

CIVIL QUIZ 4:

1. Any property owner within __ feet of a "bawdy house" may petition to have a tenant removed for illegal use.

- a) 100.
- b) 200.
- c) 300.
- d) 500.

2. Clerk may limit faxed filings to a maximum of __ pages.

- a) 30.
- b) 40.
- c) 50.
- d) 60.

3. Which of the following Appellate Courts usually deal with questions of fact?

I. Appellate Term; II. Appellate Division; III. Court of Appeals.

- a) I & II.
- b) I & III.
- c) II & III.
- d) III only.

4. Where no landlord/tenant relationship exists, a Notice to Quit is generally required to be served at least __ days before proceeding.

- a) 3.
- b) 5.
- c) 10.
- d) 20.

5. Requests for Judicial Interventions shall not be required for any of the following proceedings, except:

- a) name change.
- b) poor person.
- c) habeas corpus.
- d) all of the above are correct.

6. Subpoenaed witness is entitled to travel expenses in the amount of __ cents per mile.

- a) 20.

- b) 21.
- c) 23.
- d) 25.

7. If Plaintiff declines to object to a Referee's report, Defendant may do so within:

- a) 10 days.
- b) 15 days.
- c) 20 days.
- d) 30 days.

8. Answer to an Article 78 petition is due within ___ days.

- a) 2.
- b) 3.
- c) 5.
- d) 8.

9. Motions for permission to appeal shall be noticed for the next available motion day at least:

- a) 5 days after date of notice, and not more than 12.
- b) 7 days after date of notice, and not more than 16.
- c) 8 days after date of notice, and not more than 15.
- d) 12 days after date of notice, and not more than 18.

10. A Term of Court is how long?

- a) 30 days.
- b) 4 weeks.
- c) 1 month.
- d) 1/13th of a year.

11. Injunction on the State can only be granted by the:

- a) Appellate Term.
- b) Supreme Court.
- c) Appellate Division.
- d) County Court.

12. Where no judge has been assigned, Requests for Judicial Intervention shall be returnable before the Court within ___ days.

- a) 5.
- b) 10.
- c) 15.

d) 20.

13. Article 78 proceedings replace all of the following writs except:

- a) Certiorari.
- b) Habeas Corpus.
- c) Mandamus.
- d) Prohibition.

14. Which of the following is not a proper calendar type?

- a) Preliminary.
- b) Motion.
- c) Military.
- d) Trial.

15. Which of the following requests for provisional relief must be on notice?

- a) Preliminary Injunction.
- b) Temporary Restraining Order.
- c) both.
- d) neither.

16. On a motion for disclosure, no stipulated adjournments more than ___ days may be had.

- a) 30.
- b) 45.
- c) 60.
- d) 90.

17. A cross-appeal may be taken up to how many days after the appeal?

- a) 5.
- b) 10.
- c) 15.
- d) 20.

18. In a NYC non-payment proceeding where the Respondent had appeared, generally no warrant of eviction shall stay more than ___ days since judgment.

- a) 5.
- b) 10.
- c) 15.
- d) 20.

19. Counter-proposals to a settled order must be mailed at least ___ days before date noticed.

- a) 2.
- b) 5.
- c) 7
- d) 10.

20. The individual taking the appeal must file a brief within ___ days of settling the transcript.:

- a) 5.
- b) 10.
- c) 15.
- d) 20.

21. Failure to comply with a subpoena of a State Enforcement Agency authorized to prosecute evictions for illegal use constitutes:

- a) Violation.
- b) Class A Misdemeanor.
- c) Class B Misdemeanor.
- d) Contempt.

22. Objection to preference shall be made within ___ days of the Note of Issue demanding it.

- a) 5.
- b) 10.
- c) 15.
- d) 20.

23. The parties to an appeal are styled:

- a) Petitioner and Respondent.
- b) Plaintiff and Appellee.
- c) Plaintiff and Defendant.
- d) Appellant and Respondent.

24. Barring special rule by the local Appellate Division, petitions for non-payment eviction proceedings shall be served at least ___, but no more than ___ days before hearing.

- a) 2; 5.
- b) 3; 8.
- c) 5; 12.

d) 8; 15.

25. A motion deemed unusually complex by the Administrative Judge must be decided within how many days?

- a) 60.
- b) 90.
- c) 120.
- d) 180.

26. A Special Proceeding to recover possession of real property can be brought in any of the following courts, except:

- a) Supreme Court.
- b) County Court.
- c) Police Justice Court.
- d) City Civil Court.

27. Parties in an appeal must serve how many copies of briefs on each other?

- a) 1.
- b) 2.
- c) 3.
- d) 4.

28. Pre-trial conference shall be held how long before trial?

- a) 5 to 15 days.
- b) 10 to 30 days.
- c) 15 to 45 days.
- d) 20 to 60 days.

29. Stays during appeals continue until ___ days after service of the order.

- a) 3.
- b) 5.
- c) 10.
- d) 15.

30. A civil penalty of ___ is payable to the city for illegal use:

- a) \$1,000.00.
- b) \$1,500.00.
- c) \$3,000.00.
- d) \$5,000.00.

31. On an action to enjoin the sale of obscene prints the defendant is entitled to decision within how many day(s) of verdict?

- a) 1.
- b) 2.
- c) 3.
- d) 5.

32. Proceedings pursuant to the following Family Court Act article may result in sanctions for frivolous conduct, except:

- a) 4.
- b) 5.
- c) 6.
- d) 7.

33. A receiver is entitled to what percentage?

- a) 2.
- b) 3.
- c) 5.
- d) 8.

34. Warrants of eviction shall be issued to the Constable in any of the following, except:

- a) County.
- b) City.
- c) Town.
- d) all of the above are correct.

35. Where no stenographic record exists, any necessary corrections to the statement on appeal must be made within how many days of service?

- a) 5.
- b) 10.
- c) 15.
- d) 20.

36. If the local Appellate Division shall enact such rule, non-payment eviction proceedings shall be scheduled by the Clerk for hearing within how many days of answer:

- a) 2 to 5.
- b) 3 to 8.
- c) 5 to 12.

d) 7 to 15.

37. Warrants of eviction may be executed after written notice made how many hours in advance?

- a) 24.
- b) 48.
- c) 72.
- d) 96.

38. The calendaring fee, when a Request for Judicial Action has already been filed, is:

- a) \$25.
- b) \$30.
- c) \$95.
- d) \$125.

39. Concise Statement in appeal briefs must not exceed ___ page(s).

- a) 1.
- b) 2.
- c) 3.
- d) 5.

40. If service of an RPAPL petition is made at least ___ days before the hearing - and so demands - then an answer must be made within ___ days.

- a) 15; 7.
- b) 12; 5.
- c) 8; 3.
- d) 5; 2.

41. Natural party must undertake for which of the following:

- a) Temporary Restraining Order.
- b) Preliminary Injunction.
- c) both.
- d) neither.

42. Proof of service in an RPAPL proceeding must be filed with the Clerk within how many day(s)?

- a) 1.
- b) 2.
- c) 3.

d) 5.

43. Jury fee is __ dollars.

a) 45.

b) 50.

c) 65.

d) 75.