

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

**CHIEF CLERK MEMORANDUM**

Subject: Answers in Non-Payment Proceeding

Class: CCM-135A

Category: LT-10

Eff. Date: February 5, 2008

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**BACKGROUND:**

In our continued commitment to provided efficient, professional service to our users, CCM-135, dated July 1, 1997, has been amended to enable a broader range of possible defenses being captured on the answer in person form. The following procedure is being implemented.

**POLICY:**

When a respondent or person claiming possession chooses to answer orally before the clerk, the clerk is to ask the following questions:

1. "What documents did you receive that caused you to come to court?"  
If the response is: "I received a post card" inquire further by asking "did you get any other papers?"
2. "The landlord says that you owe \$ \_\_\_\_\_ in rent, do you owe this amount?"
3. "Are there any reasons why you haven't paid the rent?"
4. "Are you in the military?"
5. "Are you a dependent of anyone in the military?"
6. "We have a special program for persons over the age of sixty. Are you eligible for this program?"
7. "Do you have any physical or mental health disabilities you wish to tell the Court about?"

If the person answers yes to questions 4 and/or 5 the action shall be assigned to the Military Part.

If the person answers yes to question 6 the file shall be marked Senior Citizen.

If the person indicates that s/he has physical or mental disabilities the clerk shall complete the CIV-LT-108, Adult Protective Services Referral form and shall affix the "ADDITIONAL ATTENTION" post-it to the file.

\_\_\_\_\_  
2/5/08  
Date

\_\_\_\_\_  
/s/  
Jack Baer  
Chief Clerk