

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

In the Matter of the Amendment of the Rules of the
Appellate Division, First Department

ORDER

The Appellate Division of the Supreme Court of the State of New York, First Department hereby amends the following rule of the Court, effective immediately (additions in text are indicated by underlined italics and deleted materials in brackets).

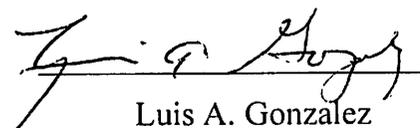
603.7 (e) Contingent Fees in Claims and Actions for Personal Injury and
Wrongful Death

* * *

(3) Such percentage shall be computed by one of the following two methods, to be selected by the client in the retainer agreement or letter of engagement: (i) on the net sum recovered after deducting from the amount recovered expenses and disbursements for expert testimony and investigative or other services properly chargeable to the enforcement of the claim or prosecution of the action; or (ii) in the event that the attorney agrees to pay costs and expenses of the action pursuant to Judiciary Law §488(2)(d), on the gross sum recovered before deducting expenses and disbursements. The retainer agreement or letter of engagement shall describe these alternative methods, explain the financial consequences of each, and clearly indicate the client's selection. In computing the fee, the costs as taxed, including interest upon a judgment, shall be deemed part of the amount recovered. For the following or similar items there shall be no deduction in computing such percentages: liens, assignments or claims in favor of hospitals, for medical care and treatment of doctors and nurses, or of self-insurers or insurance carriers.

Dated: New York, New York
March 6, 2014

For the Court:



Luis A. Gonzalez
Presiding Justice

**Supreme Court of the State of New York
Appellate Division: Second Judicial Department**

ADM 2014-0219

The Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, pursuant to the authority vested in it,

DOES HEREBY, effective immediately, amend paragraph (3) of subdivision (e) of §691.20 of Title 22 of the Official Compilation of Codes, Rules and Regulations of the State of New York as follows (additions in text are indicated by underlining and deletions by strikethrough):

§ 691.20(e) Contingent Fees in Claims and Actions for Personal Injury and Wrongful Death

* * *

(3) Such percentage shall be computed by one of the following two methods, to be selected by the client in the retainer agreement or letter of engagement: (i) on the net sum recovered after deducting from the amount recovered expenses and disbursements for expert medical testimony and investigative or other services properly chargeable to the enforcement of the claim or prosecution of the action ; or (ii) in the event that the attorney agrees to pay costs and expenses of the action pursuant to Judiciary Law § 488(2)(d), on the gross sum recovered before deducting expenses and disbursements . The retainer agreement or letter of engagement shall describe these alternative methods, explain the financial consequences of each, and clearly indicate the client's selection. In computing the fee, the costs as taxed, including interest upon a judgment, shall be deemed part of the amount recovered. For the following or similar items there shall be no deduction in computing such percentages: Liens, assignments or claims in favor of hospitals, for medical care and treatment by doctors and nurses, or self-insurers or insurance carriers.

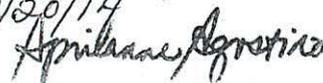
Dated: Brooklyn, New York
February 19, 2014




RANDALL T. ENG
Presiding Justice

SUPREME COURT, STATE OF NEW YORK
APPELLATE DIVISION SECOND DEPT.

I, APRILANNE AGOSTINO, Clerk of the Appellate Division of the Supreme Court, Second Judicial Department, do hereby certify that I have compared this copy with the original filed in my office on 2/19/14 and that this copy is a correct transcription of said original. IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of this Court on 2/20/14



or prosecution of the action; or (ii) in the event that the attorney agrees to pay costs and expenses of the action pursuant to Judiciary Law § 488 (2) (d), on the gross sum recovered before deducting expenses and disbursements. The retainer agreement or letter of engagement shall describe these alternative methods, explain the financial consequences of each, and clearly indicate the client's selection. In computing the fee, the costs as taxed, including interest upon a judgment, shall be deemed part of the amount recovered. For the following or similar items there shall be no deduction in computing such percentages: liens, assignments or claims in favor of hospitals, for medical care and treatment by doctors and nurses, or self-insurers or insurance carriers.

Material in brackets is deleted; material underlined is added.

DATED AND ENTERED:

March 25, 2014



Hon. Karen K. Peters
Presiding Justice

APPELLATE DIVISION SUPREME COURT - THIRD DEPARTMENT
STATE OF NEW YORK

I, ROBERT D. MAYBERGER, Clerk of the Appellate Division of the Supreme Court Third Judicial Department, do hereby certify that I have compared this copy with the original thereof filed in said office on *3/26/2014* and that the same is a correct transcript thereof and of the whole said original. IN WITNESS WHEREOF I have hereonto set my hand and affixed the seal of this Court on *3/26/2014*.

Robert D Mayberger

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

Pursuant to the authority conferred by law upon the Appellate Division of the Supreme Court of the State of New York for the Fourth Judicial Department, it is

ORDERED that, effective immediately, the Rules of the Supreme Court, Appellate Division, Fourth Judicial Department (22 NYCRR part1000) are hereby amended to read as follows (amendments are indicated in bold and either material in brackets is deleted or material underlined is added):

(1022.31)

CONTINGENT FEES IN CLAIMS AND ACTIONS FOR PERSONAL INJURY AND WRONGFUL DEATH.

* * *

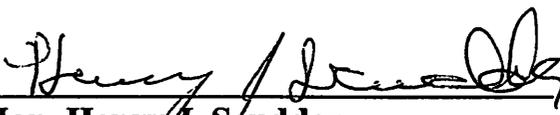
- (c) Such percentage shall be computed by one of the following two methods, to be selected by the client in the retainer agreement or letter of engagement; (i) on the net sum recovered after deducting from the amount recovered expenses and disbursements for expert testimony and investigative or other services properly chargeable to the enforcement of the claim or prosecution of the action; or (ii) in the event that the attorney agrees to pay costs and expenses of the action pursuant to Judiciary Law § 488(2)(d), on the gross sum recovered before deducting expenses and

disbursements. The retainer agreement or letter of engagement shall describe these alternative methods, explain the financial consequences of each, and clearly indicate the client's selection.

In computing the fee, the costs as taxed, including interest upon a judgment, shall be deemed part of the amount recovered. For the following or similar items there shall be no deduction in computing such percentages: liens, assignments or claims in favor of hospitals, for medical care and treatment by doctors and nurses, or of self-insurers or insurance carriers.

Entered: March 4, 2014

FOR THE COURT:


Hon. Henry J. Scudder
Presiding Justice