

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 amend section 210.14 of the Uniform Civil Rules for the City Courts outside the City of New York (relating to the dismissal and restoration of actions from the trial calendar), effective March 1, 2016, to read as follows:

Section 210.14 Defaults, dismissals and restoration.

(a) At any scheduled call of a calendar or at any conference, if all parties do not appear and proceed or announce their readiness to proceed immediately or subject to the engagement of counsel, the judge may note the default on the record and enter an order as follows:

(1) if the plaintiff appears but the defendant does not, the judge may grant judgment by default or order an inquest;

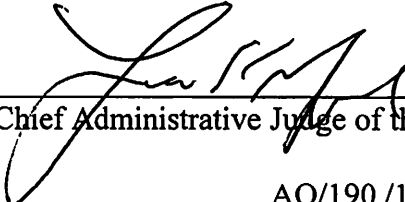
(2) if the defendant appears but the plaintiff does not, the judge may dismiss the action and may order a severance of counterclaims or cross-claims or strike the action from the trial calendar; or

(3) if no party appears, the judge may make such order as appears just.

(b) An action stricken from the trial calendar and not restored within one year thereafter shall be deemed abandoned and shall be dismissed by the clerk, without costs, for neglect to prosecute.

(c) Actions stricken from the trial calendar may be restored to the calendar only upon stipulation of all parties so ordered by the court or by motion on notice to all parties made within one year after the action is stricken. Such motion must be supported by affidavit by a person having firsthand knowledge, satisfactorily explaining the reasons for the action having been stricken and showing that it is presently ready for trial.

Dated: December 23, 2015



Chief Administrative Judge of the Courts
AO/190 /15