

CPLR ARTICLE 1: DEFINITIONS.

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Civil Practice Law and Rules govern most New York State civil proceedings. These statutes are referred to as "rules".

CPLR shall be construed **LIBERALLY**.

There is only ONE type of civil action.

Both civil as well as criminal actions can proceed separately for the same case, and are not merged.

Actions include Special Proceedings. Actions have Plaintiffs and Defendants, whereas Special Proceedings have Petitioners and Respondents. Actions utilize Complaints and Summonses, Special Proceedings counterparts are Petitions and Notices.

The court can change Motions into Special Proceedings, and vice versa.

If a court otherwise has jurisdiction over the case, it shall not dismiss merely for improper form of proceeding.

The term "ATTORNEY" herein also includes "pro se" (self-represented) litigants!

"Consumer Credit" = for personal/family/household use.

"Domestic Corporation" = *either* incorporated under NYS law OR under US law but physically in this state. **ALL** other corporations are "foreign"!

"Debtors" owe money judgments to "creditors"; however "judgment debtor" does NOT include un-summoned defendants!

"Garnishee" = a debtor, **OR** an individual holding property for a debtor, which property is legally applicable to the judgment.

"Infant" = under 18.

"Real Property" includes "chattel" (any physical item capable of being owned).

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VERIFIED (sworn) pleadings may be used in the place of affidavits.

The STATE ADMINISTRATOR has the power to make official civil forms.