

**ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby authorize a pilot program in the Commercial Division of the Supreme Court, New York County, involving the referral of complex discovery issues to Special Masters pursuant to the procedures set forth below. The pilot program shall take effect on September 2, 2014 and remain in effect for 18 months.

**Special Masters Pilot Program**

- (a) The Chief Administrative Judge of the Courts will determine the county or counties in which to implement a Special Masters program in the Commercial Division on a pilot basis for an 18-month period, and will designate justices to participate in that program.
- (b) Justices participating in the program may, in their discretion and with the consent of the parties, designate matters for assignment to a Special Master to hear and report, as set forth below.
- (c) The Chief Administrative Judge will provide for the appointment of a pool of Special Masters, which shall consist of retired practitioners with substantial experience in complex commercial matters. In making such appointments, the Chief Administrative Judge will take steps to ensure that each Special Master
1. does not have obvious issues conflicts;
  2. has the requisite experience to serve without further training; and
  3. agrees to serve on a pro bono basis (other than for any costs they might incur in rendering their services) and for a duration sufficient to deal with a potentially complex matter.
- (d) The Justices designated to participate in the pilot program, together with the Office of Court Administration, will determine the procedures and forms to be used in the pilot program, including forms to record the consent of the parties (1) to refer a matter to a Special Master, and (2) to share any costs incurred by the Special Master.
- (e) Matters designated for participation in this program shall be referred to the appropriate Clerk's Office for random assignment to a Special Master to hear and report. Justices will make no direct assignments of a Special Master under this pilot program.

(f) Upon such assignment by the Clerk's Office, the selected Special Master will provide to the parties disclosure sufficient to adduce any conflicts. At this time, any party may request that a different Special Master be randomly selected.

(g) The Commercial Division Advisory Council's Subcommittee on Additional Resources for the Commercial Division will monitor the implementation of the pilot program by surveying participating Justices, counsel and Special Masters, and will report to the Advisory Council with a recommendation to either expand, modify or discontinue the program.

  
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Chief Administrative Judge of the Courts

Dated: August 4, 2014

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