

CIVIL COURT OF THE CITY OF NEW YORK

DIRECTIVES AND PROCEDURES

Subject: Access to Court Files
When a Guardian Ad Litem Has Been Appointed

Class: DRP-190
Category: LT 10
Eff. Date: November 24, 2009

BACKGROUND

Recently there has been inconsistent practices in giving access to court files to parties to whom a Guardian Ad Litem (GAL) has been appointed. The Court appoints a GAL when there is concern that a tenant is unable to advocate for him or herself. The GAL's role is to advocate on behalf of the party with the goal of making any necessary intervention to prevent eviction. An appointment of a Guardian Ad Litem is not a declaration that the party is incompetent. Once a GAL has been appointed the party maintains the same right to access the court as a party who has no Guardian Ad Litem appointed.

To ensure consistent access to court records and processes we are instituting the following directive.

DIRECTIVE

When a party who has a GAL appointed comes into court to access court files or proceedings the clerks are to facilitate that access as they do for any other court user.

Date

11/29/09



Fern A Fisher
Deputy Chief Administrative Judge
New York City Courts