
Did You Get It?

1. There is a law which grants jurisdiction to the N.Y.C. Civil Court to hear a certain cause of action with a monetary amount up to \$25,000. Does any other court have subject matter jurisdiction? Why?
2. In one of the counties, the Supreme Court, as a matter of local practice, does not hear matters with a value of less than \$25,000. Where might a plaintiff bring this action?
3. The plaintiff and the defendant had contracted to have any claim one might have against the other heard in the New York City Civil Court. Plaintiff is bringing an action against D for \$25,735 on the contract. May NYC Civil Court render a valid judgment in this case for the amount specified? Why?
4. Does N.Y.S. Supreme Court in New York County (1st Dept.) have subject matter jurisdiction over a cause of action which arose in Orleans County (4th Dept.) where both parties live in Orleans County and the Orleans County Supreme Court has jurisdiction? Why did you give that answer?
5. Does the Supreme Court, Appellate Division, 4th Department, have appellate jurisdiction over an appeal from the Bronx County Court (1st Department)? Why did you give that answer?
6. Does the Nassau County Court have appellate jurisdiction over a trial held in White Plains (Westchester County) City Court? Why? If you answered NO, to which court would the appeal be taken?

ANSWER KEY!

for questions in C&W ch. 3, p. 38 (“Did You Get It?”)

1. In addition to NYC Civil Court, the NYS Supreme Court has subject matter jurisdiction over a civil cause of action for up to \$25,000. This is because under NY law, NY Supreme Court has general jurisdiction, which means it can decide any case unless a statute says it can not, either by stating as such, or by giving another court exclusive jurisdiction. NYC Civil Court does not have exclusive jurisdiction over matters under \$25,000 so NY Supreme Court may decide them. NY Supreme Court and NYC Civil Court have concurrent jurisdiction over such matters.
2. Depending on which county the plaintiff is in, and the amount of the claim, she/he might bring an action for less than \$25,000 in NYC Civil Court, or if she/he is outside NYC, in a County Court, District Court, City Court, Town Court or Village Court.
3. NYC Civil Court may not render a valid judgment in an action for \$25,735, or in any action for more than \$25,000, because NYC Civil Court lacks subject matter jurisdiction over cases seeking more than \$25,000. Any judgment it makes in such a case would be void.
4. NYS Supreme Court in NY County has SMJ over a case that arose in Orleans County, or in any county in NYS. This is because NYS Supreme Court is ONE court with statewide jurisdiction, which it exercises through its branches in each of the counties. If NYS Supreme Court has SMJ over a case, it may be filed in any branch (county).
5. Supreme Court, Appellate Division, Fourth Department, does not have appellate jurisdiction over an appeal from the Supreme Court, Bronx County. This is because Appellate Division, Fourth Department only has appellate jurisdiction over cases decided by trial courts in the Fourth Department, and Bronx County is in the First Department.
6. Nassau County Court does not have appellate jurisdiction over a trial held in White Plains City Court. This is because only County Courts in the Third and Fourth Departments have appellate jurisdiction, and Nassau County Court is in the Second Department. An appeal of a trial held in White Plains City Court would be taken to Supreme Court, Appellate Term, Second Department.