

CIVIL COURT OF THE CITY OF NEW YORK

Legal/Statutory Memorandum

Subject: Signing of Ex-Parte Orders

Class: LSM-103

Category: LT-10

Eff. Date: Feb. 23, 1990

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It has been brought to my attention that Ex-Parte orders correcting names, addresses, apartment numbers and other allegations of fact which seem to be material to maintaining a proceeding in Housing Part/L &T are being signed by judges in our court. In many instances it appears that no service on the respondent of the signed order has been required.

I direct your attention to the Civil Court Act, Section 411 and to Papacostopulos v. Morrelli, 122 Misc.2d 938, Civil Court, Kings County, February 7, 1984; 472 NYS2d 284.

Please review any Ex-Parte application for what may be allegations affecting the very essence of the proceeding in light of the above.

Jacqueline Silbermann
Administrative Judge