

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATOR 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, effective June 29, 2011, (1) section 202.56 the Uniform Civil Rules for the Supreme Court and the County Court, relating to medical, dental, and podiatric malpractice actions, by adding a new subsection (c); and (2) the Uniform Rules for the Court of Claims, by adding a new section 206.12-a, to read as follows:

§ 202.56. Medical, Dental and Podiatric Malpractice Actions; Special Rules

* * *

(c) Settlement conferences.

(1) The court shall hold a settlement conference in accordance with CPLR 3409 within 45 days after the filing of the note of issue and certificate of readiness or, if a party moves to vacate the note of issue and certificate of readiness and that motion is denied, within 45 days after denial of the motion.

(2) Where parties are represented by counsel, only attorneys fully familiar with the action and authorized to dispose of the case, or accompanied by a person empowered to act on behalf of the party represented, shall appear at the conference.

(3) Where appropriate, the court may order parties, representatives of parties, representatives of insurance carriers or other persons having an interest in any settlement to attend the settlement conference in person, by telephone, or by other electronic media.

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§ 206.12-a. Medical, Dental and Podiatric Malpractice Actions; Settlement Conference

(a) Settlement conferences.

(1) In every medical, dental and podiatric malpractice action subject to this part, the court shall hold a settlement conference within 45 days after the filing of the note of issue and certificate of readiness or, if a party moves to vacate the note of issue and certificate of readiness and that motion is denied, within 45 days after denial of the motion.

(2) Where parties are represented by counsel, only attorneys fully familiar with the action and authorized to dispose of the case, or accompanied by a person empowered to act on behalf of the party represented, shall appear at the conference.

(3) Where appropriate, the court may order parties, representatives of parties, representatives of insurance carriers or other persons having an interest in any settlement to attend the settlement conference in person, by telephone, or by other electronic media.

Chief Administrative Judge of the Courts

Dated:

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