



COMMERCIAL AND FEDERAL LITIGATION SECTION

Helene R. Hechtkopf, Esq.
Chair
Hoquet Newman Regal & Kenney, LLP
60 East 42nd Street, 48th Floor
New York, New York 10165-3003
hhechtkopf@hnrkllaw.com

MEMORANDUM

To: David Nocenti, Esq., Counsel, New York State Unified Court System, Office of Court Administration

From: The NYSBA Commercial & Federal Litigation Section and its Commercial Insurance Disputes Committee

Date: August 6, 2025

Re: Comment in support of proposal to amend 22 NYCRR §§ 202.70(b)(10), 202.70(c)(2) and 202.70(c)(6) to clarify the types of insurance coverage cases that will be heard by the Commercial Division

The NYSBA Commercial & Federal Litigation Section (“ComFed”) and its Commercial Insurance Disputes Committee (“CIDC”) write in support of the proposed amendments to the Rules of the Commercial Division (22 NYCRR § 202.70) to clarify the types of insurance coverage cases that may be heard by the Commercial Division.

ComFed and its CIDC initially proposed these amendments to the Commercial Division Advisory Council on April 3, 2025, for the reasons set out in Exhibit 2 to the Request for Public Comment. Ambiguities in the current rules have led to confusion about the Commercial Division’s jurisdiction over certain complex commercial insurance cases. The proposed amendments resolve those ambiguities and promote the Commercial Division as a leading court for resolving complex commercial insurance disputes. We urge the Chief Administrative Judge and the Administrative Board of the Courts to adopt the proposed amendments as currently proposed.

Respectfully Submitted,

Commercial and Federal Litigation Section
New York State Bar Association
Commercial Insurance Disputes Committee:
Charles Scibetta,* Co-Chair
Steven Rosenstein,* Co-Chair
Joshua Blosveren*
R. Matthew Burke*

**Denotes Principal Authors of Comment*