

CIVIL COURT OF THE CITY OF NEW YORK

ADVISORY NOTICE

Subject: Filing of Actions by or
Against Employees of the Civil Court

Class: AN
Category: Court-wide
Amended December 7, 2005

BACKGROUND:

It has come to my attention that court employees, including judges, have filed actions in the court in which they work. This raises several issues, including the appearance of impropriety and the need to transfer the case to another county. In order to avoid the appearance of impropriety, the following is strongly advised.

1. Any judge or court employee, who finds it is necessary to file an action in any of the branches of the Civil Court should use a county other than the one s/he works in whenever possible.
2. If the venue rules of the court require that the suit be filed in the county in which the person works, on the first appearance in court the s/he should inform the presiding judge that s/he works in the county and request that the case be transferred to another county.
3. If the judge or employee is sued in this court, s/he is to disclose that s/he works for the Civil Court and the county in which s/he works. If the person works in the county in which s/he is being sued, the case is to be transferred to another county. If the person works in a county other than the one in which s/he is being sued, it will be up to the presiding judge to determine whether there should be a transfer, but in no instance may the case be transferred to the county where the person works.

Date

12/07/05



Hon. Fern A. Fisher
Administrative Judge