

CIVIL COURT OF THE CITY OF NEW YORK

Legal/Statutory Memorandum

Subject: Punitive Awards - Public Share

Class: LSM-119
Category: GP-10/LT-10
Eff. Date: Nov. 16, 1992

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Section 393 of Chapter 55 of the Laws of 1992 inserted a new Article 87 into the CPLR. CPLR § 8701, effective May 10, 1992 [and expiring April 1, 1994], provides that of each punitive damages award to a private party in a civil action, upon expiration of the time to appeal or the exhaustion of available appeals the State is entitled to a 20% share of such award, and that the judgment shall order payment accordingly.

In accordance with § 8702 the Clerk of the Court is required to send a copy of any such judgment within twenty (20) days of its issuance or filing (entry) to the Attorney General.

The office of the Attorney General has notified us of its designation of the proper place to send this material:

Benjamin Jones Fitt, Esq.
Civil Recoveries Bureau
Department of Law
Albany, New York 12224

Dated: November 16, 1992

Jacqueline Silbermann
Administrative Judge