

NOTICE:

DOMESTIC RELATIONS LAW (DRL) §255 takes effect on **Friday, October 9, 2009.**

The newly enacted legislation replaces DRL §177, and requires the court to provide notice to all parties regarding the effect of a signed judgment on a party's health insurance coverage provided by his or her spouse, in an action for divorce, separation, annulment, or to declare the nullity of as a void marriage. On pending cases, chambers will provide the required notice to both sides.

DRL §255 requires a provision to be included in any stipulation or agreement between the parties which provides for the future coverage of each party or states their understanding of the effect of the divorce judgment upon their health insurance coverage, and the possible availability of COBRA coverage. These requirements may not be waived by the parties. The court shall require compliance and may grant a 30 day continuance to afford the parties an opportunity to procure their own health insurance coverage.

Note: The "specific" stipulation language as required by DRL §177, as well as the additional signatures of the parties has been eliminated, and the court will have more discretion as to the conformance of agreements with the statute.

A packet will be available from the Matrimonial Clerk's Office , which contains a form of notice and a form of stipulation on cases where the language is missing from an existing agreement.

Thank you for your cooperation.

Matrimonial Clerk - Nassau County

Notice to Litigants - DRL §255
SUPREME COURT - STATE OF NEW YORK
MATRIMONIAL CENTER
NASSAU COUNTY

**NOTICE TO PARTIES IN ACTIONS FOR DIVORCE,
SEPARATION, ANNULMENT, AND TO DECLARE
THE NULLITY OF A VOID MARRIAGE**

All parties are hereby given notice, pursuant to Domestic Relations Law Section 255, (DRL§255) that once a judgment is entered in the action, a person may, or may not, be eligible to be covered under his or her spouse's health insurance plan, depending upon the terms of the plan.

If the parties to an action enter into a Stipulation of Settlement, provisions required by DRL§255(2) in regards to health insurance coverage should be included in the body of the stipulation, otherwise an addendum will be required.

The provisions of DRL §255 cannot be waived by the parties or counsel, and pursuant to DRL§255(2), a 30-day continuance may be granted upon request, to afford the parties an opportunity to procure their own health insurance coverage.