

CIVIL COURT OF THE CITY OF NEW YORK
INSTRUCTIONS FOR SERVICE OF AN ORDER TO SHOW CAUSE

1. ORIGINAL COURT FORMS

The originals of the signed “Order to Show Cause” form and the “Affidavit in Support of Order to Show Cause” form are retained by the court. The Clerk will give you the remaining three sets, two to “serve on” [deliver to] the appropriate parties and one to retain for your records.

2. EXHIBITS AND ATTACHMENTS

Any other papers attached as exhibits must be photocopied [3 or 4 copies are required.]

- a) One set is to be left with the Clerk.

- b) One or two sets of the remaining copies are to be “served on” [delivered to] the appropriate parties along with the “Order to Show Cause” and “Affidavit in Support of Order to Show Cause” in the manner indicated in 3 a) and b) below.

- c) Keep the final set of the Order to Show Cause forms for your records.

3. SERVICE

- a) Serve* one set of the papers on the Claimant’s/Plaintiff’s/Defendant’s attorney or, if there is none, on the Claimant(s)/Plaintiff(s)/Defendant(s) him/her/themselves in the manner directed by the Judge in the Order.

- b) In the event a Sheriff or Marshal has served you with any papers you must also serve* the second set of the forms on him/her in the manner directed by the Judge in the Order.
If there was no Sheriff or Marshal, this set is unnecessary and may be discarded.

- c) Keep the final set of the Order to Show Cause forms for your records.

Service must be made on or before _____, **20**_____.

**Depending on the type of service Ordered by the Judge you may need to go to the Post Office and obtain a Certificate of Mailing form, a Certified Mailing form, and/or a Return Receipt Requested green card form. Give the Post Office window clerk the envelope(s) to be mailed and the completed required postal forms. The postal clerk will mail the envelope(s) and will stamp the required forms and return them to you. Attach these forms to the Affidavit of Service form.*

4. AFFIDAVIT OF SERVICE AND PROOF OF MAILING

- a) When service has been made as directed by the Judge, complete an “Affidavit of Service of Order to Show Cause” form and sign it in front of a Notary Public or a Court Clerk. Attach the postal forms*, if any, to this affidavit.

- b) File the signed “Affidavit of Service of Order to Show Cause” form with your proof(s) of service (postal forms*, if any) either:
before the scheduled Return Date in the Clerk’s Office or,
on the scheduled Return Date in the Part indicated.

Report to court on _____, **at** _____ **.M., in Room** _____.

RETURN DATE TIME A/P ROOM#