

CPLR ARTICLE 42: BENCH TRIAL.

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Referees designated to "hear and report" (but not decide) can still issue subpoenas, compel disclosure, and swear people under oath.

Court can designate an "Advisory Jury" (or a referee upon showing of an exceptional condition) to determine an issue which shall be specified in the order.

Before final submission of the case, parties can request separate, numbered, fact-findings.

Court's decision can be written or oral, but is due within 60 days of final submission; although parties can agree upon a later date.

For non-legal (i.e. medical) malpractice, and where State is indemnifying [read insuring] the defendant: Court shall individually identify those damages which are "general" from those which are "special". Also for medical/dental/podiatric malpractice; separate monies due for pre-case damages, from what will be needed in the future.