

CIVIL COURT OF THE CITY OF NEW YORK

Legal/Statutory Memorandum

Subject: Changes in Fees Regarding
Prospective Sheriff's and Marshal's Fees on
Execution.

Class: LSM-116a
Category: AD-40.3
Eff. Date: July 25, 1992

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Chapter 55 of the Laws of 1992, effective April 10, 1992, changed some of the fees in the Supreme Court. LSM 115, issued April 27, 1992, provided information as to Section 407 and 408. Section 403 of that chapter is also relevant to Civil Court.

Section 403 of Chapter 55 of the Laws of 1992 repeals the current sections 8011, 8011-a and 8011-b of the CPLR and replaces them with a new section titled 8011. The new section raises the fee allowed to a Sheriff (and therefore to a Marshal, CCA section 1915) for receiving an execution against property (CPLR Section 8011(b)(1)) or against income (CPLR Section 8011 (c) (1)) from \$7.50 to \$10.00. This new amount, added to the mileage fees allowed within the City of New York of \$15.00 (CPLR Section 8012(d)), raises the prospective fees on execution permitted on a judgment from \$22.50 to \$25.00.

Any judgment issued from this day on is to allow \$25.00 as a prospective fee on execution. Following our standing policy the Clerks are directed to enter either the amount requested on the judgment or \$25.00, whichever is less.

Dated: July 27, 1992

Jacqueline W. Silbermann
Administrative Judge