

CIVIL COURT OF THE CITY OF NEW YORK

**Legal/Statutory Memorandum**  
Subject: Attorneys in Small Claims

Class: LSM-147  
Category: SC-10  
Eff. Date: June 2, 1999

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22 NYCRR 208.41 (f) required that where all parties appear by attorneys in a Small Claims case, that case had to be transferred to the civil part of the court, and the claimant pay the difference in filing fee.

Administrative Order 193 of 1999, signed by the Chief Administrative Judge on April 29, 1999, has changed that requirement and the section is now permissive rather than mandatory.

Note that this change applies **only** to Small Claims cases, and that Section 208.41-a(g), applying to Commercial Claims and Consumer Transactions continues to remain mandatory.

Dated: June 2, 1999

Hon. Fern Fisher-Brandveen  
Administrative Judge