

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

ADM 2003-0620

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 July 14, 2003, amend Part 670 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 ~~striketrough~~):

I. Amend subdivision (a) of § 670.18 as follows:

§ 670.18 Special Proceedings pursuant to Eminent Domain Procedure Law § 207; Public Service Law §§ 128, 170; Labor Law § 220; Public Officers Law § 36; or Real Property Tax Law § 1218.

(a) Special proceedings initiated in this court pursuant to Eminent Domain Procedure Law § 207, Public Service Law §§ 128, or 170, Labor Law § 220, Public Officers Law § 36, or Real Property Tax Law § 1218 shall be commenced by the filing of a petition in the office of the clerk of this court pursuant to CPLR 304. Sservice of the petition with a notice of petition or order to show cause shall be made in accordance with CPLR 306-b and petition on at least 20 days notice to the respondent. In proceedings pursuant to sections 207, 128, or 170 such notice shall be accompanied by a demand upon the respondent to file a copy of the transcript of the hearing before it and a copy of its determinations and findings.

* * *

II. Amend subdivision (a) of § 670.22 and repeal paragraph (7) of subdivision (b) of that section as follows:

§ 670.22 Fees of the Clerk of the Court.

(a) Pursuant to CPLR 8022, the clerk is directed to charge and is entitled to receive on behalf of the State:

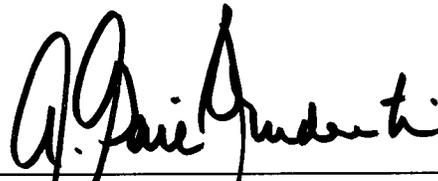
(1) A a-fee of \$315 \$250, payable upon the filing of a record on a civil appeal or statement in lieu of record on a civil appeal and upon the filing of a notice of petition or order to show cause commencing a special proceeding.

(2) A fee of \$45, payable upon the filing of each motion or cross motion with respect to a civil appeal or special proceeding, except that no fee shall be imposed for a motion or cross motion which seeks leave to appeal as a poor person pursuant to CPLR 1101(a).

(b) Pursuant to Judiciary Law § 265, the clerk is directed to charge and is entitled to receive in advance the following fees on behalf of the State:

- (1) For making a photocopy of an order, decision, opinion, or other filed paper or record, \$1 for the first page and 50 cents for each additional page.
- (2) For comparing the copy of a prepared order, decision, opinion, or other paper or record with the original on file, 50 cents for the first page and 25 cents for each additional page, with a minimum fee of \$1.
- (3) For certifying the copy of an order, decision, record, or other paper on file or for affixing the seal of the court, \$1.
- (4) For certifying in any form that a search of any records in his custody has been made and giving the result of such search, \$1.
- (5) For an engraved parchment diploma attesting to admission as an attorney and counselor at law, \$25.
- (6) For a printed certificate attesting to admission or to good standing as an attorney and counselor at law, \$5.
- ~~(7) For filing and entering an order, affidavit or other paper changing the name of an attorney and counselor at law, \$2.~~

Dated: Riverhead, New York
June 20, 2003



A. GAIL PRUDENTI
Presiding Justice