



**SUPREME COURT APPELLATE DIVISION
SECOND JUDICIAL DEPARTMENT**
45 Monroe Place
Brooklyn, New York 11201

A. GAIL PRUDENTI
Presiding Justice of the Appellate
Division for the Second Department

Please Respond to Home Chambers:
210 Center Drive
Riverhead, New York
631-852-3858

Press Release

Contact: James Edward Pelzer
Clerk of the Court
Second Judicial Department

(718) 722-6306
Fax: (718) 858-2446

Release: Immediate, December 30, 2002

Second Department Liberalizes Rules For Enlargements of Time and Creates New Management of Causes Program

BROOKLYN HEIGHTS, N.Y. - Commencing January 1, 2003, the Rules of the Appellate Division for the Second Judicial Department will be amended to make it easier to obtain enlargements of time to file briefs, to expedite the process of perfecting certain classes of cases and to add civil sex offender registration act classification appeals to the list of cases that may be perfected on original papers.

Parties will no longer have to file a formal motion when seeking an enlargement of time to perfect an appeal or file a brief. As of January 1, 2003, parties will be allowed to submit to

(more)

the court a one-time stipulation for such an enlargement of time. In addition, an application based upon cause for such an enlargement may be granted administratively upon a letter request to the Clerk of the Court. These administrative decisions may also be reviewed by a formal motion (see Rule § 670.8[d]).

According to A. Gail Prudenti, the Presiding Justice of the Second Judicial Department, "Treating these applications administratively will eliminate about 2,000 motions a year without prejudicing the rights of the parties. This will not only save time and money for the court but for the parties and lawyers too."

The Rules also will create an Active Management Program to expedite appeals from Family Court orders, custody and/or visitation issues raised in Supreme Court orders and judgments, Surrogate's Court orders and decrees concerning the termination of parental rights and/or the adoption of children, criminal actions where the court has assigned counsel to represent the appellant, causes entitled to preferences by law or pursuant NYCRR § 670.7(b), and any other cause specifically designated by the court (see Rule § 670.4).

Under the Active Management Program, scheduling orders will be issued administratively directing parties to obtain transcripts, file briefs, etc., within a limited time. Presiding Justice Prudenti said, "Time is critical in appeals involving children, parents and family relationships. The Active Management Program

(more)

will allow the Second Judicial Department to actively expedite the disposition of cases involving these critically important areas.”

Lastly, the Rules now expand the categories of cases that may be perfected on original papers to include civil sex offender registration act classification appeals (see Rule § 670.9[d][1][ix]).

As the Presiding Justice observed, “These rules changes represent the continuing commitment of the Second Judicial Department to be responsive to the needs of our constituents while delivering the highest quality of judicial services.”

* * *