

本表翻譯為中文以便利更瞭解被訴之資料並協助正確填表 不過由法院面
只詢問的切實以英文寫 請能不用中文寫 除英文法總不受任何信言
填寫表格

**CIVIL COURT OF THE CITY OF NEW YORK
GENERAL INFORMATION REGARDING
SERVICE ON THE STATE INSURANCE DEPARTMENT**

紐約法院
有關送州保險之般資料

The State of New York Insurance Department provides a system for serving summonses on insurance companies which are being sued. This process should be used **only when the insurance company does not have a local office.**

紐約保險被告之保險公司送傳票有一系統 此系統只保險公司在本地有別處時適用

In order to avoid dismissals or other problems in the future we are providing the following information for attorneys and litigants in Civil and Small Claims actions:

為免將來遭受被撤銷其問題 我們律師及訴訟在專及小額案件提供以下資料

ADVISORY INFORMATION: 諮詢資料

- New York State Insurance Law, § 1213, provides for service of a Summons on an insurance company via the State Insurance Department. Section 1213 requires that for **unauthorized insurers** two (2) copies of the Summons be provided to the Insurance Department.

紐約保險第1213 條提供了透過保險局向保險公司送傳票 第1213 條規定 “未經權認人”需
向保險局提供二張傳票

- A fee of \$20.00, by check or money order, payable to the **Superintendent of Insurance**, must be paid for each insurance company being served. Service is not considered completed unless the fee is paid.

就每一被送傳票公司 需繳20元費用 並匯票 抬頭寫 “Superintendent of Insurance ”。未繳妥
費用前 派送傳票不處理

- The insurance company is to be sued at its address of record.

被告保險公司登記地址

- a) The **two (2) Summonses** and the **check for \$20.00** are to be delivered to:

2 張傳票及20元支票應往

Office of General Counsel
New York State Insurance Department
25 Beaver Street, 4th Floor
New York, NY 10004

- b) A **copy of the Summons** which was served, along with a **Notice of Service** indicating that the Superintendent of Insurance has been served (*see CIV-GP-74-A*), must be sent, within 10 days, to the Defendant insurance company, by Certified Mail with Return Receipt Requested.

已送傳票 連同註明經派送傳票局 請參CIV-GP-74-A) 的派送書 必須於十日內掛號
郵票回寄寄給被告保險公司

- c) An **Affidavit of Compliance** (*see CIV-GP-74-B*), together with another **copy of the Summons** which was served on the insurance company, and either the signed **Certified Mail Return Receipt**, *or* the **original envelope addressed to the insurance company indicating that acceptance was refused**, must be filed with the Court in order to complete the service provisions of § 1213.

遵宣誓(請參CIV-GP-74-B) 附另一經派送傳票局傳票本 及對付掛號回條 或寄給
保險公司期間的原信件 必須送交登記 以便第1213 條派送規定

SPECIAL PROCEDURES FOR SMALL CLAIMS 小額案件特別規定

In **Small Claims** actions, since service of the summons is normally made by mail directly on the Defendant by the Court, the special procedure outlined below has been established:

在小額案件中 由法院直接傳票被告 因掛印不用續

In those instances in which a **foreign** (out-of-city) insurance company is indicated as the Defendant, the case will be **flagged** by the Small Claims Clerk at intake. Two copies of the **Regular Mail Summons** and two copies of the **Certified Mail Summons** will be prepared and separated from the mail normally sent by the Court to the Defendant. The four copies will be placed in a separate outer envelope and sent instead by the Court to the Claimant.

遇到「外地」(市)的保險公司為被告時 案件由檢察官處收時「附掛號」。將會
備各兩份的普通郵件及「掛號郵件」,並自通由法務給被告的郵件分開 餘的部份將被另
行置於個別信封 由法務給送

1. The Claimant should deliver or mail in a single envelope to the **Insurance Department**, at the address indicated in a)
above: 提款應用信封(交述) 地的保局

a) one Certified Mail Summons and one Regular Summons, along with
以普通郵件及掛號郵件寄一張票 連同

b) the check or money order for \$20.00 payable to the Superintendent of Insurance.
20元的票或匯票 抬頭Superintendent of Insurance

2. The Claimant should also mail **within ten days**, by Certified Mail, with Return Receipt Requested, in a separate
envelope, addressed directly to the **Defendant insurance company**, as in b) above:

提款亦應於十天內以單信封掛號郵件(如述b) 一般直接給被告的保險公司

a) a Notice of Service 派送書(CIV-GP-74-A), along with 連同(CIV-GP-73-A), **b)**
the second Summons, which is identified as a Certified Mail Summons.

第二張被告掛號郵件

3. The Claimant must then file with the Small Claims Clerk an **Affidavit of Compliance** (CIV-GP-74-B) **and** either the
green **Certified Mail Return Receipt** or the envelope bearing a notation by the **United States Postal Service** that receipt was
refused, as in c) above, in order to complete service in accordance with the statute.

然後原告必須向檢察官處遞交已遵從書(CIV-GP-74-B)及上述c) 綠色的掛號郵件回條或
或由郵政局掛號郵件信封(如述c) 以便記錄送件或拒收