



COUNSEL PRESS

## IMPORTANT CHANGES UNDER THE NEW RULES

### Records/Appendices:

Effective September 17, 2018, the deadline to perfect appeals was reduced to six (6) months from the date of the Notice of Appeal (*see* § 1250.9(a) of the Practice Rules of the Appellate Divisions).

- In concurrent appeals and cross-appeals (appealing from a single order/judgment), all appellants must file a **joint record/appendix**, with costs shared equally (*see* § 1250.9(f)).
- All appeals from multiple orders can be consolidated without first seeking permission to do so (*see* § 1250.9(f)).
- A record can now be certified pursuant to CPLR § 2105, as well as by stipulation pursuant to CPLR 5532 and an order settling the record. If certifying pursuant to § 2105 and a dispute arises as to the contents after filing, it will be sent back to the lower court for resolution (*see* AD4 Local Rule § 1000.7(b)).
- Record covers must contain email addresses for the counsel listed therein.

### NYCEF (e-filings)

**Step 1:** Upload through NYSCEF (*see* §1250.9).

**Step 2:** Once approved by Court Clerk, file hard copies within 2 days (original + 5 copies to the Court. Service is only through NYSCEF unless service party is exempt, then 1 is served.

### Non-NYSCEF

Upload digital copy through the link on the Court's website (*see* § 1250.9) and file the original + 5 copies and serve 1 copy on or before the due date.

### Briefs:

- 14-point type requirement if using a proportionally spaced, serif font (e.g. Times New Roman) with 12-point footnotes. If using a monospaced font (e.g. Courier) the brief may be done in 12-point type with 10-point footnotes. Sans-serif fonts (e.g. Arial) are not allowed. **Bold** and all CAPS are only allowed in headings/subheadings. Bold type found in the original source of a quotation is allowed.
- Footnotes are allowed. Addenda to a brief *is limited to* unpublished decisions, statutes, ordinances, etc. (*see* § 1250.8(k)). A Printing Specifications Statement is required (*see* § 1250.8(j)).
- Email addresses of counsel should be included on covers, and AD4 requires **color covers** (Local Rule § 1000.8(a)).

**Filing and Serving:** The same procedures and number of copies as the Record.

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