

**CIVIL COURT OF THE CITY OF NEW YORK**

DIRECTIVES & PROCEDURES

Class: DRP-225-A

Subject: Clarification of Notarization  
Requirements rescinded under CPLR 2106

Category: GP-10; LT-10; SC-10

Eff. Date: April 2, 2025

---

**BACKGROUND:**

CPLR 2106 concerns the substantiation of truth within a statement that is presented to the court. Bill A05772, which took effect on January 1, 2024, aimed to expedite proceedings and lighten the court’s burden by relaxing the notary requirements for certain documents. Prior to passage of this Bill, only a limited group of individuals—including licensed attorneys and certain healthcare professionals—could submit a personal affirmation, while other non-party court users were still required to submit an affidavit, sworn under oath and subscribed as true before a Notary Public.

As of Bill A05772’s effective date of January 1, 2024, CPLR 2106 authorizes that “[t]he statement of *any person* wherever made, subscribed and affirmed by that person to be true under the penalties of perjury, may be used in an action in New York in lieu of and with the same force and effect as an affidavit.” The prior limitations on who may submit an affirmation in lieu of a notarized affidavit have, therefore, been repealed.

The “Affirmation of Truth of Statement” authorized under amended CPLR 2106 must contain substantially the following language:

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)

Unsworn statements merely acknowledging the penalty of perjury are insufficient to supplant a notarized affidavit.

Although Bill A05772 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. On December 21, 2024, however, Governor Kathy Hochul signed Bill S9032A into law, effective immediately. This Bill amended CPLR 3020 and declared that “pleadings” are verifiable using a statement “in substantially the . . . form” authorized under CPLR 2106. Thus, subsequent to December 21, 2024, all pleadings, including complaints, petitions, and answers, may be verified by affirmation complying with the requirements of CPLR 2106.

**DIRECTIVE:**

Subsequent to December 21, 2024, CPLR 2106 applies to both affidavits and pleadings. Accordingly, court users may, but are not required to, submit personal affirmations containing substantially the language required under CPLR 2106 in lieu of notarized affidavits or notarized verifications of pleadings.

Effective immediately, court users shall be provided with amended applicable affidavit and pleading forms that do not require notarization, as updated by the Office of Trial Support. Forms are available here: [New York City Civil Court \(nycourts.gov\)](https://nycourts.gov) as well as in the “Forms” tab of the UCMS database for employees.

Date: April 2, 2025

\_\_\_\_\_  
*/S/*

Hon. Shahabuddeen A. Ally, A.J.S.C.  
Administrative Judge  
Civil Court of the City of New York