

CIVIL COURT OF THE CITY OF NEW YORK

Legal/Statutory Memorandum

Subject: Costs to be awarded in a CPLR § 325 transfer

Class: LSM-111

Category: GP-20

Eff. Date: Jan. 1, 1991

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Please be advised that, based upon an amendment effective January 1, 1991, CPLR §8104 separates and outlines the costs to be awarded in a CPLR §325 transfer depending upon whether the transfer is under subsection 3(d) or otherwise.

Where the transfer is under §325(d), use Supreme Court costs pursuant to CPLR §8201 (as limited by CPLR §8102). Where the transfer is under any other section, use Civil Court costs pursuant to NYCCCA §1901 (as limited by CPLR §8102).

Note that costs awarded pursuant to CPLR §8201 are different from those awarded pursuant to NYCCCA §1901.

Dated: March 20, 1990

Jacqueline Silbermann
Administrative Judge