

### Note of Issue (Form 26)

- CPLR 3402(a)** requires an original and two copies must be filed within 10 days of service upon the other side. There is also a fee to file the note of issue.
- Calendar No.** put the Calendar No. assigned by the Court, if there is one.
- Index No.** - put the Index No. assigned by the County Clerk.
- Court** - put the name of the court where you filed your court action/proceeding.
- County** - put the name of the county where you filed your court action.
- Name of Justice Assigned** - put the name of your Judge
- Plaintiff/Petitioner**- Put your name and the names of any other individuals, business and/or company bringing the action.
- Defendant/Respondent**- Put the name of the person(s), business and/or company you are bringing your action against (who you are suing).
- Notice for Trial**- Trial by Jury Demanded- if you want a jury to decide your case, it can be all the issues or some specific issues. If it is a specific issue you are requesting a jury on specify below or attach a separate sheet of paper.  
Trial without jury- if you want a judge to decide your case
- Filed by**- put your status either plaintiff/petitioner or defendant/respondent
- Date Summons Served**-put the date that the Summons was served on the defendant/respondent
- Date Service Completed**-Service is not complete until 10 days after the filing of the proof of service, usually the affidavit of service with the Clerk.
- Date issue joined**-Put the date the Defendant filed an answer or response to your action/proceeding. If there is more than one Defendant, put the date for the first answer/response filed.
- Nature of Action or Proceeding**- Choose the box that best describes your case. If you think your case could be under more than one category, then choose the category you think best fits your lawsuit, as you can only mark one,
- Amount Demanded**- Put the amount you are demanding from the other party that is at issue
- Other Relief**- Put the other relief you are seeking
- Special Preference**- Civil cases are tried in the order in which notes of issue have been filed but actions entitled to a special preference include those listed in CPLR 3403(a).
- Attorney for Plaintiff/Plaintiff Pro Se**- Put the attorney or plaintiff contact information here.
- Attorney for Defendant/Defendant Pro Se**- Put the attorney or defendant contact information here.
- Certificate of readiness**- states the items that are necessary for trial have been completed, waived by a party or not required. Items 1-7 must be checked.
- Affidavit of Service**- Use the left side of the form if you have served the papers personally upon the other side or left them physically at an attorneys office. Use the right side if you have mailed the note of issue to the other side or the attorney. Both must be sworn to (signed) before a notary public.
- Admission of Service**- If the other side or attorney admits (accepts) service then you can have them sign the admission below on your original