F.C.A. §§ 413, 424(a), 426, 427, 433, Art. 5-B
(TO BE USED WHEN PERSON BEING SUMMONED IS NOT A NEW YORK STATE RESIDENT)

Form 4-1b
(Summons
Support - Non-Resident)
8/2002

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF_____

In the Matter of a Proceeding under
Article (4) (5-B) of the Family Court Act

Docket No._____

(Commissioner of Social Services, Assignee
on behalf of , Assignor

Petitioner,

-against-

Respondent,

SUMMONS
SUPPORT NON-RESIDENT

NOTICE TO NON-NEW YORK STATE RESIDENTS: SECTION 580-316 OF THE FAMILY COURT ACT OF THE STATE OF NEW YORK PROVIDES THAT THE COURT MAY PERMIT A PARTY OR WITNESS RESIDING IN ANOTHER STATE[1] TO BE DEPOSED OR TO TESTIFY BY TELEPHONE, AUDIO-VISUAL MEANS OR OTHER ELECTRONIC MEANS AT A DESIGNATED TRIBUNAL OR OTHER LOCATION IN THAT STATE. IF YOU ARE UNABLE TO APPEAR IN PERSON YOU MAY APPLY FOR PERMISSION TO TESTIFY BY TELEPHONE, AUDIOVISUAL MEANS OR OTHER ELECTRONIC MEANS. IF YOU WISH TO REQUEST THIS PERMISSION YOU MUST RETURN THE ATTACHED "ELECTRONIC TESTIMONY APPLICATION" TO THIS COURT EITHER BY CERTIFIED MAIL OR TELEPHONE FACSIMILE (Fax No._____), IN ORDER FOR IT TO BE RECEIVED BY THIS COURT NOT LATER THAN THREE DAYS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS, IN ADVANCE OF THE HEARING DATE ON THIS SUMMONS. IF YOUR APPLICATION IS DENIED, YOU WILL BE SO NOTIFIED. YOUR FAILURE TO APPEAR IN PERSON OR BY COURT-APPROVED ELECTRONIC TESTIMONY MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST YOU.

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK TO THE ABOVE-NAMED RESPONDENT: _____,
residing or found at: _____

[1] FCA Section 580-101(19) defines "State" as a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. The term includes: (i) an Indian tribe; and (ii) a foreign jurisdiction that has enacted a law or established procedures for issuance and enforcement of support orders which are substantially similar to the procedures under this article, the Uniform Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement of Support Act.

A Petition under Article ☐4 ☐ 5-B of the Family Court Act having been filed with this Court, and annexed hereto

YOU ARE HEREBY SUMMONED to appear before this Court at _____, New York, on _____,___, at _____ o'clock in the _____noon of that day to answer the petition and to be dealt with in accordance with Article ☐4 ☐ 5-B of the Family Court Act.

You must provide the court with the proof of your income and assets by _____,_____, on the attached form provided for that purpose. You are required to attached current and representative paycheck stubs and most recently filed state and federal income tax returns to said form.

You may be required to furnish past and present income tax returns; employer statements; pay stub; corporate, business or partnership books and records; corporate and business tax returns; and receipts for expenses or such other measures of verification as the court determines appropriate.

A temporary or permanent order of support will be made on the return date of the summons whether or not you appear in person or by electronic means.

On your failure to appear as herein directed, a warrant may be issued for your arrest.

Dated:_____

_____

Clerk of the Court

NOTICE: Family Court Act §154(c) provides that petitions brought pursuant to Articles 4, 5, 6, 8 and 10 of the Family Court Act, in which an order of protection is sought or in which a violation of an order of protection is alleged, may be served outside the State of New York upon a Respondent who is not a resident or domiciliary of the State of New York. If no other grounds for obtaining personal jurisdiction over the Respondent exist aside from the application of this provision, the exercise of personal jurisdiction over the Respondent is limited to the issue of the request for, or alleged violation of, the order of protection. Where the Respondent has been served with this summons and petition and does not appear, the Family Court may proceed to a hearing with respect to issuance or enforcement of the order of protection.