

FILING A CIVIL SUMMONS IN JUSTICE COURT

Note: A Corporation, Partnership, Association or assignee may not institute a suit in Small Claims. They may follow the instructions below and file a Civil Summons in the Justice Court.

1. Either the Plaintiff or the Defendant must live, work, or have a place of business in the Village of West Haverstraw. A Defendant who is out of Rockland County may not be sued in this Court. A person who lives out the County can sue someone who lives, works, or has a place of business in the Village of West Haverstraw. The monetary limit in the State of New York is \$3,000.
2. The Plaintiff must purchase at a stationery store, a Blumberg T-1161 Summons form, which is “Justice Court Summons, Endorsed Action for Money Only Complaint”, or by calling Blumberg at 1-800-221-2972. You will need an original, and one copy for every defendant named in the action.
3. An example of how to fill out the form is attached.
4. When you have completely filled out the summons, you can bring it to the Court or mail it with a self-addressed stamped envelope. The Clerk will fill in the date and time and will sign the summons and return it to you to complete service on the defendant.
5. Then you must arrange to have the summons served on each of the defendant(s). You can contact a Process Server, Sheriff’s Department – Civil Division, or someone not connected to the case that is over the age of eighteen and knows how to fill out an Affidavit of Service. Process Servers are listed in the phone book under “Process Servers”.
6. Only one copy of the summons need be served on each defendant. The original summons, with the original affidavit of service must be filed with the court along with a \$20 fee, no later than three days before the court date. If there is more than one defendant you need an affidavit of service for each one.
7. Where several attempts are made to serve a defendant, to no avail, the summons may be taped or affixed to the defendant’s door (business or residence) and a second copy must be mailed by you to the defendant at his or her last know address by first class mail, with the envelope marked “personal and confidential”, within 24 hours of affixing the summons to the door.

If you have any questions please call (845) 947-1013.