

CIVIL COURT OF THE CITY OF NEW YORK

CIVIL COURT DIRECTIVE
Sub: Small Business Assistance

Class: DRP-159
Category: LT
Eff. Date: June 4, 2002

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BACKGROUND

Due to the events of September 11th, thousands of small businesses were physically damaged, lost access or were otherwise disrupted. Many of these businesses have fallen behind in rent payments, landlords to commence summary proceedings against them. In an attempt to provide help to these businesses the 9/11 Small Business Court Assistance Project will be established. This program will offer mediation and other general counseling to these businesses.

In order to facilitate this process, the following rules are to be implemented beginning June 4, 2002.

PROCEDURE

1. Any business which employs less than 50 persons and is located below 14th Street in New York County is to be assigned to the Small Business Court Assistance Project Calendar.

2. Any summary proceeding against one of these businesses is to be identified with an orange marking. This marking may be made by placing an orange marker or an orange stripe next to the index number in the file folder. Petitioners will be encouraged to provide an orange back or orange highlighting on their papers, but this will not be a requirement. The marking may be made by the Clerk at any time that he/she becomes aware that a case fits the criteria of the SBCAP.

3. The Clerk is to create a 2:00 P.M. Commercial Calendar for Tuesdays and Thursdays and all SBCAP summary proceedings are to be assigned there. Petitioners filing holdovers are to be notified of the effective date of the procedure and are to be given the appropriate dates and time when purchasing the index number. In a non-payment, any answer received on or after May 28, 2002 is to be set for the appropriate date and time. Any summary proceeding on the morning calendar on or after June 4, 2002 which fits the SBCAP criteria is to be encouraged to accept an adjournment to the SBCAP calendar. If the parties do not agree to an adjournment efforts will be made to assist the case on a regular calendar day.

4. The SBCAP calendar will offer mediation, volunteer lawyers and information on possible financial assistance from the City of New York. At that calendar call the parties may choose not to participate in the program. Any such case will then be handled by the judge presiding over the Commercial Part for settlement, or may be adjourned to the regular morning calendar for trial.

5. Motions on cases eligible or assigned to the program shall be made returnable on the Part 52 morning calendar of the Commercial Part.

Date: _____

Fern Fisher
Administrative Judge