CIVIL COURT OF THE CITY OF NEW YORK

CHIEF CLERK'S MEMORANDUM   **Class: CCM 168**
Subject: Entry of Orders   **Category: GP 10, LT 10, SC 10**
                                                                    Eff. Date: August 15, 2006
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Background

      CPLR Section 2220 requires that an order determining a motion be entered in the clerk's office. Ordinarily an order should be returned to the clerk for entry into the case management system and for the clerk to date it and sign it or 'time-stamp' it. After that copies can be made for service on the parties, though this is not required. However, orders determining motions are frequently not returned to the clerks and are filed without being entered.

      When the order is not entered and a person reviewing the file notices and asks a clerk to enter the order many clerks are reluctant to do so, since they do not know when the order was brought to the office and entering it at the time that the request is made makes that day the time from which all entry-related time frames run. We have never set down a procedure for entry, but lately the issue has been brought to my attention. In order to have a consistent Citywide procedure, the following rules for the entry of orders are being established.

Directive

    1. All judges are to return orders determining motions to the clerk for entry.

    2. All orders determining motions are to be entered by the clerk before filing.

    3. Entry will consist of the dating and signing or clocking-in of the original order.

    4. When it comes to the attention of a clerk that an order has been filed without being entered, the clerk shall enter it at that time.

Dated _____   _____/s/_____
                                                                                    Jack Baer