



**Family Law
Section**

August 22, 2025

The Honorable Kathy Hochul
Governor of New York State
NYS Capitol Building
Albany, NY 12224

Re: NYSBA Family Law Section Support for S8270(Webb)/A8299(Lavine)

Dear Governor Hochul:

Domestic Relations Law Section 236(B)(2)(b), provides for Automatic Orders to bind the plaintiff upon the filing of a matrimonial action and bind the defendant upon service. The proposed legislation, which has passed both houses of the New York State Legislature and awaits delivery to the Governor, is offered by the Office of Court Administration.

The bill seeks to clarify the effectiveness and binding nature of the orders, and that they will remain in effect until the entry of the judgment of divorce or dismissal, discontinuance or stay of the action, whichever first occurs. The binding nature of the Automatic Orders remains subject to termination, modification, or amendment by court order, or upon written agreement of the parties as duly executed and acknowledged.

Beyond the foregoing, the proposed legislation also provides for written notice to be sent by one party to the other upon a party, receiving notice of a specified event, which could affect the marital estate.

The new provision provides:

“If either party receives notice of a tax lien, foreclosure, bankruptcy, or litigation, or the filing of same, or of the lifting of a stay in bankruptcy, that could adversely affect the marital estate, that party shall, within ten days after receiving such notice, send written notice of such event to the other party.”

The foregoing proposed changes to DRL 236B(2)(b) are beneficial to the interests of justice, provides notice to the parties that Automatic Orders remain in place during the entirety of pending litigation including up to the entry of the judgment of divorce, and ensures that salient events which could have significant impact upon a matrimonial action are conveyed between the parties. It would become effective 60 days after being signed into law.

Opinions expressed are those of the Section/Committee preparing this memorandum and do not represent those of the New York State Bar Association unless and until they have been adopted by its House of Delegates or Executive Committee.

Accordingly, the Family Law Section of the New York State Bar Association supports the proposed legislation and encourages the Governor to sign it into law.

We welcome the opportunity to meet with the Chamber to discuss S8270/A8299 and address any questions your office may have regarding this legislation. Please do not hesitate to contact NYSBA's General Counsel, David Miranda, who can be reached at dmiranda@nysba.org, 518-487-5524.

Respectfully,

NYSBA's Family Law Section