



*State of New York
Court of Appeals*

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Notice to the Bar

The revised Rules of Practice of the Court of Appeals (22 NYCRR part 500) will be effective on September 1, 2005. The new Rules of Practice, and a commentary on the Rules, are available now on the Court's web site: www.nycourts.gov/courts/appeals. Updated practice guides and interactive forms will be available on the web site on September 1. Information concerning the new Rules can also be obtained by contacting the Clerk's Office at (518) 455-7700.

The Rules of Practice of the Court of Appeals apply to civil and noncapital criminal appeals, motions, criminal leave applications and certified questions from the Supreme Court of the United States, United States Courts of Appeal and state courts of last resort. In addition to substantive changes and additions, the new Rules are organized into broad categories to eliminate duplication and provide a more logical sequence. Rules 500.1 through 500.8 set out requirements applicable to all filings under these Rules. Rules 500.9 through 500.19 relate to civil and noncapital criminal appeals. Rule 500.20 contains procedures concerning criminal leave applications. Motions are addressed in Rules 500.21 through 500.24. Orders to show cause, the Primary Election Session and certified questions are addressed in Rules 500.25, 500.26 and 500.27, respectively.

Changes of note include: substitution of a Court-promulgated preliminary appeal statement for the jurisdictional statement previously required for appeals (see Rule 500.9); use of scheduling letters to set due dates for appeal papers (see Rule 500.12[a]) and elimination of the automatic 20-day extension for filing dates for appeals; reduction of the time period from 80 days to 60 days for perfecting appeals (see Rule 500.12[b]), unless an extension is granted (see Rule 500.15); and set filing dates for all applications for amicus curiae relief (see Rule 500.23). The number of copies to be filed on appeals and motions for leave to appeal in civil cases also has been changed.

Questions about the new Rules and related matters should be directed to the Clerk's Office at the number noted above.

Stuart M. Cohen
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