

CIVIL COURT OF THE CITY OF NEW YORK

Chief Clerk’s Memorandum

Subject: Affirmation in Lieu of Notarization
Amendment to CPLR 2106 - Affirmation of Truth
of Statement and to CPLR 3020 - Verification of
Pleadings.

Class: CCM-214-A
Category: GP-10; LT-10; SC-10
Eff. Date: Immediately

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BACKGROUND

On March 15, 2024, CCM-214 was issued. This memo established clerk procedures regarding the acceptance of affirmation in lieu of notarization. Bill A05772—signed into law on October 25, 2023, effective January 1, 2024—allowed for an affirmation by any person, wherever made, subscribed, and affirmed by that person to be true under the penalties of perjury, to be used in a civil action in New York in lieu of and with the same force and effect as a notarized affidavit. Though this Bill removed the requirement of notarization for many court documents, it did not apply to pleadings, as the requirements for pleadings were prescribed distinctly in other statutes of the CPLR.

However, following the passage of Bill S9032A, signed into law on December 21, 2024, we are revisiting this issue. The Bill amended CPLR 3020 to allow pleadings to be verified in the same manner as affidavits in accordance with CPLR 2106. As a result, the acceptance of signed affirmations in place of sworn and notarized affidavits is being extended to all pleadings including complaints, petitions, and answers.

The Office of Trial Support and Department of Technology have updated court forms generated by UCMS and/or available on the web to remove any indicators that forms must be notarized or verified by a court employee. To ensure compliance with this amendment and establish uniform procedure citywide, we are issuing the following directive.

DIRECTIVE

Effective December 21, 2024, any person may submit an affirmation of truth of statement in lieu of the notarization previously required in an affidavit or verification of pleading, which shall be substantially in the following form:

I affirm this ___ day of _____, __, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law. (Signature)

Clerks are directed to:

- Provide litigants with the affirmation or updated pleading forms containing the affirmation of truth of statement created and provided by the Office of Trial support and the Department of Technology as far as is practicable.
- If an affirmation or updated pleading form is not available, the clerk *may* strike or redact any language that refers to a notarization or employee verification requirement prior to distributing the old forms to court users and provide them with an Affirmation of Truth of Statement form (see Exhibit A) to review, sign, and submit along with their form.
- If a filer submits an affidavit or pleading that is already notarized, the clerk must accept the filing as is and proceed with processing.

The redacted court form along with the affirmation statement, has the same force and effect of one that is notarized or verified by a court employee.

Date: April 2, 2025

/S/
Tanya Faye
Chief Clerk
Civil Court of the City of New York

EXHIBIT A

Affirmation of Truth of Statement

I affirm this ____ day of _____, 20____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

(Sign) _____

(Print) _____