

Appellate Term Coordinators 9th JD

Appellate Term Coordinators facilitate the submission of two types of initial applications to the Appellate Term: 1) a review of a summarily denied or refused Order to Show Cause brought in a City, Town or Village Court (pursuant to CPLR §5704(b)) and 2) the submission of an Order to Show Cause seeking an interim stay pending appeal to the Appellate Term from a determination of a City, Town or Village Court.

Appellate Term Coordinators cannot provide legal advice. Forms, instructions and procedural informational on applications to the Appellate Term can be found at the Court's Website: https://www.nycourts.gov/courts/ad2/AppellateTerm_formsandpracticeaids.shtml

Papers should be submitted to the Appellate Term Coordinators through the following e-mail addresses. It is important that you provide an e-mail, fax, cell or telephone number so that the Coordinator may contact you with the Appellate Term's determination. Here are the Appellate Term Coordinators for the 9th Judicial District: and their contact information:

Westchester County- Lakisha Hickson, Chief Clerk
Westchester County Courthouse
111 Dr. Martin Luther King Jr. Boulevard, 9th Floor
White Plains, New York 10601
Phone: (914) 824-5300
E-mail: ATCoordinatorWestchester@nycourts.gov

Rockland County- Robert Fritz, Chief Clerk
Rockland County Supreme Court
1 South Main Street, Suite 200
New City, New York 10956
Phone: (845) 483-8307
E-mail: ATCoordinatorRockland@nycourts.gov

Dutchess County- Michael Thompson, Chief Clerk
Dutchess County Supreme Court
10 Market Street
Poughkeepsie, New York 12601-3203
Phone: (845) 431-1720
E-mail: ATCoordinatorDutchess@nycourts.gov

Putnam County- Lisa D'Angelo, Chief Clerk
40 Gleneida Avenue
Carmel, New York 10512
Phone: (845) 208-7810
E-mail: ATCoordinatorPutnam@nycourts.gov

Orange County- Lynn McKelvey, Chief Clerk

Orange County Supreme Court
Orange County Government Center
285 Main Street, 3rd Floor
Goshen, New York 10924
Phone: (845) 476-3440
E-mail: ATCoordinatorOrange@nycourts.gov

PROCEDURES

The Appellate Term hears appeals of judgments from the City, Town and Village Courts in the 9th Judicial District. The Appellate Term also has the ability to review Orders to Show Cause that have been brought in a City, Town or Village Court but have been summarily denied or refused signature.

CPLR §5704(b) REVIEW

If you have brought an Order to Show Cause in a City, Town or Village Court that has been summarily denied or refused signature, you may request that the court clerk send your application to the Appellate Term Coordinator for Appellate Term review pursuant to CPLR §5704(b). Alternatively, you or your attorney can submit the application directly to the Appellate Term Coordinator at the e-mail addresses listed above.

You must provide an e-mail address with your application so that the Appellate Term Coordinator can return to you the determination of the Appellate Term. If the Appellate Term signs the Order to Show Cause, it will be made returnable in the City, Town or Village Court and can include a stay of eviction or other relief and may be conditioned upon the payment of money into court.

APPEALS

A party seeking to appeal a determination of a City, Town or Village Court may bring an Order to Show Cause to the Appellate Term and seek interim relief such as a stay of eviction pending the appeal. A judgment entered on default cannot be appealed. In this instance, a party must first seek to vacate the default in the City, Town or Village Court prior to taking an appeal.

A party who seeks to appeal a determination of a City, Town or Village Court must complete a Notice of Appeal (make 2 copies) and serve one copy on your adversary or their attorney. The second copy together with a completed affidavit of service must be filed with City, Town or Village Court and the filing fee must be paid unless poor person relief, waiving the fee, is granted by the court (\$30.00 for City Court and \$5.00 for Town and Village Court). In addition a Request for Appellate Term Action (RATA) form must be completed and filed (no fee is required for filing this form). The Notice of Appeal, Affidavit of Service and RATA forms and instructions can be found at the Appellate Term Website.

Form Orders to Show Cause, affidavits, certifications and instructions are also available at the Appellate Term Website. The form Order to Show Cause provides the ability to seek interim relief, including a stay of eviction and reinstatement to the premises if the eviction has already occurred. Please note that a stamped filed copy of the Notice of Appeal and all supporting papers (orders, judgments and stipulations) must accompany your Order to Show Cause to the Appellate Term.

You may request that the City, Town or Village Court clerk to send your Order to Show Cause on appeal to the Appellate Term Coordinator for Appellate Term review. Please deliver your papers **unstapled** to the court clerk so that the application can be forwarded to the Appellate Term Coordinator. Alternatively, you or your attorney can submit the application directly to the Appellate Term Coordinator at the e-mail addresses listed above.

You must provide an e-mail address with your application so that the Appellate Term Coordinator can return to you the determination of the Appellate Term. If your application is signed, additional information will be provided to you.

If you have questions, please contact the Appellate Term Coordinator for your County.

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