

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

**CIVIL COURT DIRECTIVE**  
Subject: Information Subpoenas

Class: DRP-193  
Category: GP-10, GP-20  
LT-10, LT-20  
SC-10, SC-20  
Eff. Date: September 2, 2011

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**BACKGROUND:**

In New York State, there has been a vast increase in the number and frequency of information subpoenas served. These subpoenas have become overly burdensome and voluminous in nature and labor intensive to comply with. In the vast majority of cases, the individual for whom information is sought has no relationship to the persons served.

CPLR § 5224 establishes guidelines for information subpoenas, and has been amended to establish a mechanism that will ensure the reasonable belief standard is met when information subpoenas are served. A judgment creditor, or their agent, must maintain records which state the grounds he or she has relied on to form a reasonable belief that person served has information about the judgment debtor.

CPLR § 5224 and The General Business Law § 601 and § 602 have been amended, causing additional language to be added to the judgment creditor's certification in an information subpoena.

Based on the above amendments, we now direct the following:

**DIRECTIVE:**

1. Information subpoenas, served pursuant to CPLR § 5224(a)(3)(I) shall contain a certification signed by the judgment creditor or his attorney stating the following:

**I HEREBY CERTIFY THAT THIS INFORMATION SUBPOENA COMPLIES WITH RULE 5224 OF THE CIVIL PRACTICE LAW AND RULES AND SECTION 601 OF THE GENERAL BUSINESS LAW THAT I HAVE A REASONABLE BELIEF THAT THE PARTY RECEIVING THIS SUBPOENA HAS IN THEIR POSSESSION INFORMATION ABOUT THE DEBTOR THAT WILL ASSIST THE CREDITOR IN COLLECTING THE JUDGMENT.**

2. The attached information subpoena form CIV-SC-60 (revised August 2011) is available in UCMS and the M drive, including the certification statement listed above.

3. Persons seeking information subpoenas should be provided with the revised CIV-SC-60..

9/21/2011

Date

/S/

Fern Fisher  
Deputy Chief Administrative Judge  
New York City Courts

CIVIL COURT OF THE CITY OF NEW YORK  
County of \_\_\_\_\_  
Part \_\_\_\_\_

Index No. \_\_\_\_\_

**INFORMATION  
SUBPOENA**

VS

Claimant(s)/Plaintiff(s) \_\_\_\_\_  
(Judgment debtor)  
\_\_\_\_\_  
(Address)  
\_\_\_\_\_  
Defendant(s) \_\_\_\_\_  
(City, State, Zip Code)

**THE PEOPLE OF THE STATE OF NEW YORK**

TO: \_\_\_\_\_, the person to be examined;

A judgment was entered in this court on \_\_\_\_\_, in favor of \_\_\_\_\_  
and against \_\_\_\_\_ in the amount of \$ \_\_\_\_\_, together with interest,  
costs and disbursements for a total of \$ \_\_\_\_\_, of which \$ \_\_\_\_\_ remains due and unpaid.

Because you, the person to whom this subpoena is directed, either reside, are regularly employed, or  
have an office for the regular transaction of business in \_\_\_\_\_ County of the State of New York,  
you must answer, in writing under oath, separately and fully, each question in the questionnaire accompanying  
this subpoena, and you must return the answers, together with the original of the questions, within seven (7)  
days after your receipt of the questions and this subpoena to \_\_\_\_\_  
at \_\_\_\_\_.

**CERTIFICATION**

I \_\_\_\_\_, hereby certify that this information subpoena complies with rule 5224 of  
the Civil Practice Law and Rules and Section 601 of the General Business Law that I have a reasonable belief  
that the party receiving this subpoena has in their possession information about the debtor that will assist the  
creditor in collecting the judgment.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judgment Creditor

**FALSE SWEARING OR FAILURE TO COMPLY WITH THIS SUBPOENA IS  
PUNISHABLE AS A CONTEMPT OF COURT.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Clerk, Civil Court