

NEW YORK APPELLATE DIVISION – THIRD DEPARTMENT
RECORD ON APPEAL ON JUDGMENT REQUIREMENTS

- ◆ **COVER §1250.7(b)(1)** The cover must contain the title of the cause on the upper portion. The lower portion must include the names, addresses, telephone numbers and email addresses of the attorneys, the county clerk's index or file number, the docket or other identifying number or numbers used in the court from which the appeal is taken, and the superior court information or indictment number.
- ◆ **STATEMENT PURSUANT TO CPLR 5531 §1250.7(b)(2)** A description of action statement, as set forth by CPLR 5531.
- ◆ **TABLE OF CONTENTS §1250.7(b)(3)** The table of contents shall list and describe each document. For transcript of testimony, the table shall separately list each witness and the page at which direct, cross, redirect and re-cross examinations begin. For exhibits, the table shall indicate the nature or contents of each exhibit, the page in the record where it is reproduced, and where it is admitted into evidence.
- ◆ **NOTICE OF APPEAL §1250.7(b)(4)** Notice of appeal
- ◆ **JUDGMENT APPEALED FROM §1250.7(b)(4)** Final judgment being appealed
- ◆ **OPINION OR DECISION §1250.7(b)(4)** Any opinion or decision in the cause
- ◆ **JUDGMENT ROLL §1250.7(b)(4), CPLR 5017(b)** Shall contain the summons, pleadings, admissions, each judgment and each order involving the merits or necessarily affecting the final judgment. If the judgment was taken by default, it shall also contain the proof required by subdivision (f) of section 3215 and the result of any assessment, account, or reference under subdivision (b) of section 3215. If a trial was had, it shall also contain the verdict or decision, any tender or offer made pursuant to rules 3219, 3220 or 3221, and any transcript of proceedings then on file. If any appeal was taken, it shall also contain the determination and opinion of each appellate court and the papers on which each appeal was heard.
- ◆ **SETTLED AND CERTIFIED TRANSCRIPT §1250.7(b)(4), §1250.7(f)** A properly settled transcript of the trial or hearing.
- ◆ **EXHIBITS ENTERED INTO EVIDENCE AT TRIAL §1250.7(c), §1250.7(b)(6)** The parties may stipulate to dispense with reproduction of exhibits in the full reproduced record on grounds that (1) the exhibits are not relevant or necessary to the determination of an appeal, and will not be cited in the parties' submissions; or (2) the exhibits, though relevant and necessary, are of a bulky or dangerous nature, and will be kept in readiness and delivered to the court on telephone notice. If the parties dispense with reproduction of exhibits, a stipulation or order dispensing with reproducing exhibits must be included in the record.
- ◆ **AFFIRMATION, CERTIFICATION, STIPULATION OR ORDER SETTLING TRANSCRIPT OR STATEMENT §1250.7(b)(5)** If the record includes a transcript of the stenographic minutes of the proceedings or a statement in lieu of such transcript, such transcript or statement shall first be either stipulated as correct by the parties or their attorneys or settled pursuant to CPLR 5525.
- ◆ **CERTIFICATION PURSUANT TO CPLR 2105 OR STIPULATION PURSUANT TO CPLR 5532 WAIVING CERTIFICATION OR CERTIFICATE BY PROPER CLERK §1250.7(g)**