

# CIVIL COURT OF THE CITY OF NEW YORK

## **□ A. INSTRUCTIONS FOR SERVICE OF A RESTRAINING NOTICE WHEN THE JUDGMENT DEBTOR IS NOT A NATURAL PERSON**

1. Make a photocopy of the Restraining Notice.
2. Anyone NOT A PARTY TO THE ACTION who is over the age of 18 may “serve” the Restraining Notice. To “serve” the Restraining Notice, the person who is serving the papers must put the copy of the Restraining Notice in an envelope, and mail it by Certified Mail, Return Receipt Requested, to the person being served, or serve it in the same manner as a summons.
3. After the papers are served, the server must fill out an affidavit of service, have it notarized, and retain it with a copy of the Restraining Notice, for future use if necessary.

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## **□ B. INSTRUCTIONS FOR SERVICE OF A RESTRAINING NOTICE WHEN THE JUDGMENT DEBTOR IS A NATURAL PERSON**

1. Make two photocopies of the Restraining Notice and Notice to Judgment Debtor.
2. Mail the Restraining Notice with the Notice to the Judgment Debtor to the judgment debtor.
3. Anyone NOT A PARTY TO THE ACTION who is over the age of 18 may “serve” the Restraining Notice. To “serve” the Restraining Notice, the person who is serving the papers must put the copy of the Restraining Notice in an envelope, and mail it by Certified Mail, Return Receipt Requested, to the person being served, or serve it in the same manner as a summons.
4. After the papers are served, the server must fill out an affidavit of service, provided on the Instruction Sheet, have it notarized, and retain it with a copy of the Restraining Notice, for future use if necessary.

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## **□ C. INSTRUCTIONS FOR SERVICE OF A RESTRAINING NOTICE ON A JUDGMENT DEBTOR’S BANK WHEN THE JUDGMENT DEBTOR IS A NATURAL PERSON**

### **The Clerk will give you a Restraining Notice, an Exemption Notice and two Exemption Claim forms.**

1. Fill out section “Address A” and “Address B” on the two Exemption Claim forms.
2. Make two photocopies of the Restraining Notice, and one copy of both the Exemption Notice and the Exemption Claim form.
3. Anyone NOT A PARTY TO THE ACTION who is over the age of 18 may “serve” the Restraining Notice. To “serve” the Restraining Notice, the person who is serving the papers must put the original and a copy of the Restraining Notice, and the original Exemption Notice and the two Exemption Claim forms with sections titled “Address A” and Address B” filled out in an envelope, and mail it by Certified Mail, Return Receipt Requested, to the bank, or serve it in the same manner as a summons.
4. After the papers are served, the server must fill out an affidavit of service, have it notarized, and retain it with a copy of the Restraining Notice, Exemption Notice and Exemption Claim forms for your records.

CIV-SC-57 (Revised 01/09)

FREE CIVIL COURT FORM

No fee may be charged to fill in this form.

Form can be found at: <http://www.nycourts.gov/courts/nyc/smallclaims/forms.shtml>.