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New york civil practice law and rules

New York Laws 2024: Civil Practice Law and Rules Orders Actions to be Commenced Within Specific Timeframes Certain actions must be commenced within specific timeframes, as outlined in the provided text. A union's breach of its duty to fairly represent its members may lead to legal action within four months, as per Article 217-a. Any such actions must be commenced within one year and ninety days from the alleged breach. Transitional provisions also apply, with certain causes of action barred at the effective date, while others that have accrued but were not barred remain valid. Additionally, jurisdiction and service rules govern personal jurisdiction over individuals, property, or status, as well as methods for commencing actions, designating attorneys as agents for service, and proving service. Death, removal or disability of attorney Authority for appearance of attorney in real property action The authority to represent a party in a real property action can be affected by the death, removal, or disability of an attorney. Grounds for removal A case may be removed from one court to another based on various grounds, including: - A mistake in choosing the court - The court being of limited jurisdiction - Consent to remove to a court of limited jurisdiction - Lack of consent to remove to a court of limited jurisdiction - A transfer from the Supreme Court to a Surrogate's Court where the decedent's estate is involved - A transfer from the Supreme Court to another court due to a county judge's incapacitation - A transfer from one local court to another Procedure on removal When a case is removed, certain procedures must be followed, including: - Staying proceedings while the matter is being resolved - Obtaining an order and subsequent proceedings as necessary - Paying fees and disbursements related to the removal process Inconvenient forum If a court determines that it is not the most convenient forum for a particular case, it may decline jurisdiction. Assistance to tribunals and litigants outside the state Courts can provide assistance to tribunals and litigants outside the state in various ways, either by order or without one. Witnesses, testifying under oath, and the admissibility of evidence in court cases; rules regarding the format of written questions, depositions, and witness statements; and procedures for discovery, production, and inspection of documents and physical evidence. May restrict how you utilize the material. Accessed on: May 3, 2025 Last modified: November 12, 2021 ARTICLE 80 FEES - COSTS AND EXPENSES 8001. Individuals summoned for questioning; pre-trial examinations; transcripts of records. (a) Those who are subpoenaed. (b) Subpoenaed individuals in pre-trial examinations. (c) Transcripts of records. 8002. Court reporters. 8003. Referees. (a) Generally. (b) Sale of real property cases. 8004. Receivers' commissions. (a) General provisions. (b) Allowance when funds are depleted. 8005. Trustees' commissions; advance payment for an attorney-trustee's fees. 8006. Premiums on undertakings by fiduciaries. 8007. Printers. 8008. Fees and expenses of officers to be paid before transmitting documents. 8009. Oaths, acknowledgments, certifications, or exemplifications. 8010. County treasurers. 8011. Fixed fees for sheriffs. (a) Attachment orders. (b) Property executions. (c) Income executions; serving judgment debtors. (d) Income executions; levying on default or failure to serve judgment debtors. (e) Chattel recovery. (f) Summary proceedings. (g) Sales. (h) Summons, subpoenas, and other mandates. (i) Undertakings; returns; copies. (j) Prisoners. (k) Jurors; view; constables' services. 8012. Mileage fees, poundage fees, additional compensation, and limitations on sheriff's compensation. (a) Mileage fees. (b) Poundage fees. (c) Additional compensation. (d) City of New York mileage fees. 8013. Sheriff's expenses. (a) Publication of sale notices. (b) Appraisal of attached property. (c) Other expenses. (d) Advance payment. 8014. Collecting sheriff's fees on execution. 8015. County clerk when the sheriff is a party or otherwise disqualified. 8016. Clerks of record courts generally. (a) Clerk's fees in actions. (b) Certifying judgment rolls for appeals. 8017. Exemption of states, counties, agencies, and officers from clerk's fees. 8018. County clerks' index number fees. (a) Fee amount. (b) Exemptions from the index number fee. (c) Index number endorsement on papers. (d) Additional services without a fee when an index number is assigned. 8019. County clerks generally. (a) Application requirements. (b) Legible copies. (c) Notice to county clerk. (d) Exemptions for the state or city of New York. (e) Page size and type. (f) Copies of records. 8020. County clerks as court clerks. (a) Placing causes on calendars. (b) Calendar fees for transferred causes, joint trials, retrials, or separate trials. (c) Filing demands for jury trials. (d) Filing stipulations of settlement or voluntary discontinuances. (e) Jury fees for transferred causes, joint trials, retrials, or separate trials. (f) Certifying, exemplifying, and copying papers. (g) Searches. (h) Producing court records. 8021. County clerks other than as court clerks. (a) Services related to real property documents not filed under the Uniform Commercial Code. (b) Filing services not related to real property or UCC filings. (c) Certification, issuing certificates Papers, records, copies, and related services not connected to real estate documents or uniform commercial code filings. Searches of public records not covered under the uniform commercial code. Production of required documents. Services provided through part four of the uniform commercial code regarding sales. Federal tax lien-related services rendered according to the lien law. A fee for civil appeals and proceedings in appellate courts.