

Index

ACCELERATED JUDGMENT

Generally, **App. C-9**

ADDITUR ORDERS

Generally, **4:6**

ADDRESSES OF THE COURTS

Generally, **App. A**

ADVOCACY

Generally, **16:1 et seq.**

Briefs, this index

Oral Argument, this index

AFFIRMATIONS

Oaths and affirmations, **App. C-7**

AMICUS CURIAE

Generally, **8:4**

Briefs, **13:13**

Motion for leave to appear as amicus
affidavit in support of motion, **8:13**
notice of motion, **8:12**

APPEALABILITY

Generally, **3:1 et seq.**

Aggrieved parties, **3:3**

CPLR appeals provisions, **App. C-12**

Default orders, **3:5**

Judgments appealable

Generally, **3:4, 3:6 et seq.**

appellate divisions, appeals to

Generally, **3:7**

from supreme and county courts,
3:8

appellate terms, appeals to, **3:12**

county courts

appeals to, **3:12**

appeals to appellate divisions,
3:8

Court of Appeals, appeals to, **3:11**

default judgments, **3:5**

supreme court appeals to appellate
divisions, **3:8**

APPEALABILITY—Cont'd

Judgments appealable—Cont'd
trial court appeals to appellate
courts, **3:9**

Leave to reargue, **5:7**

Leave to renew, **5:4**

Leave to resettle, **5:10**

Names of parties, **3:2**

Orders appealable

Generally, **3:4, 3:6 et seq.**

appellate divisions, appeals to

Generally, **3:7**

from supreme and county courts,
3:8

appellate terms, appeals to, **3:12**

county courts

appeals to, **3:12**

appeals to appellate divisions,
3:8

Court of Appeals, appeals to, **3:11**

default orders, **3:5**

supreme court appeals to appellate
divisions, **3:8**

trial court appeals to appellate
courts, **3:9**

Parties

aggrieved parties, **3:3**

names of parties, **3:2**

APPELLATE DIVISIONS

Generally, **2:3, 12:1 et seq.**

Abandonment of claims or defenses,
12:41

Addresses of the courts, **App. A**

Adequacy of the record on appeal,
12:18

Affidavit in support of motion to
extend time within which to
prosecute appeal, **12:91**

Affirmation in support of motion to
extend time to perfect appeal,
12:92

APPELLATE DIVISIONS—Cont’d

Affirmation of compliance where appellant’s proposed record on appeal not opposed by respondent, **12:78**

Agreed statement method in lieu of record on appeal
Generally, **12:21**
forms, **12:64 et seq.**

Appealable judgments and orders
Generally, **3:1 et seq.**
See also Appealability, this index

Appeals to CPLR provisions, **App. C-14**

Appellant’s proposed single copy of record on appeal, respondent’s proposed amendments and objections to, **12:77**

Appendices, e-filing and e-service of, **11:9**

Briefs
e-filing and e-service of, **11:9**
form of cover, **12:81**
motion to strike portions referring to matters outside record
affirmation in support of motion, **12:86**
notice of motion, **12:85**

Briefs, this index

Calendaring the appeal, **12:42 et seq.**

Certifying the record
Generally, **12:29**
by court clerk in appendix method, **12:75**
forms, **12:72 et seq.**
judge of settled transcript, **12:61**

Change of circumstances
Generally, **12:49**
forms, **12:88**

Claims or defenses, abandonment of, **12:41**

Collecting the documents and exhibits
Generally, **12:23**
demand, **12:68**
stipulation omitting, **12:67**

Complexity of the appellate process, **1:1**

Concurrent appeals, **12:3**

APPELLATE DIVISIONS—Cont’d

Confidentiality, **12:5**

Contents of record on appeal, **12:14**

Costs and fees, **1:4**

County court, notice of appeal to appellate division from order of, **7:28**

Court documents, **11:5**

CPLR provisions, **App. C-14**

CPLR 5531 statement
Generally, **12:17**
forms, **12:62, 12:63**

Cross-appeals, **12:3**

Deadlines
Generally, **12:49**
affidavit in support of motion to extend time within which to prosecute appeal, **12:91**
affirmation in support of motion to extend time to perfect appeal, **12:92**
Court of Appeals, **13:18**
forms, **12:88**
motion to extend time to perfect appeal, **12:93**
notice of motion to extend time to perfect appeal, **12:90**
order to show cause why time within which to prosecute appeal should not be extended, **12:89**
stipulation extending time in which to prosecute appeal, **12:88**

Dismissals for failure to perfect
Generally, **12:49**
Court of Appeals, **13:18**
forms, **12:88**

Disposition of Appeal, this index

Documents, collecting
Generally, **12:23**
demands, **12:68**
reviewing, **12:25**
stipulation omitting, **12:67**

Document signatures
Generally, **1:3**
attorney signature blocks, **1:5**

E-filing and e-service of briefs, appendices, and records on appeal, **11:9**

INDEX

APPELLATE DIVISIONS—Cont'd

Electronic filing, New York Supreme Court Rules, **App. M-19**

Exhibits, collecting

Generally, **12:23**

demand, **12:68**

stipulation omitting, **12:67**

Extensions

Generally, **12:49**

Court of Appeals, **13:18**

forms, **12:88**

Failure to perfect, dismissals for

Generally, **12:49**

Court of Appeals, **13:18**

forms, **12:88**

Filing and service of documents, **12:4**

Filing papers, **12:42 et seq.**

Filing record on appeal

Generally, **12:31**

appendices, **12:36**

Filing signatures

Generally, **1:3**

attorney signature blocks, **1:5**

Filing transcripts, **12:12**

Forms

Generally, **12:51 et seq.**

affirmation of compliance where appellant's proposed record on appeal not opposed by respondent, **12:78**

appellant's proposed single copy of record on appeal, respondent's proposed amendments and objections to, **12:77**

appellate division, notice of motion in for leave to appeal to Court of Appeals, **7:32**

briefs

motion to strike portions referring to matters outside record and raising

affirmation in support of motion, **12:86**

notice of motion, **12:85**

certificate of record on appeal by court clerk in appendix method, **12:75**

APPELLATE DIVISIONS—Cont'd

Forms—Cont'd

county court, notice of appeal to appellate division from order of, **7:28**

Court of appeals, notice of motion in appellate division for leave to appeals from order of appellate division, **7:32**

cover of brief, **12:81**

cover of record on appeal, **12:69**

motion to compel appellant to include in appendix parts of record which appellant should reasonably assume will be relied on by respondent

affidavit in support of motion, **12:80**

notice of motions, **12:79**

note of issue, **12:87**

notice of appeal from, **7:21 et seq.**

notice of appeal to from order of county court, **7:28**

notice of motion

in appellate division for leave to appeal to Court of Appeals from order of appellate division, **7:32**

in Court of Appeals for leave to appeal to Court of Appeals from order of, **7:31**

to strike portions of brief referring to matters outside record

affirmation in support of motion, **12:86**

notice of motion, **12:85**

notice of settlement of single copy of record on appeal in appendix method, **12:76**

printing specifications statement, **12:84**

record on appeal, **12:15**

respondent's proposed amendments and objections to appellant's proposed single copy of record on appeal, **12:77**

statement of questions involved on appeal, **12:83**

APPELLATE DIVISIONS—Cont'd

- Forms—Cont'd
 - stipulation in lieu of certification of record on appeal, **12:74**
- Index numbers
 - Generally, **12:17**
 - forms, **12:62, 12:63**
- Indigents, **12:50**
- Informational statement, **7:26**
- Instructions and forms for appeal by pro se claimant from decision of unemployment insurance appeal board, **21:24**
- Issues raised for first time on appeal
 - Generally, **12:40**
 - forms, **12:85, 12:86**
- Jurisdiction, **2:3**
- Leave to reargue
 - Generally, **19:3**
 - forms, **19:7, 19:8**
- Lost transcripts, statement in lieu of, **12:7**
- Master copies of record on appeal, **12:24**
- Matters outside the record
 - Generally, **12:19**
 - forms, **12:85, 12:86**
- Methods of presenting the record on appeal, **12:16, 12:20 et seq.**
- Motion practice
 - Generally, **17:3**
 - appellate term motions for leave to appeal to
 - affidavit in support, **7:37**
 - notice of motion, **7:36**
 - compel appellant to include in appendix parts of record which appellant should reasonably assume will be relied on by respondent
 - affidavit in support of motion, **12:80**
 - notice of motions, **12:79**
 - extend time to perfect appeal, **12:93**
 - leave to reargue
 - Generally, **19:3**
 - forms, **19:7, 19:8**

APPELLATE DIVISIONS—Cont'd

- Motion practice—Cont'd
 - permission to appeal
 - Generally, **7:12, 7:13**
 - forms, **7:34 et seq.**
- New legal theories
 - Generally, **12:40**
 - forms, **12:85, 12:86**
- New York Supreme Court Rules
 - appeals, **App. M-12**
 - electronic filing, **App. M-19**
 - practice rules, **App. M-20**
 - rules of practice, **App. M-14, App. M-17, App. M-18**
- Note of issue form, **12:87**
- Notice of appeal
 - Generally, **7:6**
 - forms, **7:21 et seq.**
 - from decision of unemployment insurance appeal board, **21:23**
 - to appellate division from order of county court, **7:28**
 - to from order of appellate term, **7:25**
- Notice of motion
 - in Court of Appeals for leave to appeal to Court of Appeals, **7:31**
 - in supreme court for leave to appeal to, **7:34**
 - to extend time to perfect appeal, **12:90**
- Ordering copies of transcripts
 - Generally, **12:8**
 - forms, **12:52**
- Order to show cause why time within which to prosecute appeal should not be extended, **12:89**
- Organization of the appellate courts, **2:1**
- Overview, **12:1 et seq.**
- Paginating the record, **12:26**
- Perfecting the appeal
 - concurrent appeals, **12:3**
 - confidentiality, **12:5**
 - court papers, **11:5**
 - cross-appeals, **12:3**

INDEX

APPELLATE DIVISIONS—Cont'd

- Perfecting the appeal—Cont'd
 - e-filing and e-service of briefs, appendices, and records on appeal, **11:9**
 - filing of documents, **12:4**
 - oral argument, **12:47, 12:48**
 - overview, **12:1 et seq.**
 - sealing, **12:1, 12:5**
 - service of documents, **12:4**
- Practice rules, New York Supreme Court Rules, **App. M-20**
- Printing specifications statement, **12:84**
- Questions involved on appeal, form of statement of, **12:83**
- Record on appeal
 - Generally, **12:13 et seq.**
 - adequacy, **12:18**
 - agreed statement method
 - Generally, **12:21**
 - forms, **12:64 et seq.**
 - appendix method
 - Generally, **12:32 et seq.**
 - incomplete and inadequate appendices
 - Generally, **12:35**
 - forms, **12:79, 12:80**
 - preparing the appendix, **12:34**
 - preparing the record on appeal
 - Generally, **12:33**
 - forms, **12:74 et seq.**
 - certification
 - Generally, **12:29**
 - forms, **12:72 et seq.**
 - collecting the documents and exhibits
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
 - contents, **12:14**
 - CPLR 5531 statement
 - Generally, **12:17**
 - forms, **12:62, 12:63**
 - documents
 - collecting
 - Generally, **12:23**
 - demand, **12:68**

APPELLATE DIVISIONS—Cont'd

- Record on appeal—Cont'd
 - documents—Cont'd
 - collecting—Cont'd
 - stipulation omitting, **12:67**
 - reviewing, **12:25**
 - e-filing and e-service of, **11:9**
 - exhibits, collecting
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
 - filing the record
 - Generally, **12:31**
 - appendices, **12:36**
 - forms
 - Generally, **12:15, 12:62 et seq.**
 - cover, **12:69**
 - full record, **12:22 et seq.**
 - headings, **12:27**
 - incomplete and inadequate appendices
 - Generally, **12:35**
 - forms, **12:79, 12:80**
 - index numbers
 - Generally, **12:17**
 - forms, **12:62, 12:63**
 - master copies, **12:24**
 - matters outside the record
 - Generally, **12:19**
 - forms, **12:85, 12:86**
 - method, **12:16**
 - methods of presenting, **12:20 et seq.**
 - notice of settlement of single copy of record on appeal in appendix method, **12:76**
 - paginating, **12:26**
 - preparing the appendix, **12:34**
 - preparing the record on appeal
 - Generally, **12:33**
 - forms, **12:74 et seq.**
 - reproducing, **12:30**
 - reviewing documents, **12:25**
 - serving the record
 - Generally, **12:31**
 - appendices, **12:36**
 - stipulation as to statement in lieu of record on appeal, **12:65**

APPELLATE DIVISIONS—Cont’d

- Record on appeal—Cont’d
 - table of contents, **12:28**
- Reproducing the record, **12:30**
- Respondent’s proposed amendments and objections to appellant’s proposed single copy of record on appeal, **12:77**
- Reviewable judgments and orders
 - Generally, **4:1 et seq.**
 - See also Reviewable Judgments and Orders, this index
- Reviewing documents, **12:25**
- Reviewing the transcript, **12:9**
- Right of appeal. See Taking the Appeal, this index
- Rules of practice, New York Supreme Court Rules, **App. M-14, App. M-17, App. M-18**
- Rules regulating the appellate process, **1:1**
- Sealing
 - Generally, **12:5**
 - perfecting the appeal, **12:5**
- Service
 - affidavit of personal service, **12:95**
 - affidavit of service, **12:94**
 - affidavit of service of mailing, **12:96**
 - perfecting the appeal, filing and service of documents, **12:4**
 - record on appeal
 - Generally, **12:31**
 - appendices, **12:36**
 - transcript, **12:11**
- Settling the transcript
 - Generally, **12:10**
 - certification by judge of, **12:61**
 - forms, **12:55 et seq.**
- Signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
 - certifications, **1:6**
- Stages of the appellate process, **1:2, 12:2, 12:6**
- Statement in lieu of record on appeal
 - Generally, **12:66**
 - stipulation as to, **12:65**

APPELLATE DIVISIONS—Cont’d

- Statement of questions involved on appeal, **12:83**
- Stipulations
 - extending time in which to prosecute appeal, **12:88**
 - statement in lieu of record on appeal, **12:65**
- Submissions
 - Generally, **12:47, 12:48**
 - transcript to court for settlement certification, **12:61**
- Taking the appeal
 - Generally, **7:1 et seq.**
 - affidavit in support of motion in appellate division for leave to appeal to Court of Appeals from order of appellate division, **7:33**
 - affidavit in support of motion made in appellate term for leave to appeal to from order of appellate term determining appeal from lower court, **7:37**
 - informational statement, **7:26**
 - motion made in appellate term for leave to appeal to
 - affidavit in support, **7:37**
 - notice of motion, **7:36**
 - motions for permission to appeal
 - Generally, **7:12, 7:13**
 - forms, **7:34 et seq.**
 - notice of appeal
 - Generally, **7:6**
 - forms, **7:21 et seq.**
 - notice of motion
 - in appellate division for leave to appeal to appellate division from appellate term
 - Generally, **7:38**
 - affirmation in support of motion, **7:39**
 - in supreme court for leave to appeal to appellate court, **7:34**
 - leave to appeal to appellate division from order of supreme court not appealable as of right, **7:35**

INDEX

APPELLATE DIVISIONS—Cont'd

Telephone numbers of the courts,

App. A

Transcripts

Generally, **12:6**

affirmation of compliance where
transcript not opposed by
respondent, **12:59**

amendments to transcript

appellant's proposal, **12:56**

respondent's proposal, **12:57**

appellant's proposed amendments
to transcript, **12:56**

certification

by court clerk in appendix
method, **12:75**

by judge as to correctness, **12:61**

correctness of transcript, **12:58**

compliance affirmation where
transcript not opposed by
respondent, **12:59**

correctness of transcript, stipula-
tion and certification as to,
12:58

court reporter minute agreement
form, **12:53**

filing the transcript, **12:12**

lost transcripts, statement in lieu
of, **12:7**

notice of settlement of transcript,
12:55

notice of submission of transcript
to court, **12:60**

ordering copies

Generally, **12:8**

form, **12:52**

partial transcript, stipulation for,
12:54

printing specifications statement,
12:84

request for transcript, **12:52**

respondent's affirmation of
compliance where transcript
not opposed by, **12:59**

respondent's proposed amend-
ments to transcript, **12:57**

reviewing the transcript, **12:9**

serving the transcript, **12:11**

APPELLATE DIVISIONS—Cont'd

Transcripts—Cont'd

settling the transcript

Generally, **12:10**

forms, **12:55, 12:58 et seq.**

statement in lieu of transcript

where a record of the
proceeding was not made or
has been lost, **12:7**

stipulation as to correctness of
transcript, **12:58**

stipulation for partial transcript,
12:54

stipulation in lieu of certification of
record on appeal, **12:74**

submission of transcript to court
for settlement

Generally, **12:60**

certification by judge, **12:61**

Withdrawal of appeal

Generally, **12:49**

form, **12:88**

APPELLATE TERMS

Generally, **14:1 et seq.**

Action request for, **7:27**

Addresses of the courts, **App. A**

Appealable judgments and orders

Generally, **3:1 et seq.**

See also Appealability, this index

Briefs, **14:10**

Calendaring the appeal, **14:11 et seq.**

City courts outside New York city,
record on appeal from, **14:5**

Complexity of the appellate process,
1:1

Conferences, **10:5**

Costs and fees, **1:4**

Court papers, **11:6, 11:7**

Dismissals for failure to proceed,
14:15

Disposition of Appeal, this index

District courts appeals to, record on
appeal, **14:5**

Extensions and dismissals for failure
to proceed, time for appeal,
14:15

Extensions for failure to proceed,
14:15

APPELLATE TERMS—Cont'd

Filings

Generally, **14:11 et seq.**

signatures

Generally, **1:3**

attorney signature blocks, **1:5**

Forms

action request for, **7:27**

notice of appeal to from town

court, **7:29**

notice of argument on appeal,

14:16

notice of motion made in for leave

to appeal to appellate division

from order of appellate term

determining appeal from

lower court, **7:36**

statement of no opinion, **14:17**

Jurisdiction

Generally, **2:4**

New York Supreme Court Rules,

App. M-15

Motion practice

Generally, **17:4, 17:5**

leave to appeal to appellate divi-

sion from order of appellate

term determining appeal from

lower court

affidavit in support, **7:37**

notice of motion, **7:36**

leave to reargue, **19:4, 19:5**

permission to appeal, **7:14, 7:15**

New York city civil court appeals to,

14:2, 14:5

New York Supreme Court Rules

appeals, **App. M-13**

jurisdiction, **App. M-15**

rules of practice, **App. M-16**

Notice of appeal

Generally, **7:7, 7:8**

from town court, **7:29**

Order, notice of appeal to appellate

division from, **7:25**

Organization of the appellate courts,

2:1

Perfecting an appeal

Generally, **14:1 et seq.**

court papers, **11:6, 11:7**

APPELLATE TERMS—Cont'd

Perfecting an appeal—Cont'd

oral argument

Generally, **14:11 et seq.**

forms, **14:16, 14:17**

Record on appeal

Generally, **14:2 et seq.**

adequacy of the record on appeal,

14:9

city courts outside New York city

appeals to, **14:5**

county courts appeals to appellate

terms, **14:4**

district courts appeals to, **14:5**

New York city civil court appeals

to, **14:2, 14:5**

village justice courts appeals to,

14:6

Reviewable judgments and orders

Generally, **4:1 et seq., 4:10**

See also Reviewable Judgments

and Orders, this index

Right of appeal. See Taking the

Appeal, this index

Rules of practice, New York Supreme

Court Rules, **App. M-16**

Rules regulating the appellate pro-

cess, **1:1**

Signatures

Generally, **1:3**

attorney signature blocks, **1:5**

certifications, **1:6**

Stages of the appellate process, **1:2**

Statement of no opinion, form of,

14:17

Taking the appeal

Generally, **7:1 et seq.**

See also Taking the Appeal, this

index

Telephone numbers of the courts,

App. A

Time for appeal, extensions and

dismissals for failure to proceed,

14:15

Transcripts, this index

Village justice courts appeals to, rec-

ord on appeal, **14:6**

INDEX

ARGUMENT

Oral Argument, this index

ARTICLE 78 TRANSFERS

Generally, **20:1 et seq.**

CPLR 7804(g) transfers, **20:2**

Procedure in transferred proceedings,
20:3 et seq.

Transfers pursuant to CPLR 7804(g),
20:2

ATTORNEYS

Briefs, this index

Child client, certification of attorney
for, **21:16**

Engagement of counsel

Generally, **21:2**

child, certification of attorney for,
21:16

poor persons, assignment of
counsel

Generally, **21:15**

certification of continued author-
ity, **21:17 et seq.**

Filings and documents

signature blocks on, **1:5**

Oral Argument, this index

Signature blocks on filings, **1:5**

ATTORNEY'S FEES

Taxation of costs, **App. C-20**

AUDIO-VISUAL COVERAGE

Generally, **21:6**

BODY

Proceedings against, **App. C-15**

BRIEFS

Generally, **12:37, 16:1 et seq.**

Abandonment of claims or defenses,
12:41

Amicus curiae brief, Court of
Appeals, **13:13**

Appellant's brief, Court of Appeals,
13:10

Appellate Divisions, this index

Appellate terms, **14:10**

Argument, **16:6**

Claims or defenses, abandonment of,
12:41

BRIEFS—Cont'd

Court of Appeals, this index

E-filing and e-service of
appellate departments, **11:10 et
seq.**

appellate divisions, **11:9**

Filing

Generally, **12:39**

Court of Appeals, **13:15**

Form and contents, **12:38**

Form of cover

appellate divisions, **12:81**

Court of Appeals, **13:20**

Issues raised for the first time on
appeal

Generally, **12:40**

forms, **12:85, 12:86**

Motion to strike portions of referring
to matters outside the record and
raising issues for the first time in
appellant's reply brief

affirmation in support of motion,
12:86

notice of motion, **12:85**

New legal theories

Generally, **12:40**

forms, **12:85, 12:86**

Preliminary statements, **16:2**

Questions presented, **16:3**

Reply brief, Court of Appeals, **13:12**

Respondent's brief, Court of Appeals,
13:11

Service

Generally, **12:39**

Court of Appeals, **13:15**

Statement of facts

general principles, **16:4**

specific guides, **16:5**

CALENDARING THE APPEAL

Appellate divisions, **12:42 et seq.**

Appellate terms, **14:11 et seq.**

County courts, **14:14**

Court of Appeals, **13:16**

CERTIFICATIONS

Appellate Divisions, this index

Child, certification of attorney for,
21:16

CERTIFICATIONS—Cont’d

- Perfecting an Appeal, this index
- Poor persons, assignment of counsel, certification of continued authority, **21:17 et seq.**
- Record on appeal
 - Generally, **12:29**
 - forms, **12:72 et seq.**
- Sanctions, signing requirement, **21:8**
- Signatures, **1:6**
- Transcripts, this index

CERTIORARI

- Article 78 Transfers, this index

CHIEF ADMINISTRATOR OF THE COURTS

- New York Supreme Court Rules, **App. M-2**

CHILDREN

- Certification of attorney for, **21:16**

CITY COURTS

- Uniform civil rules, **App. M-7**

COLLATERAL ESTOPPEL

- Intermediate appellate court dispositions, **18:5**

CONCURRENT APPEALS

- Appellate divisions, **12:3**

CONFERENCES

- Generally, **10:1 et seq.**
- Appellate divisions, **10:2 et seq.**
- Appellate terms, **10:5**

CONFIDENTIAL MATERIAL

- Appellate divisions, **12:5**
- Sealing and redaction, **21:7**

CONSOLIDATION MOTIONS

- Generally, **8:2**
- Forms
 - affirmation in support of motion, **8:9**
 - notice of motion, **8:8**

CONSTITUTION PROVISIONS

- Generally, **App. B**

COSTS AND FEES

- Generally, **1:4, 21:3**

COSTS AND FEES—Cont’d

- Additional allowances, **App. C-19**
- Amount of costs, **App. C-18**
- Disbursements, **App. C-19**
- Intermediate appellate court dispositions, **18:10**
- Security for costs, **App. C-21**
- Taxation of costs, **App. C-200**
- Transcripts, rates of payment, **App. M-1**

COUNTY COURTS

- Generally, **14:1 et seq.**
- Addresses of the courts, **App. A**
- Appealable judgments and orders
 - Generally, **3:1 et seq.**
 - See also Appealability, this index
- Appellate divisions, organization, **2:1**
- Appellate jurisdiction, **2:5**
- Appellate terms, appeals to, **14:4**
- Calendaring the appeal, **14:14**
- City court appeals to
 - notice, **7:30**
 - record on appeal, **14:7**
- Complexity of the appellate process, **1:1**
- Costs and fees, **1:4**
- Court papers, **11:8**
- Dismissals for failure to proceed, **14:15**
- Disposition of Appeal, this index
- Extensions and dismissals for failure to proceed, **14:15**
- Extensions for failure to proceed, **14:15**
- Filings
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
- Forms
 - city court, notice of appeal to county court from, **7:30**
 - notice of appeal to appellate division from order of county court, **7:28**
- Jurisdiction, **2:5**
- Leave to reargue, **19:6**
- Motion practice
 - Generally, **17:6**
 - leave to reargue, **19:6**

INDEX

COUNTY COURTS—Cont'd

- Motion practice—Cont'd
 - permission to appeal, **7:16**
- Notice of appeal
 - Generally, **7:8**
 - form, **7:30**
 - to appellate division from order of county court, **7:28**
- Perfecting an appeal
 - Generally, **14:1 et seq.**
 - court papers, **11:8**
 - oral argument, **14:14**
- Record on appeal
 - appeals from city courts, **14:7**
 - appellate terms, appeals to, **14:4**
 - city court appeals, **14:7**
 - town justice courts appeals, **14:8**
 - village justice courts appeals, **14:8**
- Reviewability
 - Generally, **4:1 et seq.**
 - See also Reviewable Judgments and Orders, this index
- Right of appeal. See Taking the Appeal, this index
- Rules regulating the appellate process, **1:1**
- Signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
 - certifications, **1:6**
- Stages of the appellate process, **1:2**
- Taking the appeal
 - Generally, **7:1 et seq.**
 - See also Taking the Appeal, this index
 - motions for permission to appeal, **7:16**
 - notice of appeal
 - Generally, **7:8**
 - form, **7:30**
- Telephone numbers of the courts, **App. A**
- Time for appeal, **14:15**
- Town justice courts appeals to, **14:8**
- Trial courts, **2:8**
- Uniform civil rules, reproduced in part, **App. M-5**
- Village justice courts appeals to, **14:8**

COURT DOCUMENTS

- Generally, **11:3**
- Appellate divisions
 - Generally, **11:5**
 - confidentiality, **12:5**
- Appellate printers, a safer and saner alternative, **11:19**
- Appellate terms, **11:6, 11:7**
- Confidentiality, appellate divisions, **12:5**
- County courts, **11:8**
- Court of Appeals, **11:4**
- CPLR provisions, **App. C-4**
- Electronic Court Documents, this index
- Perfecting an Appeal, this index
- Signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**

COURT OF APPEALS

- Generally, **2:2**
- Addresses of the courts, **App. A**
- Appealable judgments and orders
 - Generally, **3:1 et seq.**
 - See also Appealability, this index
- Appeals to, CPLR provisions, **App. C-13**
- Appellate division, notice of motion in for leave to appeal to Court of Appeals, **7:32**
- Briefs
 - Generally, **13:9 et seq.**
 - amicus curiae brief, **13:13**
 - appellant's brief, **13:10**
 - corporate disclosure statement, **13:19 et seq.**
 - cover, **13:20**
 - filing, **13:15**
 - form of cover, **13:20**
 - reply brief, **13:12**
 - respondent's brief, **13:11**
 - service, **13:15**
 - serving and filing, **13:15**
 - submission of briefs, records, and appendices in digital format, **13:14**
- Calendaring the appeal, **13:16**

COURT OF APPEALS—Cont’d

- Complexity of the appellate process, **1:1**
- Corporate disclosure statement, **13:19**
- Costs and fees, **1:4**
- Court papers, **11:4**
- CPLR provisions, **App. C-13**
- Direct appeals to, record on appeal, **13:8**
- Disposition of appeal, **18:2**
- Filings
 - briefs, **13:15**
 - record on appeal, **13:15**
 - signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
- Forms
 - appellate division, notice of motion in for leave to appeal to Court of Appeals, **7:32**
 - brief cover, **13:20**
 - corporate disclosure statement, **13:19**
 - notice of motion in appellate division for leave to appeals from order of appellate division, **7:32**
- Jurisdiction
 - Generally, **2:3**
 - sua sponte examination of subject matter jurisdiction, **13:2**
- Justices, **App. E-2**
- Leave to reargue, **19:2, 19:9**
- Motion practice
 - Generally, **17:2**
 - amicus curia, motion for leave to appear as amicus curiae
 - affidavit in support of motion, **8:13**
 - notice of motion, **8:12**
 - leave to reargue, **19:2, 19:9**
 - motion for leave to appear as amicus curiae
 - affidavit in support of motion, **8:13**
 - notice of motion, **8:12**
 - notice of motion in appellate division for leave to appeals from

COURT OF APPEALS—Cont’d

- Motion practice—Cont’d
 - order of appellate division, **7:32**
 - permission to appeal
 - Generally, **7:11**
 - forms, **7:31 et seq., 7:32, 7:33**
 - preliminary appeal statement, **7:20**
- Notice of appeal
 - Generally, **7:5**
 - appellate division, appeal from, **7:19**
 - forms, **7:17 et seq.**
 - preliminary appeal statement, **7:20**
- Notice of motion in appellate division for leave to appeals from order of appellate division, **7:32**
- Organization of the appellate courts, **2:1**
- Paper signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
- Perfecting the appeal
 - Generally, **13:1 et seq.**
 - briefs
 - Generally, **13:9 et seq.**
 - corporate disclosure statement, **13:19 et seq.**
 - cover, **13:20**
 - court papers, **11:4**
 - dismissals for failure to proceed or file papers, **13:18**
 - extensions of time to serve and file, **13:18**
 - forms, **13:19, 13:20**
 - oral argument, **13:16**
 - preparation of the record material, **13:4 et seq.**
 - record on appeal
 - Generally, **13:4**
 - agreed statement method, **13:5**
 - appendix method, **13:6**
 - direct appeals to the Court of Appeals, **13:8**
 - full record method, **13:7**
 - steps in perfecting the appeal, **13:3**
 - sua sponte examination of subject matter jurisdiction, **13:2**

INDEX

COURT OF APPEALS—Cont'd

- Perfecting the appeal—Cont'd
 - withdrawal of the appeal, **13:17**
- Preliminary appeal statement, **7:20**
- Record on appeal
 - agreed statement method, **13:5**
 - appendix method, **13:6**
 - direct appeals to the Court of Appeals, **13:8**
 - filings, **13:15**
 - full record method, **13:7**
 - service, **13:15**
- Reviewable judgments and orders
 - Generally, **4:1 et seq., 4:7**
 - See also Reviewable Judgments and Orders, this index
- Right of appeal. See Taking the Appeal, this index
- Rules of Practice, Part 500, **App. M-11**
- Rules regulating the appellate process, **1:1**
- Service of briefs and record on appeal, **13:15**
- Signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
 - certifications, **1:6**
- Stages of the appellate process, **1:2**
- Stare decisis, **18:4**
- Steps in perfecting the appeal, **13:3**
- Sua sponte examination of subject matter jurisdiction, **13:2**
- Submission of briefs, records, and appendices in digital format, **13:14**
- Taking the appeal
 - Generally, **7:1 et seq.**
 - See also Taking the Appeal, this index
 - affidavit in support of motion in appellate division for leave to appeal to Court of Appeals from order of appellate division, **7:33**
 - motions for permission to appeal
 - Generally, **7:11**
 - forms, **7:31-7:33**

COURT OF APPEALS—Cont'd

- Taking the appeal—Cont'd
 - motions for permission to appeal—Cont'd
 - preliminary appeal statement, **7:20**
 - notice of appeal
 - Generally, **7:5, 7:18**
 - appellate division, appeal from, **7:19**
 - forms, **7:17 et seq.**
 - preliminary appeal statement, **7:20**
 - preliminary appeal statement, **7:20**
 - Telephone numbers of the court, **App. A**
 - Withdrawal of the appeal, **13:17**

COURT OF CLAIMS

- Generally, **2:7**
- Courts and judges, **App. G**

COURTS AND JUDGES

- Generally, **App. E-1 et seq.**
- Appellate divisions, **App. E-3**
- Court of Appeals, **App. E-2**
- Court of Claims, **App. G**
- Intermediate appellate court dispositions, **18:6**
- Judicial restraint, **18:6**
- Judiciary Law section 265, **App. E-4**
- New York City Civil Court Act appeals, **App. I**
- New York Supreme Court Rules, courts and sanctions, **App. M-3**
- New York surrogate's court appeals, **App. L**
- New York uniform city court act appeals, **App. K**
- New York uniform district court act appeals, **App. J**
- Remarks by judge at trial, scope of review, **4:5**
- Uniform Justice Court appeals, **App. H**

CROSS-APPEALS

- Appellate divisions, **12:3**
- Notice of appeal
 - Generally, **7:9**

CROSS-APPEALS—Cont'd

- Notice of appeal—Cont'd form, **7:40**
- Perfecting the appeal, **12:3**
- Time to appeal, **6:4**

DEADLINES

- Generally, **12:49**
- Affidavit in support of motion to extend time within which to prosecute appeal, **12:91**
- Affirmation in support of motion to extend time to perfect appeal, **12:92**
- Court of Appeals, **13:18**
- Forms, **12:88**
- Motion to extend time to perfect appeal, **12:93**
- Notice of motion to extend time to perfect appeal, **12:90**
- Order to show cause why time within which to prosecute appeal should not be extended, **12:89**
- Stipulation extending time in which to prosecute appeal, **12:88**

DECISION TO APPEAL

- Generally, **6:1**

DEFECTS

- CPLR provisions, **App. C-3**

DEPARTMENTS

- Organization of the appellate courts, **2:1**

DISBURSEMENTS

- CPLR provisions, **App. C-19**
- Intermediate appellate court dispositions, **18:10**

DISMISSALS

- Failure to proceed or file papers
 - Generally, **14:15**
 - Court of Appeals, **13:18**
- Perfecting an Appeal, this index
- Time Matters, this index

DISPOSITION OF APPEAL

- Generally, **18:1 et seq.**
- Collateral estoppel, **18:5**
- Costs, **18:10**

DISPOSITION OF APPEAL

—Cont'd

- Court of Appeals dispositions, **18:2**
- Decision-making limits, **18:4**
- Disbursements, **18:10**
- Entry of orders, **18:13**
- Form and contents of orders, **18:9**
- Harmless error, **18:7**
- Intermediate appellate court dispositions
 - Generally, **18:3**
 - collateral estoppel, **18:5**
 - costs, **18:10**
 - decision-making limits, **18:4**
 - disbursements, **18:10**
 - entry of an appellate court order, **18:13**
 - entry of orders, **18:13**
 - finding out about the disposition, **18:12**
 - form and contents of orders, **18:9**
 - general principles of law which limit appellate court's decision-making, **18:4**
 - harmless error, **18:7**
 - judicial restraint, **18:6**
 - law of the case, **18:5**
 - orders
 - entry, **18:13**
 - service, **18:13**
 - preservation, **18:7**
 - res judicata, **18:5**
 - restitution, **18:11**
 - retroactivity rule, **18:8**
 - service of an appellate court order, **18:13**
 - stare decisis, **18:4**
- Judicial restraint, **18:6**
- Law of the case, **18:5**
- Orders
 - entry of, **18:13**
 - form and contents of, **18:9**
 - service, **18:13**
- Power to dispose of a case generally, **18:1**
- Preservation, **18:7**
- Res judicata, **18:5**
- Restitution, **18:11**

INDEX

DISPOSITION OF APPEAL

—Cont'd

- Retroactivity rule, **18:8**
- Service of orders, **18:13**
- Stare decisis, **18:4**

DISTRICT COURTS

- New York Supreme Court Rules,
App. M-8

DISTRICTS

- Organization of the appellate courts,
2:1

ELECTRONIC COURT DOCUMENTS

- Generally, **21:6**
- Appellate divisions
 - briefs, appendices, and records on
appeal e-filing and e-service
of, **11:9**
 - New York Supreme Court Rules,
App. M-19
- Appendices, e-filing and e-service
appellate divisions, **11:9**
appellate terms, **11:10 et seq.**
- Briefs, e-filing
 - appellate divisions, **11:9**
 - appellate terms, **11:10 et seq.**
- Devices in the courtroom, **21:6**
- Filings
 - appellate divisions, **App. M-19**
 - CPLR provisions, **App. C-5**
 - facsimile transmission, **App. C-5**
 - New York Supreme Court Rules,
App. M-19
- Perfecting an appeal, e-filing and
e-service
 - appellate departments, **11:10 et
seq.**
 - appellate divisions, **11:9**
- Portable electronic devices, **21:6**
- Recording, **21:6**
- Records on appeal, e-filing and e-ser-
vice
 - appellate departments, **11:10 et
seq.**
 - appellate divisions, **11:9**

EX PARTE ORDERS

- Affidavit in support of motion to
vacate ex parte order, **8:17**
- Notice of motion to vacate an ex
parte order, **8:16**
- Review of, motion practice
 - Generally, **8:5**
 - forms, **8:14 et seq.**
- Vacation of
 - affidavit in support of motion, **8:17**
 - notice of motion for, **8:16**

EXTENSIONS OF TIME

- Time Matters, this index

FACSIMILE FILINGS

- CPLR provisions, **App. C-5**

FAMILY COURTS

- Generally, **App. F**
- Trial Courts, this index

FEES

- Costs and Fees, this index

FILINGS

- See also Perfecting an Appeal, this
index
- Appellate divisions, **12:4**
- Appellate terms, **14:11 et seq.**
- Briefs, **12:39**
- Court of Appeals, this index
- E-filing
 - appellate departments, **11:10 et
seq.**
 - appellate divisions, **11:9**
- Facsimile transmission and by
electronic means, CPLR provi-
sions, **App. C-5**
- Form of reproduction, **11:2**
- Notice of appeal, serving and filing,
7:3
- Record on appeal, serving and filing
 - Generally, **12:31**
 - appendices, **12:36**
- Signatures
 - Generally, **1:3**
 - attorney signature blocks, **1:5**
- Transcripts, **12:12**

HARMLESS ERROR

Intermediate appellate court dispositions, **18:7**

HUMAN RIGHTS LAW

CPLR provisions, **App. D**

INDEX NUMBERS

Generally, **12:17**
Forms, **12:62, 12:63**

INDIGENTS

See also Poor Persons, this index
Perfecting the appeal, **12:50**

INJUNCTIONS

Generally, **9:1 et seq.**
Affidavit in support of motion for preliminary injunction pending appeal, **9:16**
Forms, **9:15, 9:16**
Order to show cause upon motion for pending appeal, **9:15**
Preliminary injunctions, **9:7**
Temporary restraining orders, **9:7**
TRO, order to show cause upon motion for pending appeal, **9:15**

INTERVENTION MOTIONS

Generally, **8:3**
Forms
affidavit in support of motion, **8:11**
notice of motion, **8:10**

IRREGULARITIES

Extensions of time, CPLR provisions, **App. C-3**

WITHDRAWAL OF APPEAL

Abandonment of claims or defenses, **12:41**

JUDGES

Courts and Judges, this index

JUDGMENTS

Accelerated judgment, CPLR provisions, **App. C-9**
Appealability, this index
Reviewable Judgments and Orders, this index
Stays, this index

JURISDICTION

Generally, **2:1 et seq.**
Appellate divisions
Generally, **2:3**
See also Appellate Divisions, this index
Appellate terms
Generally, **2:4**
See also Appellate Terms, this index
County courts, **2:5**
Court of Appeals
Generally, **2:2**
See also Court of Appeals, this index
New York Supreme Court Rules, appellate terms, **App. M-15**
Sua sponte examination of subject matter jurisdiction, **13:2**

JURY TRIALS

Charges, scope of review, **4:5**
CPLR provisions, **App. C-10**

JUSTICE COURTS

See also Trial Courts, this index
New York Supreme Court Rules, **App. M-9**
Uniform civil rules, **App. M-9**
Uniform Justice Court appeals, **App. H**

LAW OF THE CASE

Intermediate appellate court dispositions, **18:5**

MANDAMUS

Article 78 Transfers, this index

MANDATES

CPLR provisions, **App. C-6**

MISTAKES

CPLR provisions, **App. C-3**

MOTION PRACTICE

Generally, **5:1 et seq., 17:1**
Affidavit in support of motion
leave to reargue, **5:18**
reargument, **5:18**
resettle order, **5:20**
vacate ex parte order, **8:17**

INDEX

MOTION PRACTICE—Cont'd

- Affirmation in support of motion
 - consolidate appeals, **8:9**
 - leave to renew, **5:16**
- Amicus curiae
 - Generally, **8:4**
 - form
 - affidavit in support of motion, **8:13**
 - notice of motion, **8:12**
- Appealability
 - leave to reargue, **5:7**
 - leave to renew, **5:4**
 - leave to resettle, **5:10**
- Appellate Divisions, this index
- Appellate Terms, this index
- Consolidation
 - Generally, **8:2**
 - affirmation in support of motion, **8:9**
 - notice of motion, **8:8**
- County courts
 - Generally, **17:6**
 - leave to reargue, **19:6**
- Court of Appeals, this index
- CPLR provisions, **App. C-6**
- Effect
 - leave to reargue, **5:11, 5:13**
 - leave to renew, **5:11, 5:12**
 - leave to resettle, **5:11, 5:14**
- Ex parte orders
 - affidavit in support of motion to vacate, **8:17**
 - notice of motion to vacate, **8:16**
 - review of
 - Generally, **8:5**
 - forms, **8:14 et seq.**
- Forms
 - Generally, **5:15 et seq., 8:6**
 - affidavit in support of motion for preference in hearing of appeal, **8:7**
 - affidavit in support of motion for reargument, **5:18**
 - affidavit in support of motion to intervene, **8:11**
 - affidavit in support of motion to resettle order, **5:20**

MOTION PRACTICE—Cont'd

- Forms—Cont'd
 - affidavit in support of motion to vacate ex parte order, **8:17**
 - affirmation in support of a motion to consolidate appeals, **8:9**
 - affirmation in support of motion for leave to renew, **5:16**
 - consolidation
 - affirmation in support of motion, **8:9**
 - notice of motion, **8:8**
 - Court of Appeals motion for leave to appear as amicus curiae
 - affidavit in support of motion, **8:13**
 - notice of motion, **8:12**
 - ex parte order, affidavit in support of motion to vacate, **8:17**
 - ex parte order, notice of motion to vacate an, **8:16**
 - intervention
 - affidavit in support of motion, **8:11**
 - notice of motion, **8:10**
 - notice of motion for a preference in hearing of appeal, **8:6**
 - notice of motion for leave to renew, **5:15**
 - notice of motion for reargument, **5:17**
 - notice of motion in Court of Appeals for leave to appear as amicus curiae
 - affidavit in support of motion, **8:13**
 - notice of motion, **8:12**
 - notice of motion to consolidate appeals, **8:8**
 - notice of motion to intervene, **8:10**
 - notice of motion to resettle order, **5:19**
 - notice of motion to vacate an ex parte order, **8:16**
 - order to show cause why ex parte order of trial court should not be vacated, **8:14**
 - poor persons, instructions and forms for motion for poor person relief
 - appellate divisions, **21:9 et seq.**

MOTION PRACTICE—Cont’d

Forms—Cont’d

preferences

affidavit in support of motion,
8:7

notice of motion, **8:6**

vacation of ex parte order, affidavit
in support of motion, **8:17**

vacation of ex parte order, notice
of motion for, **8:16**

Grounds

leave to reargue

Generally, **5:5**

affidavit in support of motion,
5:18

notice of motion, **5:17**

leave to renew

Generally, **5:2**

affirmation in support, **5:16**

notice of motion, **5:15**

leave to resettle

Generally, **5:8**

affidavit in support of motion to
resettle, **5:20**

notice of motion, **5:19**

Intervention

Generally, **8:3**

forms

affidavit in support of motion,
8:11

notice of motion, **8:10**

Leave to appear

amicus curiae in Court of Appeals
affidavit in support of motion,
8:13

notice of motion, **8:12**

Leave to reargue

Generally, **19:1 et seq.**

appealability, **5:7**

appellate divisions

Generally, **19:3**

forms, **19:7, 19:8**

appellate terms, **19:4, 19:5**

county courts, **19:6**

Court of Appeals, **19:2, 19:9**

effect, **5:11, 5:13**

grounds

Generally, **5:5**

MOTION PRACTICE—Cont’d

Leave to reargue—Cont’d

grounds—Cont’d

affidavit in support of motion,
5:18

notice of motion, **5:17**

timing, **5:6**

Leave to renew

appealability, **5:4**

effect, **5:11, 5:12**

grounds

Generally, **5:2**

affirmation in support, **5:16**

notice of motion, **5:15**

timing, **5:3**

Leave to resettle

appealability, **5:10**

effect, **5:11, 5:14**

grounds

Generally, **5:8**

affidavit in support of motion to
resettle, **5:20**

notice of motion, **5:19**

timing, **5:9**

Notice of motion

leave to reargue, **5:17**

leave to renew, **5:15**

reargument, **5:17**

resettle order, **5:19**

vacate an ex parte order, **8:16**

Poor persons, instructions and forms
for motion for poor person relief
appellate divisions, **21:9 et seq.**

Preferences

Generally, **8:1**

affidavit in support of motion, **8:7**

notice of motion, **8:6**

Review of ex parte orders

Generally, **8:5**

forms, **8:14 et seq.**

Timing

leave to reargue, **5:6**

leave to renew, **5:3**

leave to resettle, **5:9**

Trial motions, CPLR provisions,
App. C-11

Vacation of ex parte order

affidavit in support of motion, **8:17**

INDEX

MOTION PRACTICE—Cont'd

Vacation of ex parte order—Cont'd
notice of motion for, **8:16**

NEW TRIAL ORDERS

Scope of review, **4:5**

NEW YORK CITY CIVIL COURT

Appeals, **App. I**

Uniform civil rules for, **App. M-6**

NEW YORK SUPREME COURT RULES

Generally, **App. M-1 et seq.**

Actions or proceedings brought by
inmates, **App. M-4**

Appellate divisions

appeals, **App. M-12**

electronic filing, **App. M-19**

practice rules, **App. M-20**

rules of practice, **App. M-14, App.
M-17, App. M-18**

Appellate terms

appeals, **App. M-13**

establishment, **App. M-15**

jurisdiction, **App. M-15**

rules of practice, **App. M-16**

Chief administrator of the courts,
App. M-2

City courts outside the city of New
York, uniform civil rules, **App.
M-7**

County courts, uniform civil rules,
App. M-5

Courts and sanctions, **App. M-3**

District courts, uniform civil rules,
App. M-8

Electronic filing, appellate divisions,
App. M-19

Establishment, appellate terms, **App.
M-15**

Jurisdiction, appellate terms, **App.
M-15**

Justice courts, uniform civil rules for,
App. M-9

New York city civil court, uniform
civil rules, **App. M-6**

Practice rules, appellate divisions,
App. M-20

Recycled paper rules, **App. M-10**

NEW YORK SUPREME COURT RULES—Cont'd

Rules of practice

appellate divisions, **App. M-14,
App. M-17, App. M-18**

appellate terms, **App. M-16**

Supreme courts, uniform civil rules
for, **App. M-5**

Transcripts, formats and rates of pay-
ment, **App. M-1**

Uniform civil rules for city courts
outside the city of New York,
App. M-7

Uniform civil rules for district courts,
App. M-8

Uniform civil rules for justice courts,
App. M-9

Uniform civil rules for New York city
civil court, **App. M-6**

Uniform civil rules for supreme
courts, **App. M-5**

NEW YORK UNIFORM DISTRICT COURT ACT

Appeals, **App. J**

NOTICE OF APPEAL

Appellate Divisions, this index

Appellate Terms, this index

County Courts, this index

Court of Appeals, this index

Cross-appeals

Generally, **7:9**

form, **7:40**

Serving and filing, **7:3**

Taking the Appeal, this index

OATHS AND AFFIRMATIONS

CPLR provisions, **App. C-7**

OFFICERS

Proceedings against, CPLR provi-
sions, **App. C-15**

ORAL ARGUMENT

Generally, **16:8**

Appellate divisions, **12:47, 12:48**

Appellate terms

Generally, **14:11 et seq.**

forms, **14:16, 14:17**

County courts, **14:14**

ORAL ARGUMENT—Cont’d

- Court of Appeals, **13:16**
- Notice of argument on appeal, **14:16**
- Statement of no opinion, **14:17**

ORDERS

- Additur, scope of review, **4:6**
- Appealability, this index
- Appellate divisions, appeals to
 - Generally, **3:7**
 - from supreme and county courts, **3:8**
- Appellate terms, appeals to, **3:12**
- Contents of orders, intermediate appellate court dispositions, **18:9**
- County courts, appeals to
 - Generally, **3:12**
 - appellate divisions, **3:8**
- Court of Appeal, appeals to, **3:11**
- CPLR provisions, **App. C-6**
- Default orders, appealability, **3:5**
- Entry of orders, **18:13**
- Ex Parte Orders, this index
- Form of orders, **18:9**
- Intermediate appellate court dispositions, **18:9, 18:13**
- Motion Practice, this index
- Remittitur, scope of review, **4:6**
- Reviewable Judgments and Orders, this index
- Service, **18:13**

ORGANIZATION OF THE APPELLATE COURTS

- Generally, **2:1**

PAPERS

- Court Documents, this index

PARTIES

- Aggrieved parties, appealability, **3:3**
- CPLR provisions, **App. C-1**
- Names of parties, appealability, **3:2**
- Poor Persons, this index

PERFECTING AN APPEAL

- Generally, **11:1**
- Abandonment of claims or defenses, **12:41**

PERFECTING AN APPEAL —Cont’d

- Adequacy of the record on appeal
 - Generally, **12:18**
 - appellate terms, **14:9**
- Affidavit in support of motion to extend time within which to prosecute appeal, **12:91**
- Affirmation in support of motion to extend time to perfect appeal, **12:92**
- Affirmation of compliance where appellant’s proposed record on appeal not opposed by respondent, **12:78**
- Agreed statement method in lieu of record on appeal
 - Generally, **12:21**
 - forms, **12:64 et seq.**
- Appellant’s proposed single copy of record on appeal, respondent’s proposed amendments and objections to, **12:77**
- Appellate divisions
 - Generally, **12:1 et seq.**
 - See also Appellate Divisions, this index
- Appellate printers, a safer and saner alternative, **11:19**
- Appellate terms
 - Generally, **14:1 et seq.**
 - See also Appellate Terms, this index
- Appendices appeals in the appellate departments, **11:10 et seq.**
- Appendices appeals in the appellate divisions, **11:9**
- Applicable rules in perfecting appeals, **11:20**
- Briefs, this index
- Calendaring the Appeal, this index
- Certification by judge of settled transcript, **12:61**
- Certifying the record
 - Generally, **12:29**
 - by court clerk in appendix method, **12:75**
 - forms, **12:72 et seq.**

INDEX

PERFECTING AN APPEAL

—Cont'd

- Change of circumstances
 - Generally, **12:49**
 - Court of Appeals, **13:18**
 - forms, **12:88**
- Claims or defenses, abandonment of, **12:41**
- Collecting the documents and exhibits
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
- Concurrent appeals, appellate divisions, **12:3**
- Confidentiality, appellate divisions, **12:5**
- Contents of record on appeal, **12:14**
- County courts
 - Generally, **14:1 et seq.**
 - See also County Courts, this index
- Court of Appeals
 - Generally, **13:1 et seq.**
 - See also Court of Appeals, this index
- CPLR 5531 statement
 - Generally, **12:17**
 - forms, **12:62, 12:63**
- Cross-appeals, appellate divisions, **12:3**
- Deadlines, this index
- Dismissals for failure to perfect
 - Generally, **12:49**
 - Court of Appeals, **13:18**
 - forms, **12:88**
- Dismissals for failure to proceed
 - appellate terms, **14:15**
 - county courts, **14:15**
- Documents
 - collecting
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
 - reviewing, **12:25**
- E-filing and e-service of briefs, appendices, and records on appeal
 - appellate departments, **11:10 et seq.**

PERFECTING AN APPEAL

—Cont'd

- E-filing and e-service of briefs, appendices, and records on appeal—Cont'd
 - appellate divisions, **11:9**
- Exhibits, collecting
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
- Extensions
 - Generally, **12:49**
 - appellate terms, **14:15**
 - county courts, **14:15**
 - Court of Appeals, **13:18**
 - forms, **12:88**
- Failure to perfect, dismissals for
 - Generally, **12:49**
 - Court of Appeals, **13:18**
 - forms, **12:88**
- Failure to proceed
 - appellate terms, **14:15**
 - county courts, **14:15**
- Filing and service of documents, appellate divisions, **12:4**
- Filing the papers, **12:42 et seq.**
- Filing the record on appeal
 - Generally, **12:31**
 - appendices, **12:36**
- Filing the transcript, **12:12**
- Forms
 - Generally, **12:51 et seq.**
 - affirmation of compliance where appellant's proposed record on appeal not opposed by respondent, **12:78**
 - appellant's proposed single copy of record on appeal, respondent's proposed amendments and objections to, **12:77**
 - brief, motion to strike portions of referring to matters outside record
 - affirmation in support of motion, **12:86**
 - notice of motion, **12:85**
 - certificate of record on appeal by court clerk in appendix method, **12:75**

PERFECTING AN APPEAL

—Cont'd

Forms—Cont'd
 cover of brief
 appellant divisions, **12:81**
 Court of Appeals, **13:20**
 cover of record on appeal, **12:69**
 motion to compel appellant to
 include in appendix parts of
 record which appellant should
 reasonably assume will be
 relied on by respondent
 affidavit in support of motion,
 12:80
 notice of motions, **12:79**
 note of issue, **12:87**
 notice of motion to strike portions
 of brief referring to matters
 outside the record
 affirmation in support of motion,
 12:86
 notice of motion, **12:85**
 notice of settlement of single copy
 of record on appeal in
 appendix method, **12:76**
 printing specifications statement,
 12:84
 record on appeal, **12:15**
 reproduction, **11:2**
 respondent's proposed amend-
 ments and objections to
 appellant's proposed single
 copy of record on appeal,
 12:77
 statement of questions involved on
 appeal, **12:83**
 stipulation in lieu of certification of
 record on appeal, **12:74**
 Index numbers
 Generally, **12:17**
 forms, **12:62, 12:63**
 Indigents, **12:50**
 Issues raised for the first time on
 appeal
 Generally, **12:40**
 forms, **12:85, 12:86**
 Lost transcripts, statement in lieu of,
 12:7

PERFECTING AN APPEAL

—Cont'd

Master copies of record on appeal,
 12:24
 Matters outside the record
 Generally, **12:19**
 forms, **12:85, 12:86**
 Methods of presenting the record on
 appeal, **12:16, 12:20 et seq.**
 Motion to compel appellant to
 include in appendix parts of rec-
 ord which appellant should rea-
 sonably assume will be relied on
 by respondent
 affidavit in support of motion,
 12:80
 notice of motions, **12:79**
 Motion to extend time to perfect
 appeal, **12:93**
 New legal theories
 Generally, **12:40**
 forms, **12:85, 12:86**
 Note of issue form, **12:87**
 Notice of argument on appeal, appel-
 late terms, **14:16**
 Notice of motion to extend time to
 perfect appeal, **12:90**
 Oral Argument, this index
 Ordering copies of transcripts
 Generally, **12:8**
 forms, **12:52**
 Order to show cause why time within
 which to prosecute appeal
 should not be extended, **12:89**
 Paginating the record, **12:26**
 Preparation of the record material,
 Court of Appeals, **13:4 et seq.**
 Printing specifications statement,
 12:84
 Questions involved on appeal, form
 of statement of, **12:83**
 Record on Appeal, this index
 Respondent's proposed amendments
 and objections to appellant's
 proposed single copy of record
 on appeal, **12:77**
 Reviewing documents, **12:25**
 Reviewing the transcript, **12:9**
 Sealing, appellate divisions, **12:5**

INDEX

PERFECTING AN APPEAL

—Cont'd

- Settling the transcript
 - Generally, **12:10**
 - certification by judge, **12:61**
 - forms, **12:55 et seq., 12:58 et seq.**
- Stages
 - Generally, **12:6**
 - appellate divisions, **12:2**
- Statement in lieu of record on appeal
 - Generally, **12:66**
 - stipulation as to, **12:65**
- Statement of questions involved on appeal, **12:83**
- Steps in perfecting the appeal to Court of Appeals, **13:3**
- Stipulations
 - extending time in which to prosecute appeal, **12:88**
 - statement in lieu of record on appeal, **12:65**
- Sua sponte examination of subject matter jurisdiction, **13:2**
- Submissions
 - Generally, **12:47, 12:48**
 - transcript to court for settlement, **12:61**
- Transcripts, this index
- Withdrawal of Appeal, this index

POOR PERSONS

- Generally, **21:4**
- Assignment of counsel
 - Generally, **21:15**
 - certification of continued authority, **21:17 et seq.**
- CPLR provisions, **App. C-2**
- Forms
 - assignment of counsel
 - Generally, **21:15**
 - certification of continued authority, **21:17 et seq.**
 - for permission to appeal as a poor person and to have the appeal heard, on the original worker's compensation board file, **21:22**
- Instructions and forms for appeal by pro se claimant from decision of

POOR PERSONS—Cont'd

- unemployment insurance appeal board, **21:24**
- Instructions and forms for motion for poor person relief, **21:9 et seq.**

PORTABLE ELECTRONIC DEVICES

- Generally, **21:6**

PREFERENCE MOTIONS

- Generally, **8:1**
- Forms
 - affidavit in support of motion, **8:7**
 - notice of motion, **8:6**

PRESERVATION

- Intermediate appellate court dispositions, **18:7**

PRISONS

- Actions or proceedings brought by inmates, **App. M-4**

PROHIBITION

- Article 78 Transfers, this index

PRO SE CLAIMANTS

- See also Poor Persons, this index
- Instructions and forms for appeal by pro se claimant from decision of unemployment insurance appeal board, **21:24**

RECORD ON APPEAL

- Generally, **12:13 et seq.**
- Adequacy, **12:18**
- Adequacy of the record on appeal, **14:9**
- Agreed statement method in lieu
 - Generally, **12:21**
 - forms, **12:64 et seq.**
- Appellate Divisions, this index
- Appellate Terms, this index
- Appendix method
 - Generally, **12:32 et seq.**
 - incomplete and inadequate appendices
 - Generally, **12:35**
 - forms, **12:79, 12:80**
 - preparing the appendix, **12:34**

RECORD ON APPEAL—Cont'd

- Appendix method—Cont'd
 - preparing the record on appeal
 - Generally, **12:33**
 - forms, **12:74 et seq.**
- Certification
 - Generally, **12:29**
 - forms, **12:72 et seq.**
- Collecting the documents and exhibits
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
- Contents, **12:14**
- Court of Appeals
 - Generally, **13:4**
 - See also Court of Appeals, this index
- CPLR 5531 statement
 - Generally, **12:17**
 - forms, **12:62, 12:63**
- Documents, collecting
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
- Documents, reviewing, **12:25**
- E-filing and e-service of, **11:9 et seq.**
- Exhibits, collecting
 - Generally, **12:23**
 - demand, **12:68**
 - stipulation omitting, **12:67**
- Filing
 - Generally, **12:31**
 - appendices, **12:36**
 - Court of Appeals, **13:15**
 - records
 - Generally, **12:31**
 - appendices, **12:36**
- Forms
 - Generally, **12:15, 12:62 et seq.**
 - cover, **12:69**
- Full record, **12:22 et seq.**
- Headings, **12:27**
- Incomplete and inadequate appendices
 - Generally, **12:35**
 - forms, **12:79, 12:80**

RECORD ON APPEAL—Cont'd

- Index numbers
 - Generally, **12:17**
 - forms, **12:62, 12:63**
- Master copies, **12:24**
- Matters outside the record
 - Generally, **12:19**
 - forms, **12:85, 12:86**
- Method, **12:16**
- Methods of presenting, **12:20 et seq.**
- Notice of settlement of single copy of record on appeal in appendix method, **12:76**
- Paginating, **12:26**
- Perfecting an Appeal, this index
- Preparing the appendix, **12:34**
- Preparing the record on appeal
 - Generally, **12:33**
 - forms, **12:74 et seq.**
- Reproducing the record, **12:30**
- Reviewing documents, **12:25**
- Service
 - Generally, **12:31**
 - appendices, **12:36**
 - Court of Appeals, **13:15**
- Stipulation as to statement in lieu of record on appeal, **12:65**
- Table of contents, **12:28**
- Transcripts, this index

RECYCLED PAPER

- New York Supreme Court Rules, **App. M-10**

REMITTITUR ORDERS

- Scope of review, **4:6**

REPRODUCING THE RECORD

- Generally, **12:30**

RES JUDICATA

- Intermediate appellate court dispositions, **18:5**

RESTITUTION

- Intermediate appellate court dispositions, **18:11**

RETROACTIVITY RULE

- Intermediate appellate court dispositions, **18:8**

INDEX

REVIEWABLE JUDGMENTS AND ORDERS

Generally, **4:1 et seq.**
Additurs, **4:6**
Appellate divisions, **4:8**
Appellate terms, **4:10**
County courts, **4:11**
Court of Appeals, **4:7**
Finality requirement, **4:3**
Judges' remarks at trial, **4:5**
Jury charges, **4:5**
Money judgments in tort actions, **4:9**
New trial orders, scope of review, **4:5**
Non-final judgments or orders, **4:4**
Orders denying new trials, scope of review, **4:5**
Remarks by judge at trial, scope of review, **4:5**
Remittiturs, **4:6**
Scope of review
 Generally, **4:2 et seq.**
 additurs, **4:6**
 appellate divisions, **4:8**
 appellate terms, **4:10**
 county courts, **4:11**
 Court of Appeals, **4:7**
 finality requirement, **4:3**
 judges' remarks at trial, **4:5**
 jury charges, **4:5**
 money judgments in tort actions, **4:9**
 non-final judgments or orders, **4:4**
 orders denying new trials, **4:5**
 remarks by judge at trial, **4:5**
 remittiturs, **4:6**
 small claims, **4:12**
 tort action money judgments in, **4:9**
 trial rulings, **4:5**
Small claims, **4:12**
Tort action money judgments in, **4:9**
Trial rulings, **4:5**

RIGHT OF APPEAL

Taking the Appeal, this index

RULES OF COURT

Appellate process, rules regulating the, **1:1**

SANCTIONS

Generally, **21:1**
New York Supreme Court Rules, courts and sanctions, **App. M-3**
Signing requirement certification, **21:8**

SEALING

Sensitive material, **21:7**

SERVICE

Generally, **12:11**
Affidavit of service
 Generally, **12:94**
 mailing, **12:96**
 personal service, **12:95**
Appellate Divisions, this index
Appendices, **12:36**
Briefs, **11:10 et seq.**
 Court of Appeals, **13:15**
E-filing and e-service appellate divisions, **11:9**
Judgment or order with notice of entry
 Generally, **6:3**
 forms, **6:8, 6:9**
Notice of appeal, serving and filing, **7:3**
On appeal, **12:31**
Orders, intermediate appellate court dispositions, **18:13**
Perfecting the appeal, filing and service of documents, **12:4**
Record on appeal
 Generally, **12:31**
 appendices, **12:36**
 Court of Appeals, **13:15**
Transcripts
 serving, **12:11**

SIGNATURES

Generally, **1:3**
Attorney signature blocks on filings and documents, **1:5**
Certifications, **1:6**
Sanctions, signing requirement certification, **21:8**

SMALL CLAIMS

Reviewable judgments and orders,
4:12

STAYS

Generally, **9:1 et seq.**

Affidavit in support of motion for
stay of enforcement of judgment,
9:11, 9:13

Automatic

Generally, **9:3**

form, **9:8**

CPLR provisions, **App. C-6**

Discretionary, **9:4**

Duration and extent of the stay, **9:6**

Forms

Generally, **9:8 et seq.**

affidavit in support of motion for
stay of enforcement of judgment,
9:11, 9:13

automatic stay, **9:8**

enforcement of judgment

affidavit in support of motion for
stay of, **9:11, 9:13**

order to show cause for stay of,
9:10, 9:12

payment, undertaking on appeal
from judgment or order
directing, **9:9**

show cause order for stay of
enforcement of judgment,
9:10, 9:12

undertaking on appeal from judgment
or order directing payment
of money, **9:9**

Interim, **9:5**

Payment, undertaking on appeal from
judgment or order directing, **9:9**

Show cause order for stay of enforcement
of judgment, **9:10, 9:12**

Types of stays, **9:2**

Undertaking on appeal from judgment
or order directing payment
of money, **9:9**

SUBMISSION

Perfecting the appeal, **12:47, 12:48**

SUBPOENAS

CPLR provisions, **App. C-7**

SUPREME COURTS

New York Supreme Court Rules, this
index

Trial Courts, this index

SURROGATE'S COURTS

Generally, **2:9**

See also Trial Courts, this index

Appeals, **App. L**

Notice of appeal from decree of surrogate,
7:24

TAKING THE APPEAL

Generally, **7:1 et seq.**

Appellate divisions

affidavit in support of motion in
appellate division for leave to
appeal to Court of Appeals
from order of appellate division,
7:33

affidavit in support of motion in
appellate term for leave to
appeal to from order of appellate
term determining appeal
from lower court, **7:37**

informational statement, **7:26**

motion made in appellate term for
leave to appeal to

affidavit in support, **7:37**

notice of motion, **7:36**

motions for permission to appeal

Generally, **7:12, 7:13**

forms, **7:34 et seq.**

notice of appeal

Generally, **7:6**

forms, **7:21 et seq.**

from decree of surrogate to,
7:24

to from order of appellate term,
7:25

to from order of county court,
7:28

notice of motion

in Court of Appeals for leave to
appeal to Court of Appeals
from order of, **7:31**

in for leave to appeal to Court of
Appeals, **7:32**

made in appellate division for
leave to appeal to appellate

INDEX

TAKING THE APPEAL—Cont'd

Appellate divisions—Cont'd

notice of motion—Cont'd
division from appellate
term

Generally, **7:38**

affirmation in support of
motion, **7:39**

made in for leave to appeal to
appellate division from
order of supreme court not
appealable as of right, **7:35**
made in supreme court for leave
to appeal to, **7:34**

Appellate terms

action request for, **7:27**

affidavit in support of motion made
in for leave to appeal to
appellate division from order
of appellate term determining
appeal from lower court, **7:37**

motion made in for leave to appeal
to appellate division from
order of appellate term
determining appeal from
lower court

affidavit in support, **7:37**

notice of motion, **7:36**

motions for permission to appeal,
7:14, 7:15

notice of appeal

Generally, **7:7, 7:8**

from town court, **7:29**

notice of motion made in appellate
division for leave to appeal to
appellate division from appel-
late term

Generally, **7:38**

affirmation in support of motion,
7:39

notice of motion made in for leave
to appeal to appellate division
from order of appellate term
determining appeal from
lower court, **7:36**

order, notice of appeal to appellate
division from, **7:25**

City court, notice of appeal to county
court from, **7:30**

TAKING THE APPEAL—Cont'd

County courts

motions for permission to appeal,
7:16

notice of appeal

Generally, **7:8**

form, **7:30**

to appellate division from order
of, **7:28**

to county court from city court,
7:30

Court of Appeals

affidavit in support of motion in
appellate division for leave to
appeal to Court of Appeals
from order of appellate divi-
sion, **7:33**

motions for permission to appeal

Generally, **7:11**

forms, **7:31-7:33**

preliminary appeal statement,
7:20

notice of appeal

Generally, **7:5, 7:18**

appellate division, appeal from,
7:19

forms, **7:17 et seq.**

preliminary appeal statement,
7:20

notice of motion in appellate divi-
sion for leave to appeals from
order of appellate division,
7:32

preliminary appeal statement, **7:20**

Cross-appeals, notice of appeal

Generally, **7:9**

form, **7:40**

Defects in notice of appeal, **7:4**

Filing notice of appeal, **7:3**

Forms

Generally, **7:17 et seq.**

affidavit in support of motion in
appellate division for leave to
appeal to Court of Appeals
from order of appellate divi-
sion, **7:33**

affidavit in support of motion made
in appellate term for leave to
appeal to appellate division

TAKING THE APPEAL—Cont'd

Forms—Cont'd

- from order of appellate term determining appeal from lower court, **7:37**
- appellate divisions
 - informational statement, **7:26**
 - notice of appeal from, **7:21 et seq.**
 - notice of appeal from decree of surrogate to, **7:24**
 - notice of appeal to from order of appellate term, **7:25**
 - notice of appeal to from order of county court, **7:28**
 - notice of motion in Court of Appeals for leave to appeal to Court of Appeals from order of, **7:31**
 - notice of motion in for leave to appeal to Court of Appeals, **7:32**
- appellate terms
 - action request for, **7:27**
 - notice of appeal to from town court, **7:29**
 - order, notice of appeal to appellate division from, **7:25**
- city court, notice of appeal to county court from, **7:30**
- county courts
 - notice of appeal to appellate division from order of, **7:28**
 - notice of appeal to from city court, **7:30**
- Court of Appeals
 - notice of motion in appellate division for leave to appeals from order of appellate division, **7:32**
 - preliminary appeal statement, **7:20**
- judgment of supreme court, notice of appeal to appellate division from, **7:21, 7:22**
- notice of appeal
 - appellate division, appeals from, **7:21 et seq.**
 - to appellate division from decree of surrogate, **7:24**

TAKING THE APPEAL—Cont'd

Forms—Cont'd

- notice of appeal—Cont'd
 - to appellate division from order of appellate term, **7:25**
 - to appellate division from order of county court, **7:28**
 - to appellate term from town court, **7:29**
 - to county court from city court, **7:30**
 - to Court of Appeals from appellate division, **7:19**
 - to Court of Appeals from order of appellate division finally determining action, **7:17**
- notice of cross-appeal, **7:40**
- notice of motion
 - in appellate division for leave to appeal to
 - appellate division from appellate term
 - Generally, **7:38**
 - affirmation in support of motion, **7:39**
 - appellate division from order of supreme court not appealable as of right, **7:35**
 - Court of Appeals from order of appellate division, **7:32**
 - in appellate term for leave to appeal to appellate division from order of appellate term determining appeal from lower court, **7:36**
 - in Court of Appeals for leave to appeal to Court of Appeals from order of appellate division, **7:31**
 - in supreme court for leave to appeal to appellate division, **7:34**
- order of supreme court, notice of appeal to appellate division from, **7:23**
- preliminary appeal statement, Court of Appeals, **7:20**

INDEX

TAKING THE APPEAL—Cont'd

Forms—Cont'd

request for appellate term action,
7:27

surrogate decree, notice of appeal
to appellate division from,
7:24

town court, notice of appeal to
appellate term, **7:29**

Judgment of supreme court, notice of
appeal to appellate division
from, **7:21, 7:22**

Motion made in appellate term for
leave to appeal to appellate divi-
sion from order of appellate
term determining appeal from
lower court

affidavit in support, **7:37**

notice of motion, **7:36**

Motions for permission to appeal

Generally, **7:10 et seq.**

appellate divisions

Generally, **7:12, 7:13**

forms, **7:34 et seq.**

appellate terms, **7:14, 7:15**

county courts, **7:16**

Court of Appeals

Generally, **7:11**

forms, **7:31-7:33**

preliminary appeal statement,
7:20

Notice of appeal

Generally, **7:2 et seq.**

appellate divisions

Generally, **7:6**

forms, **7:21 et seq.**

from decision of unemployment
insurance appeal board,
21:23

from decree of surrogate, **7:24**

from order of appellate term,
7:25

from order of county court, **7:28**

appellate terms

Generally, **7:7, 7:8**

from town court, **7:29**

county courts

Generally, **7:8**

form, **7:30**

TAKING THE APPEAL—Cont'd

Notice of appeal—Cont'd

county courts—Cont'd

from city court, **7:30**

Court of Appeals

Generally, **7:5, 7:18**

appellate division, appeal from,
7:19

forms, **7:17 et seq.**

from order of appellate division
finally determining action,
7:17

preliminary appeal statement,
7:20

cross-appeals

Generally, **7:9**

form, **7:40**

defects in notice, **7:4**

omissions in notice, **7:4**

service, **7:3**

serving and filing notice of appeal,
7:3

Notice of cross-appeal, **7:40**

Notice of motion

appellate division for leave to
appeal to appellate division
from appellate term

Generally, **7:38**

affirmation in support of motion,
7:39

appellate division for leave to
appeal to appellate division
from order of supreme court
not appealable as of right,
7:35

appellate division for leave to
appeal to Court of Appeals
from order of appellate divi-
sion, **7:32**

appellate term for leave to appeal
to appellate division from
order of appellate term
determining appeal from
lower court, **7:36**

Court of Appeals for leave to
appeal from order of appellate
division, **7:31**

supreme court for leave to appeal
to appellate division, **7:34**

TAKING THE APPEAL—Cont'd

- Omissions in notice of appeal, **7:4**
- Order of supreme court, notice of appeal to appellate division from, **7:23**
- Preliminary appeal statement, Court of Appeals, **7:20**
- Request for appellate term action, **7:27**
- Right of appeal
 - Motions for permission to appeal, above
 - Notice of appeal, above
- Serving notice of appeal, **7:3**
- Supreme court
 - judgment, notice of appeal to appellate division from, **7:21, 7:22**
 - notice of motion made in for leave to appeal to appellate division, **7:34**
 - order, notice of appeal to appellate division from, **7:23**
- Surrogate decree, notice of appeal to appellate division from, **7:24**
- Town court, notice of appeal to appellate term, **7:29**

TELEPHONE NUMBERS OF THE COURTS

Generally, **App. A**

TEMPORARY RESTRAINING ORDERS

Injunctions, this index

TIME MATTERS

- Generally, **6:2 et seq.**
- Affidavit in support of motion for extension of time to cure omission on taking appeal, **6:11**
- Affidavit in support of motion for extension of time to serve notice of appeal, **6:13**
- Affidavit in support of motion to dismiss appeal as untimely, **6:15**
- Affidavit in support of motion to extend time within which to prosecute appeal, **12:91**
- Affirmation in support of motion to dismiss appeal as untimely, **6:16**

TIME MATTERS—Cont'd

- Affirmation in support of motion to extend time to perfect appeal, **12:92**
- Appellate terms, extensions and dismissals for failure to proceed, **14:15**
- County courts, extensions and dismissals for failure to proceed, **14:15**
- CPLR provisions, **App. C-3**
- Cross-appeals, **6:4**
- Deadlines, this index
- Extensions and dismissals for failure to proceed
 - appellate terms, **14:15**
 - county courts, **14:15**
- Extensions of time
 - Generally, **6:5**
 - affidavit in support of motion for extension of time to cure omission on taking appeal, **6:11**
 - CPLR provisions, **App. C-3**
 - motion to extend time to perfect appeal, **12:93**
 - notice of motion for extension of time
 - to cure omission on taking appeal, **6:10**
 - to serve notice of appeal, **6:12**
- Forms
 - Generally, **6:8 et seq.**
 - affidavit in support of motion for extension of time to cure omission on taking appeal, **6:11**
 - affidavit in support of motion for extension of time to serve notice of appeal, **6:13**
 - affidavit in support of motion to dismiss appeal as untimely, **6:15**
 - affirmation in support of motion to dismiss appeal as untimely, **6:16**
 - notice of entry of judgment or order entered in court of original instance, **6:8**

INDEX

TIME MATTERS—Cont'd

Forms—Cont'd

notice of entry of order of appellate division, **6:9**

notice of motion for extension of time to cure omission on taking appeal, **6:10**

notice of motion for extension of time to serve notice of appeal, **6:12**

notice of motion to dismiss appeal as untimely taken, **6:14**

Irregularities and extensions of time, CPLR provisions, **App. C-3**

Motions to dismiss appeal as untimely

Generally, **6:6**

affidavit in support of motion for extension of time to serve notice of appeal, **6:13**

affidavit in support of motion to dismiss appeal as untimely, **6:15**

affirmation in support of motion to dismiss appeal as untimely, **6:16**

Motion to extend time to perfect appeal, **12:93**

Notice of entry

judgment or order entered in court of original instance, **6:8**

order of appellate division, **6:9**

service of judgment or order with
Generally, **6:3**

forms, **6:8, 6:9**

Notice of motion

dismiss appeal as untimely taken, **6:14**

extend time to perfect appeal, **12:90**

extension of time to cure omission on taking appeal, **6:10**

extension of time to serve notice of appeal, **6:12**

Order to show cause why time within which to prosecute appeal should not be extended, **12:89**

Perfecting the appeal, deadlines

Generally, **12:49**

TIME MATTERS—Cont'd

Perfecting the appeal, deadlines
—Cont'd

Court of Appeals, **13:18**

form, **12:88**

Premature appeals, **6:7**

Service of judgment or order with notice of entry

Generally, **6:3**

forms, **6:8, 6:9**

Stipulation extending time in which to prosecute appeal, **12:88**

TORT ACTIONS

Additur and remittitur orders, scope of review, **4:6**

Money judgments, scope of review, **4:9**

TOWN COURTS

Trial Courts, this index

TRANSCRIPTS

Generally, **12:6**

Affirmation of compliance where transcript not opposed by respondent, **12:59**

Amendments to transcripts

appellant's proposal, **12:56**

respondent's proposal, **12:57**

Appellant's proposed amendments to transcript, **12:56**

Appellate divisions

Generally, **12:6**

See also Appellate Divisions, this index

Certificate of record on appeal by court clerk in appendix method, **12:75**

Certification as to correctness of transcript, **12:58**

Certification by judge of settled transcript, **12:61**

Compliance affirmation where transcript not opposed by respondent, **12:59**

Correctness of transcript, stipulation and certification as to, **12:58**

Court reporter minute agreement form, **12:53**

TRANSCRIPTS—Cont'd

- Filing the transcript, **12:12**
- Format, **App. M-1**
- Lost transcripts, statement in lieu of, **12:7**
- New York Supreme Court Rules, **App. M-1**
- Notice of settlement of transcript
 - Generally, **12:55**
- Notice of submission of transcript to court for settlement, **12:60**
- Ordering copies
 - Generally, **12:8**
 - forms, **12:52**
- Partial transcript, stipulation for, **12:54**
- Payments for, **App. M-1**
- Printing specifications statement, **12:84**
- Request for transcript, **12:52**
- Respondents
 - affirmation of compliance where transcript not opposed by, **12:59**
 - proposed amendments to transcript, **12:57**
- Reviewing the transcript, **12:9**
- Serving the transcript, **12:11**
- Settling the transcript
 - Generally, **12:10**
 - certification by judge, **12:61**
 - forms, **12:55 et seq., 12:58 et seq.**
- Statement in lieu of transcript where a record of the proceeding was not made or has been lost, **12:7**

TRANSCRIPTS—Cont'd

- Stipulations
 - correctness of transcript, **12:58**
 - in lieu of certification of record on appeal, **12:74**
 - partial transcript, **12:54**
- Submission to court for settlement
 - Generally, **12:60**
 - certification by judge, **12:61**

TRIAL COURTS

- Article 78 Transfers, this index
- City courts, **2:11**
- Court of claims, **2:7**
- District courts, **2:11**
- Family courts, **2:10**
- Jury Trials, this index
- Rulings, scope of review, **4:5**
- Supreme courts, **2:6**
- Surrogate courts, **2:9**
- Town courts, **2:11**
- Village courts, **2:11**

UNDERTAKINGS

- CPLR provisions, **App. C-8**

WITHDRAWAL OF APPEAL

- Generally, **12:49**
- Appellate courts, **12:49**
- Court of Appeals, **13:17, 13:18**
- Forms, **12:88**

WRITS

- Article 78 Transfers, this index