

## CIVIL COURT OF THE CITY OF NEW YORK

### **CHIEF CLERK'S MEMORANDUM**

Subject: Notification of the Returned Additional Notice  
22NYCCRR 208.6 (h)

Class: CCM- 182  
Category: GP-10 & 20  
Eff. Date: April 21, 2009

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### **BACKGROUND**

In April of 2008, 22 NYCCRR Section 208.6 of the Uniform Civil Rules for the New York City Civil Court was amended by adding subsection 208.6 (h). This new rule requires that at the time of filing the proof of the service of the summons and complaint in a consumer credit transaction, or any time thereafter, the plaintiff submit an envelope containing a required notice to the clerk.

Our current procedure does not involve notifying the plaintiff when a 208.6 (h) notice has been returned from the post office as undeliverable. Many plaintiffs are first notified that the notice was undeliverable when their judgments are rejected. A number of plaintiff's attorneys have expressed concerns over the time gap between the return from the post office and the time they are notified of the return which occurs when the judgment is rejected. These attorneys have requested that they be promptly notified of the returned notice and have agreed to provide a pre-addressed postage paid post card for that purpose.

In an effort to facilitate our court processes and provide efficient service the following procedures are being established.

### **DIRECTIVE**

If at the time of the submission of the envelope containing the 208.6 notice the filer also gives the clerk a postage paid addressed post card listing the post office reasons for returning the mail the clerk is to file the post card in the court file.

If the clerk receives a returned envelope from the post office in addition to filing the envelope with the notice in the court file, the clerk is to remove the post card provided, check the appropriate box on the post card for the reason for the return, and promptly mail the postcard.

Date: 4/21/09

/s/

Jack Baer  
Chief Clerk