

CIVIL COURT OF THE CITY OF NEW YORK

**CHIEF CLERK'S MEMORANDUM**

Subject: Defaults against a party

Class: CCM-201

Category: LT-10

Eff. Date: January 20, 2012

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**BACKGROUND:**

Recently, a concern was brought to our attention that parties that do not "check-in" timely are "defaulted" by the clerk right away, and judgment is entered by the clerk immediately.

Normal procedure includes that, in a manner established by the sitting Judge, defaults, dismissals and other dispositions are considered at a time set forth by the sitting Judge. In the instance that a party does not appear by the time set forth by the sitting Judge, the matter is disposed of in the Court's discretion. If the resulting disposition is a default against any party(ies), the clerk prepares a default judgment and presents the same to the Judge for review and signature.

In order to better ensure that established part rules are followed regarding entry of judgment against a defaulting party, the following procedure is being established.

**PROCEDURE:**

Effective immediately, part clerks may not enter a default against a defaulting party without putting the matter in front of the Judge for review.

1/20/2012

Date

/S/

Carol Alt  
Chief Clerk