an action pending in supreme court or county court, the county clerk
9 shall be entitled to a fee of ninety-five dollars, payable before a
10 judge may be assigned pursuant to such request, and thereafter, for
11 placing such a cause on a calendar for trial or inquest, the county
12 clerk shall be entitled to an additional fee of thirty dollars, and no
13 other fee may be charged thereafter pursuant to this subdivision; except
14 that the county clerk shall be entitled to a fee of forty-five dollars
15 upon the filing of each motion or cross motion in such action. However,
16 no fee shall be imposed**;**
17   **1.** for a motion which seeks leave to proceed as a poor person pursuant
18 to subdivision (a) of section eleven hundred one of this chapter**; or**
19   **2. for a motion filed by the fiduciary, court evaluator, guardian ad**
20 **litem, court-appointed attorney or by the court examiner in any guardi-**
21 **anship matter under article eighty-one of the mental hygiene law**.
22   § 2. This act shall take effect immediately.

EXPLANATION--Matter in **_italics_** (underscored) is new; matter in brackets
                [**-**] is old law to be omitted.
                                                            LBD10032-01-1