

22 NYCRR § 202.20-c

This document reflects those changes received from the NY Bill Drafting Commission through August 1, 2025

NY - New York

Codes, Rules and Regulations >

TITLE 22. JUDICIARY >

SUBTITLE A. JUDICIAL ADMINISTRATION >

CHAPTER II. UNIFORM RULES FOR THE NEW YORK STATE TRIAL COURTS >

PART 202. UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT

§ 202.20-c Requests for Documents

(a) For each document request propounded, the responding party shall, in its Response and Objections served pursuant to CPLR 3122(a) (the “Response”), either:

- (1)** state that the production is made as requested; or
- (2)** state with reasonable particularity the grounds for any objection to production.

(b) Each Response shall state:

- (i)** whether the objection(s) interposed pertains to all or part of the request being challenged;
- (ii)** whether any documents or categories of documents are being withheld, and if so, which of the stated objection(s) forms the basis for the responding party's decision to withhold otherwise responsive documents or categories of documents; and
- (iii)** the manner in which the responding party intends to limit the scope of its production.

(c) The Response shall contain, at the conclusion of thereof, the affidavit of the responding party stating:

- (i) whether the production of documents in its possession, custody or control and that are responsive to the individual requests is complete; or
 - (ii) that there are no documents in its possession, custody or control that are responsive to any individual requests.
- (d) Nothing contained herein is intended to conflict with a party's obligation to supplement its disclosure obligations pursuant to CPLR 3101(h).
- (e) The parties are encouraged to use the most efficient means to review documents, including electronically stored information (“ESI”), that is consistent with the parties' disclosure obligations under Article 31 of the CPLR and proportional to the needs of the case. Such means may include technology-assisted review, including predictive coding, in appropriate cases. The parties are encouraged to confer, at the outset of discovery and as needed throughout the discovery period, about technology-assisted review mechanisms they intend to use in document review and production.
- (f) Absent good cause, a party may not use at trial or otherwise any document which was not produced in response to a request for such document or category of document, which request was not objected to or, if objected to, such objection was overruled by the court.

Statutory Authority

Section statutory authority:

Civil Practice Law & Rules, § 3122. Section statutory authority: Civil Practice Law & Rules, § 3101. Section statutory authority: Civil Practice Law & Rules, § A31

History

Added 202.20-c (effective 02/01/21) on 2/10/21; amended 202.20-c(c) on 7/06/22; amended 202.20-c(c) on 8/31/22.

NEW YORK CODES, RULES AND REGULATIONS

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