§ 1102. Privileges of party with insufficient means to pay costs, fees, and expenses in an action or on appeal. (a) Attorney. Where a court grants a motion pursuant to subdivision (a) of section one thousand one hundred one of this article, the court, in its order determining the motion, may assign an attorney to the moving party.

(b) Stenographic transcript. Where a court grants a motion pursuant to subdivision (a) of section one thousand one hundred one of this article, the court clerk, within two days after the filing of such court's order with the court clerk, shall so notify the court stenographer, who, within twenty days of such notification shall make and certify two typewritten transcripts of the stenographic minutes of said trial or hearing, and shall deliver one of said transcripts to the moving party or such moving party's attorney, and file the other with the court clerk together with an affidavit of the fact and date of such delivery and filing. The expense of such transcripts shall be a county charge or, in the counties within the city of New York, a city charge, as the case may be, payable to the stenographer out of the court fund upon the certificate of the judge presiding at the trial or hearing. A moving party may be furnished with a stenographic transcript without fee by order of the court in proceedings other than appeal, the fee therefor to be paid by the county or, in the counties within the city of New York by the city, as the case may be, in the same manner as is paid for transcripts on appeal. Notwithstanding this or any other provision of law, fees paid for stenographic transcripts with respect to those proceedings specified in paragraph a of subdivision one of section thirty-five of the judiciary law shall be paid by the state in the manner prescribed by subdivision four of section thirty-five of the judiciary law.

(c) Appeals. On an appeal or motion for permission to appeal where a court grants a motion pursuant to subdivision (a) of section one thousand one hundred one of this article, the moving party may submit typewritten briefs and appendices, furnishing one legible copy for each appellate justice.

(d) Costs and fees. Where a court grants a motion pursuant to subdivision (a) of section one thousand one hundred one of this article, the moving party shall not be liable for the payment of any costs or fees unless a recovery by judgment or by settlement is had in such

moving party's favor, in which event the court may direct such party to pay out of the recovery all or part of the costs and fees, a reasonable sum for the services and expenses of any attorney assigned to such party and any sum expended by the county or city under subdivision (b) of this section.