

CPLR ARTICLE 21: PAPERS.

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All PAPERS submitted to the court shall be WHITE, and DURABLE.

All papers save for EXCEPTIONS shall be 8 & ½ by 11 inches; legible; in black ink; and include a printed name under the signature line.

EXCEPTIONS: “TEN SONS” = (T)emporary Orders of Protection (E)xhibits; (N)otices of Appearance; (S)ummonses; (O)rders of Protection; (N)otes of Issue; (S)ubpoenas;

SUMMONSES must have a typeface of at least 12 points.

All other papers **EXCEPT** EXHIBITS must have at least a 10-point font.

All papers [**EXCEPT** EXHIBITS & AFFIDAVITS] must be in ENGLISH; and should be “regular usage” where practicable.

EXHIBITS or AFFIDAVITS **NOT** in English must be so TRANSLATED; including an AFFIDAVIT attesting to the accuracy of the translation and the qualifications of the translator.

All papers shall be CAPTIONED with: the COURT; VENUE; TITLE of case; NATURE of papers; and INDEX NUMBER (if one has been assigned).

SUMMONSES, COMPLAINTS, and JUDGMENTS shall list **ALL PARTIES**; any other paper may list just the first one, while indicating that more exist.

Papers shall be INDORSED with contact info for the attorney; or party, if there be no attorney.

Unless otherwise prescribed, COPIES of documents can be served and filed. The Court can direct that a copy suffice of the original is lost or withheld.

DEFECTS are to be disregarded unless they PREJUDICE a party; and leave to correct shall be freely given.

A party served WAIVES OBJECTION to defects, unless - within 2 days after service - returns the papers with a STATEMENT of the defects.

PAPERS SERVED ELECTRONICALLY MUST BE RE-PRODUCIBLE.

Papers are filed with the Clerk of Court; or, in a non-court proceeding, with the County Clerk.

Service shall be made by a person **NOT** a party to the case, at least 18 years of age.

An attorney who represents more than one party need only be served with 1 copy of each paper.

ATTORNEY may be served by personal delivery;

OR:

By FIRST CLASS MAIL to a designated address or last known address; service completed as of date of mailing. 5 days are added to any statutorily prescribed period (e.g. appeal) if papers are mailed.

Papers may also be left at an attorney's office: with the person in charge; or in a "conspicuous place"; or sealed in a wrapper with the attorney's name and deposited in the letter drop.

"SAD" service at the attorney's residence (only if in this State) is permissible **ONLY** if it is impossible to serve at the office.

Facsimile (fax) service on attorney is allowed if the attorney so designates (by including a fax # on letterhead, etc...). If faxed, must also mail first class, service complete upon receipt of fax confirmation signal. Attorney may change fax info upon notice to parties.

OVERNIGHT DELIVERY, complete upon deposit with delivery company (if before last time of pick-up); adds 1 BUSINESS DAY to any statutory period.

ELECTRONICALLY: pursuant to rules of CHIEF ADMINISTRATOR; or by consent of parties; subject heading must indicate "Court Proceeding".

If no attorney, service on PARTY by any aforementioned means; **EXCEPT:** office or e-mail.

If no other recourse, service may be effectuated by FILING the papers with the Court.

Service shall be made on every party who "APPEARED" thus far; PLAINTIFF to furnish such list upon demand.

CONFIDENTIALITY of ADDRESS or other contact info shall be determined on MOTION (including that of the COURT) after finding that "unreasonable risk to

health/safety” exists. Contact info shall be “safeguarded and sealed” by clerk, pending motion outcome.

DOMESTIC VIOLENCE SHELTER INFO *NOT TO BE REVEALED!*

The Clerk of Court (or another person consenting) shall be designated as AGENT for service of process, and shall notify the party of any papers received.

STIPULATIONS (**EXCEPT** when made in “open court”) shall **NOT** be binding unless subscribed in writing, or reduced to an order.

STIPULATIONS of SETTLEMENT must be filed by **DEFENDANT**; with County Clerk.

CERTIFICATION by an ATTORNEY shall have same effect as that of a Clerk.

An AFFIRMED STATEMENT of an Attorney/physician/osteopath/dentist (licensed to practice in this State) shall have the same effect as an AFFIDAVIT.