

Supreme Court of the State of New York

Appellate Division: Second Department

Notice of Change of Circumstances – Responsibility of Counsel

Attorneys with causes pending in the Appellate Division, Second Department must notify the court immediately when (1) a matter or any issue therein has been settled, (2) a matter or any issue therein has been rendered moot, or (3) a cause should not be calendared because of the death of a party, bankruptcy or other appropriate event (see, 22 NYCRR 1250.2[c]). Any such notification shall be followed by an application for appropriate relief. Failure of counsel to promptly notify the court could result in the imposition of sanctions. Notice may be sent to the Clerk of the Court by e-mail to ad2clerk@nycourts.gov

Calendaring Conflicts

The Court is currently preparing calendars for dates in September and October of this year. Given that there are several holidays during that period, both federal and religious, the Court would like to take this opportunity to urge attorneys who have requested oral argument on matters that have not yet been calendared that they should **notify the Court of any dates on which they will be unavailable for oral argument**, by reason of religious holidays, vacations, family or employment commitments, etc. Such information should be updated as new commitments arise, and may be sent to the Court's calendar clerks by e-mail at AD2-Calendars@nycourts.gov

Once calendared, a matter will not be removed from the calendar absent unusual circumstances (see, 22 NYCRR 670.15[d])