

**CIVIL COURT OF THE CITY OF NEW YORK**

**CHIEF CLERK'S MEMORANDUM**

Executions against income or property in  
Small Claims

Class: CCM 190

Category: SC-10

Eff. Date: July 14, 2010

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**BACKGROUND**

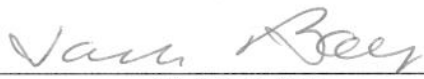
CPLR 5230 (a) directs that "An execution shall specify the date that the judgment or order was entered, the court in which it was entered, the amount of the judgment or order **and** the amount due thereon..." While there is an Affidavit in Support of a Request for Execution Against Income or Property used in the Civil Court, we do not have a similar form for Small Claims Court. For this reason, we have created the attached Affidavit In Support of a Request for Execution Against Income/Property form (CIV-SC-33) to be used in Small Claims Court.

**POLICY:**

Requests for execution against income and/or property in Small Claims matters shall be accompanied by an Affidavit in Support of a Request for Execution Against Income/Property completed by the judgment creditor.

Requests that are submitted without a CIV-SC 33 form should be returned to the marshal or sheriff with a notation that they should be resubmitted with an Affidavit in Support of a Request for Execution Against Income/Property.

Date: July 14, 2010

  
\_\_\_\_\_  
JACK BAER  
Chief Clerk

CIVIL COURT OF THE CITY OF NEW YORK

County of \_\_\_\_\_

Part

Index Number \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF  
A REQUEST  
FOR EXECUTION AGAINST  
INCOME/PROPERTY**

Claimant(s)/Plaintiff(s),

against

Defendant(s)

State of New York, County of \_\_\_\_\_ ss.:

\_\_\_\_\_, being duly sworn, deposes and says:

I am the Judgment Creditor in this action and on \_\_\_\_\_

a Judgment was rendered in my behalf for \$ \_\_\_\_\_.

To this date:

- I have collected \$ \_\_\_\_\_ toward the satisfaction of this Judgment.
- I have not collected any money toward the satisfaction of this Judgment.

Accordingly, I request that the Chief Clerk issue an Execution against the income and/or the property of the Judgment Debtor.

Sworn to before me this \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Judgment Creditor

\_\_\_\_\_  
Signature of Notary or Court Employee and Title

\_\_\_\_\_  
Date

**NOTICE TO JUDGMENT CREDITOR:** *This form is to be filled out and given to a Marshall or Sheriff.  
The Civil Court may issue an Execution only to a Marshall or Sheriff.*