



STATE OF NEW YORK  
**UNIFIED COURT SYSTEM**  
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**A. GAIL PRUDENTI**  
Chief Administrative Judge

**JOHN W. McCONNELL**  
Counsel

**MEMORANDUM**

January 14, 2013

**TO:** All Interested Persons

**FROM:** John W. McConnell

**RE:** Proposed adoption of 22 NYCRR § 202.10, relating to the encouragement of telephonic court conferences.

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The Advisory Committee on Civil Practice has proposed adoption of a new rule, 22 NYCRR § 202.10, to provide that any party may request to appear at a conference by telephonic or other electronic means; and encouraging courts to grant such requests where "feasible and appropriate" (Exhibit A). The proposal's purpose is to limit travel time and expense where in-person appearances are not necessary.

Persons wishing to comment on this proposal should e-mail their submissions to [OCArule202-10@nycourts.gov](mailto:OCArule202-10@nycourts.gov) or write to: John W. McConnell, Esq., Counsel, Office of Court Administration, 25 Beaver Street, 11th Fl., New York, New York 10004.

Comments must be received no later than March 1, 2013.

**EXHIBIT A**

4. **Encouraging the Court to Grant Requests to Appear at Conference via Telephonic or Other Electronic Means (22 NYCRR 202.10 (new))**

The Committee recommends that the Uniform Rules for the Supreme Court and the County Court (22 NYCRR 200 *et seq.*) be amended to add a new rule 202.10 encouraging the trial court to grant requests to appear at conference via telephonic or other electronic means. It has come to the attention of the Committee that many practitioners would prefer to appear at conferences via electronic means rather than travel to the court for many types of conferences. Often the time and expense of travel and the time spent at the court far outweigh the need for an in-person appearance. Further, the conference may be very abbreviated, preliminary conferences where little or no disagreement exists between the parties. The Committee acknowledges that the court or a party may, in fact, desire the opportunity for an in-person conference with the court or his or her adversary, so recommends that the court only grant such requests where it is both feasible and appropriate.

**Proposal**

**§ 202.10. Appearance at Conferences. Any party may request to appear at a conference by telephonic or other electronic means. Where feasible and appropriate, the court is encouraged to grant such requests.**