

CIVIL COURT OF THE CITY OF NEW YORK

CHIEF CLERK'S MEMORANDUM

Subject: Fees in Consumer Credit Actions

Class: CCM-191

Category: GP-10 & 20

Eff. Date: September 1, 2010

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BACKGROUND

Chapter 56 (part K) of the laws of 2010 amends the Civil Court Act (CCA) § 1911 (b) and adds two new subdivisions (b-1) and (n). Based on this amendment, effective September 1, 2010 the filing fee for consumer credit transactions is increased to one hundred and forty dollars. In addition, there will be a ninety-five dollar fee for the filing of a judgment in consumer credit transactions commenced prior to September 1, 2010. Consumer credit transactions are defined in the Civil Practice Laws and Rules § 105 (f).

Based on this amendment effective September 1, 2010, the following procedure is to be followed.

DIRECTIVE

The cashier shall collect a filing fee of one hundred and forty dollars for each consumer credit transaction filed.

The cashier shall collect a filing fee of ninety-five dollars for any request for judgment filed in consumer credit transaction commenced prior to September 1, 2010. We interpret this judgment filing fee to be a one time filing fee. If a request is submitted without this fee, and the fee has not been previously paid, the request should be returned to the filer and the filer should be advised of the new fee requirement.

UCMS is being updated to allow for the recording of the payment of the judgment filing fee. Once this enhancement is complete the clerk shall enter the judgment filing fee paid status in UCMS. We will distribute the UCMS judgment filing fee recording instructions when this feature is available.

Until we are able to record the payment in UCMS we will request that where a judgment filing fee has been paid any amended request for judgment be accompanied by a copy of the receipt indicating payment of the judgment filing fee.

Dated: 8/2/10

/s/
Jack Baer
Chief Clerk