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Article 53

Uniform City Court Act

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practitioners throughout the state. The provision as amended appears to function independently of the CPLR.

- 359 Amends the Justice Court Act to permit an attorney to issue an execution on a transcribed judgment. Previously only the county clerk could do so on a justice court judgment.
- 404 Amends § 749(2) of the RPAPL to require that the twenty-four hour notice of eviction there provided for be served in the same manner as the notice of petition.
- 437 Amends the CCA and UDCA as to a number of matters, including service of summons, indorsement pleadings, a motion to dismiss a defense, the application of § 3213 of the CPLR in the civil and district courts, disclosure and costs in summary proceedings.
- 439 Makes several changes in the CCA, and makes all district courts (there are such courts at present only in Nassau and Suffolk Counties) courts of record.

Uniform City Court Act

Chapter 497 enacts the UCCA for application in all city courts of the state, except in New York City, effective April 1, 1965. Chapter 498 makes several amendments to the UCCA enacted by chapter 497. For the scope and application of the UCCA, and its effect on the existing court acts of the state's city courts, see Sections 2300-01 of the UCCA and be certain to integrate the amendments made by chapter 498 which, *inter alia*, change the effective date of the UCCA from September 1, 1964 to April 1, 1965. The act is similar to the UDCA, which in turn is modeled on the CCA.

1964 Judicial Conference Changes in the CPLR Rules

The CPLR provisions are either statutes (preceded by a "§" mark) or rules (preceded by "Rule"). The Legislature can amend either category of provision. But Section 229 of the Judiciary Law gives the Judicial Conference the power to "promulgate" (in effect, legislate) changes in, rescission of and additions to the rules. Any such promulgation by the Judicial Conference becomes law, provided that the Legislature does not disapprove it. Of the ten proposals submitted by the Conference in 1964, only one was disapproved by the Legislature. The remaining nine proposals will thus become law on September 1, 1964. The text of the proposals is contained in Appendix A of the Conference's "Report to the 1964 Legislature in Relation to the Civil Practice Law and Rules and Proposed Amendments Adopted Pursuant to Sec-