



**NEW YORK CITY COUNCIL  
COMMITTEE ON OVERSIGHT AND INVESTIGATIONS**

**TESTIMONY OF JOCELYN E. STRAUBER  
COMMISSIONER, NEW YORK CITY DEPARTMENT OF INVESTIGATION**

**CONCERNING THE NEW YORK CITY DEPARTMENT OF INVESTIGATION'S  
OVERSIGHT ROLE REGARDING THE CITY MARSHALS**

**THURSDAY, MAY 2, 2024**

Good morning. My name is Jocelyn Strauber and I serve as the Commissioner of the Department of Investigation ("DOI"). Thank you, Chair Brewer and members of the Committee on Oversight and Investigations for the opportunity to discuss with you DOI's oversight role of the New York City Marshals.

As I will explain, DOI's authority and oversight of the City Marshals is conferred by State law, through delegation by the First and Second Judicial Departments of the Appellate Division. DOI is thereby authorized to supervise the marshals, which includes the investigation of their conduct and activities, and the issuance of procedures for performing their official duties. The Appellate Division retains a role in DOI's oversight of City Marshals and must be notified of, and in some instances approve, DOI's directives to the marshals. DOI's authority does not extend to substantially affecting, or delaying, the court orders that marshals are tasked with executing. Today I will describe the scope of our authority with respect to the marshals as well as their roles and responsibilities.

## **The Genesis of DOI's Oversight and the Role of City Marshals**

### **What are the City Marshals?**

New York City Marshals are officers of the New York City Civil Court tasked with enforcing the orders issued by that court. They are not DOI or City employees and they operate their businesses independently of the City. State law vests supervisory and disciplinary authority over the marshals in the State Appellate Division for the First and Second Judicial Departments; those bodies have delegated their day-to-day authority over the marshals to the Department of Investigation, mainly through the two Joint Administrative Orders 453 and 456, which generally define DOI's authority. I have attached those to my testimony today.

Pursuant to State law, City Marshals are appointed by the Mayor for five-year terms. The law allows the Mayor to appoint up to 83 marshals; there are 28 City Marshals at present.

The Mayor's Committee on City Marshals handles the marshal appointment process. The Committee consists of 15 members; six selected by the Mayor, six chosen by the Appellate Division, and three selected by law school deans in New York City. The Committee establishes criteria for City Marshal appointments, recruits candidates for that office and, after vetting candidates, recommends appointments and reappointments to the Mayor.

### **DOI's Role**

Starting with the appointments' process, DOI provides administrative support to the Mayor's Committee on City Marshals. That includes receiving and reviewing applications and resumes, organizing interviews with applicants, conducting background investigations of candidates, preparing reports of a marshal's history in office, and preparing letters of recommendation from the Committee for the Mayor's review.

DOI's oversight of City Marshals commenced in its present form in 1968, when the Appellate Division for the First and Second Judicial Departments delegated some of their supervisory powers with respect to the Marshals to the Department of Investigation. In the mid-1970s, the courts issued the two Joint Administrative Orders I mentioned earlier and which you have copies of, formally setting forth DOI's supervisory powers, including the power to investigate the marshals' activities and impose discipline where warranted, examine their books and records, direct them with respect to maintenance of official records, and issue procedures for performing their official duties.

As part of its supervision of marshals, DOI has issued numerous directives concerning standards for marshals' official conduct and for the maintenance of official books and records. For example, DOI has issued directives to marshals on issues such as maintaining a year-to-date count of completed evictions, possessions, and ejectments, and the existence of the 2019 Housing Stability and Tenant Protection Act, which introduced a 14-day notice of eviction rule requiring marshals to serve a notice of eviction to tenants and then wait 14 days before executing an eviction warrant, among many others. DOI is required to provide copies of these directives to the Appellate Division, and they are deemed approved unless the Appellate Division nullifies them.

DOI has also prepared a "Handbook of Regulations," which was last updated in 2013, sets forth DOI's directives to the marshals through the years, and is publicly available on our website. The regulations developed by DOI generally relate to marshals' official conduct, discipline, record keeping, and the execution of evictions and levies. DOI is completing an updated version of the handbook to reflect statutory changes that have been made over the past decade, as well as adding to the Handbook the DOI directives that have been issued to marshals since 2013. The Handbook of Regulations must be reviewed and approved by the Appellate Division, as well as any "substantial policy changes" therein, if any.

DOI carries out its oversight authority through its Bureau of City Marshals, a four-person unit within DOI consisting of a Director, investigator, auditor, and administrative assistant. The unit reports to DOI's General Counsel. In addition to the responsibilities described above, DOI's Bureau of City Marshals engages with the Civil Court regularly with respect to matters of eviction, seeking clarification of eviction orders when necessary to ensure marshals are following the rules, and assisting the Court with decisions regarding City-wide eviction suspensions due to weather or other extraordinary circumstances, such as the Covid-19 pandemic. DOI's primary role in these matters is to convey to the marshals the directives imposed by the courts. DOI also shares that information with the public, via DOI's public website.

DOI's Bureau of City Marshals also conducts investigations into allegations concerning marshals' conduct. Those investigations have resulted in discipline ranging from informal warning letters, letters of admonition, and letters of stipulation. The Bureau receives complaints from members of the public, including individuals subject to eviction. Investigations of a marshal's conduct are handled like any DOI investigation -- we may review relevant documentation, collect evidence, including where available video or photographic evidence and interview witnesses, among other investigative steps, depending on the nature of the matter, and follow the facts as we do in every case.

DOI has authority to impose penalties including suspension of a marshal's badge, monetary fine, forfeiture of fees collected, and removal from office. DOI cannot make unilateral decisions regarding removal of a marshal and must file charges with the Appellate Division regarding these matters. DOI must also make the Appellate Division aware of any stipulations entered against a marshal, such as a stipulation ending in a marshals' resignation.

Since 2019, DOI has received 550 complaints, conducted 30 investigations, and taken disciplinary action against 11 marshals, including a disciplinary stipulation in November 2019 that resulted in a marshal's resignation.

DOI's public website provides information about the marshals' responsibility to execute evictions and collect money judgments, as well as DOI's oversight role.

### **What the City Marshals Do**

As officers of the Civil Court, marshals primarily enforce court orders, including warrants of eviction, collections of money judgments, and utility meter seizures -- when a utility company, such as Con Edison

or National Grid, has received a judgment to reclaim their meter from customers who have failed to pay their bills.

Marshals participate in the Boot-Tow program for the City Department of Finance (“DOF”) enforcing judgments for the City’s Parking Violations Bureau by placing a boot on vehicles for seizure due to nonpayment of violations, including parking tickets and camera violations. Marshals also conduct vehicle auctions of towed vehicles that have not been reclaimed and that have outstanding judgments. DOF promulgates a Standard Operating Procedures manual, which includes the rules and regulations under which participating marshals operate in the Boot-Tow program. Some marshals also enforce the collection of Environmental Control Board fines on behalf of DOF. Marshals do not serve summonses.

Marshals can be hired by private litigants to enforce judgments issued in their cases and are paid by those litigants. DOF and the New York City Housing Authority also hire City Marshals to execute judgments. Marshals’ fees are set by State law and specific to the services that they provide. By law, marshals retain five percent of any money they collect on court-ordered judgments. The marshals are required to remit an annual assessment fee to New York City consisting of \$1,500 plus 4.5 percent of their gross income. Over the past five fiscal years, those annual assessments have brought in nearly \$6.2 million to New York City’s revenue base.

Marshals perform some of the same functions as the New York City Sheriff’s Office, whose staff are City employees under the umbrella of the City’s Department of Finance. The City’s Sheriff Office can enforce eviction orders of both the Supreme and Civil Courts, whereas the marshals can only enforce eviction orders of the Civil Courts. The fees for City Marshals and the City Sheriff are the same; the City Sheriff’s fees also are set by State law.

It is important to note that DOI does not direct work to the marshals and does not and cannot influence how many and what type of orders the marshals enforce. The nature and quantity of a marshal’s work is based on those who hire them.

Each marshal annually submits to DOI their fees and their yearly financial statement, a month-by-month summary of all sums collected and disbursed by the marshal and a statistical summary of the marshal’s official activities in the preceding calendar year. The Bureau of City Marshals audits those financial statements and reviews any requests for any unclaimed funds, which are generally funds where, for instance, an employer garnishes more wages than the debt requires, or a car has been sold at an auction for more than the outstanding judgment.

### **Marshals’ Role in Evictions**

As I mentioned, City Marshals are authorized to carry out eviction orders issued by the Civil Court, which is where most eviction cases are brought in New York City. The City Sheriff also is authorized to carry out Civil Court eviction orders and private landlords, DOF, or NYCHA can hire a City Marshal or the Sheriff to carry out an eviction order. DOI plays no role in this decision.

Pursuant to State law, when a City Marshal is asked to carry out an eviction, that marshal must first request that the court issue a Warrant of Eviction. After a warrant is issued, but before it is executed, the marshal must serve the tenant with a Notice of Eviction and wait 14 days to execute the warrant – that is, to carry out an eviction. In cases where a tenant would like to delay an eviction, their recourse is to move for a stay on the warrant of eviction in Housing Court. Alternatively, a tenant can communicate with their landlord to request additional time before an eviction, a determination left to the landlord’s discretion.

DOI does not have the authority to delay an eviction or otherwise control the timing of an eviction. One exception to that rule is the limited circumstance when a referral to Adult Protective Services (“APS”)

is warranted. Pursuant to the Marshals' Handbook, before conducting a residential eviction, a marshal must find out whether the resident of the apartment is unable to take care of themselves, such as a disabled, elderly, or infirm adult. If so, the marshal must notify DOI, which then notifies APS. Again, by State law, the eviction is then delayed for two weeks during which time APS assesses the tenant's needs and eligibility for services. APS can also make requests to DOI to have a marshal delay an eviction of an APS client. Since 2019, DOI has processed approximately 11,000 of these APS referrals. There are no other circumstances of which DOI is aware that result in the automatic delay of an eviction, with the exception of severe weather events or other extraordinary circumstances that can result in a suspension of City-wide evictions, such as occurred during the pandemic.

DOI understands the critical and sensitive nature of evictions and is discussing with APS whether there are any other proactive steps that DOI and APS can take, consistent with applicable State law, to ensure all tenants facing eviction who need social services are captured through the existing APS referral procedure.

Evictions executed by City Marshals are searchable as part of an online, public portal that is updated by City Marshals and exists both on DOI's website and on the City's Open Data website. In 2023, there were 13,521 evictions executed by City Marshals in the five boroughs.

### **Marshals' Role in Collecting Money Judgments**

A City Marshal and the City Sheriff's Office can collect on a money judgment order. Both can execute money judgments from the New York State Supreme and Family courts. To collect on a money judgment a City Marshal must be given a court document called an execution, which can be provided by an attorney or the court clerk. This document provides the marshal with legal authority to enforce the judgment and collect an individual's income, money or other personal property.

To begin the collection process, City Marshals must mail a notice of execution to the judgment debtor, informing him or her of the obligation to pay the judgment. Again, State statutes dictate exactly how a money judgment can be collected and what can be collected and City Marshals are bound by these statutes. Certain property such as welfare and social security payments, household furniture and appliances, and a resident's security deposit held by a landlord or utility company is exempt from collection under the law.

### **Conclusion**

I hope this testimony sheds light on an extremely complex area that impacts New Yorkers at very critical and emotional moments in their lives, and also provides some fundamental information as to the law governing City Marshals and DOI's oversight.

I am happy to take any questions you may have.



**Joint Administrative Order 453**

The Appellate Division of the Supreme Court, First Judicial Department, and the Appellate Division of the Supreme Court, Second Judicial Department, pursuant to the authority vested in each of them, and for the purpose of providing controls and close supervision of City Marshals, do hereby jointly order as follows:

- (1) The Commissioner of Investigation of the City of New York or his designee, is empowered to supervise and monitor the official acts of New York City Marshals and to take complaints, make inquiries and conduct investigations into all aspects of marshals' activities.
- (2) The Commissioner of Investigation or his designee, in order to investigate and monitor the activities of city marshals, may hold hearings, compel the attendance of and examine under oath a marshal and his employees regarding the official acts of any marshal.
- (3) (a) Each city marshal shall keep detailed books and records and maintain bank accounts as prescribed by the Appellate Divisions or the Department of Investigation.  
  
(b) A city marshal's official books, records and bank accounts are public records and as such are subject to unannounced inspections by the Department of Investigation or anyone designated for that purpose by the Commissioner of Investigation or the Appellate Divisions.  
  
(c) Should the Commissioner of Investigation deem it proper, the Department of Investigation may take into its custody any or all of the official records of a city marshal for the purpose of inspecting them.  
  
(d) Each city marshal shall surrender all official books and records including, but not limited to, cash books, docket books, check books, bank statements, and cancelled checks to the Department of Investigation upon termination of office. Should it become necessary, access to such official books and record for the purpose of examination shall be accorded to the city marshal surrendering the same. Upon termination of office, each city marshal shall further prepare a final report of his official acts, as prescribed by the Department of Investigation, which shall include a final statement of monies held in trust, expenses incurred, and fees earned.

- (e) A city marshal is entitled to only those fees for those services which are prescribed by law and set forth in an official schedule of fees issued by the Commissioner of Investigation. A city marshal shall perform all other services required of him by law without any other fees or charges, except as otherwise expressly prescribed by law. No fee to which a city marshal is entitled may be waived without specific written authorization of the Commissioner of Investigation.
- (f) Each city marshal shall henceforth, in accordance with the procedures prescribed by the Department of Investigation, provide for a fiduciary who shall, upon the death or incapacity of said marshal, assume complete responsibility for the marshal's bank accounts and official records, and shall distribute any monies held in trust or otherwise collected by the marshal to the proper judgment creditors or to any other individual(s) to whom such monies are due and owing. Such a fiduciary shall be compensated at the marshal's own expense.
- (4) (a) The Commissioner of Investigation is empowered to continue to issue directives regarding marshals' official day to day activities including, but not limited to, the official records to be kept by city marshals, the procedures for performing their duties, and the conduct of marshals and their employees. Copies of all directives shall be forwarded to the Appellate Divisions, and each directive shall remain in full force and effect unless and until nullified by joint order of both Appellate Divisions.
- (b) Any handbook of regulations for city marshals which may be promulgated by the Department of Investigation shall become effective upon the approval of both Appellate Divisions. Any substantial policy changes therein shall require similar approval. However, copies of any other changes therein by directive or otherwise shall be forwarded to the Appellate Divisions and such changes shall remain in full force and effect unless and until nullified by joint order of both Appellate Divisions.
- (5) The Director of the Bureau of Marshals at the Department of Investigation or any other person or persons designated by the Commissioner of Investigation may, after an investigation, present evidence of incompetency, misconduct, or other wrongdoing as set forth in Section (6) herein to the Commissioner of Investigation. The Commissioner may accordingly designate a deputy commissioner, assistant commissioner, or other qualified person to hear charges as provided herein or, in the alternative, at the option of the



Commissioner, refer these charges and this evidence to the Appellate Divisions for disciplinary action or removal proceedings.

- (6) (a) The Commissioner of Investigation may, after a hearing on charges preferred against a city marshal, impose penalties upon him including, but not limited to, suspension from the performance of his official duties for a period not to exceed six months for violation of the civil laws, the rules of the Appellate Divisions of the First and Second Departments, the rules of the Civil Court of the City of New York, the directives of the Department of Investigation, or for incompetency or misconduct.
- (b) A city marshal against whom such disciplinary action is proposed shall have written notice thereof and of the reasons therefor, shall be furnished a copy of the charges preferred against him, and shall be allowed at least eight days for answering the same in writing. The marshal shall be entitled to a full and complete hearing with the assistance and presence of counsel.
- (c) The hearing upon such charges shall be held by such deputy commissioner, assistant commissioner, or other person designated by the Commissioner of Investigation for that purpose.
- (d) The deputy commissioner or assistant commissioner holding such hearing shall, upon the request of the city marshal against whom charges are preferred, permit him to be represented by counsel, and shall allow him to summon witnesses on his behalf. The burden of proving incompetency, misconduct or other wrongdoing shall be upon the Director of the Bureau of Marshals or other person designated by the Commissioner of Investigation for the purpose of preferring charges and shall be by a fair preponderance of evidence. The deputy or assistant commissioner holding such hearing shall receive evidence in the same manner as if this hearing were held pursuant to section 75 of the Civil Service Law, in that compliance with technical rules of evidence shall not be required.
- (e) If the city marshal is found guilty, a transcript of the hearing, and a written statement of the determination and the reason therefor, shall be filed in the office of the Department of Investigation. A copy of the transcript shall, upon request of the city marshal affected, be furnished to him without charge.

- (f) If desired, the city marshal may appeal any decision by the Commissioner of Investigation to the appellate divisions. The marshal shall file such appeal in writing within 20 days after service of written notice of the determination to be reviewed, such written notice to be delivered personally or by registered mail to the last known office address of such city marshal. When notice is given by registered mail, such city marshal shall be allowed an additional three days in which to file an appeal.
- (7) A marshal, after being furnished with a copy of the charges preferred against him, may knowingly waive a hearing as provided in subdivision (6) of this section, and agree to a penalty prescribed by the Commissioner of Investigation.
- (8) Perjury by a city marshal or his failure to testify concerning his official duties at an investigative or administrative hearing held at the Department of Investigation after being granted immunity from the use of the testimony in a criminal prosecution shall be ground for removal.
- (9) Failure to comply with penalties imposed by the Commissioner of Investigation shall be ground for removal.

This Order is effective immediately and shall remain in full force and effect unless and until modified or nullified by Joint Order of both Appellate Divisions.

Dated: New York, N.Y. and  
Brooklyn, New York  
November 12, 1975

FOR THE FIRST DEPARTMENT

FOR THE SECOND DEPARTMENT

/S/  
HAROLD A. STEVENS  
Presiding Justice

/S/  
FRANK A. GULOTTA  
Presiding Justice

**Joint Administrative Order 456**

The Appellate Division of the Supreme Court, First Judicial Department, and the Appellate Division of the Supreme Court, Second Judicial Department, pursuant to the authority vested in each of them, and for the purpose of supplementing and amending their joint administrative order (J.ADM 453 dated November 12, 1975), with respect to providing controls and close supervision of City Marshals, do hereby, effective immediately, jointly order as follows:

- (1) Any and all charges preferred by the Commissioner of Investigation shall be in writing and filed with both Appellate Divisions pursuant to Section 1610 of the Civil Court Act.
- (2) The Commissioner of Investigation or his designee, as provided in paragraph (5) of Joint Administrative Order #453, may thereupon conduct hearings on the charges filed with both Appellate Divisions, except with respect to such charges warranting immediate suspension of a city marshal pending a hearing as hereinafter provided.
- (3) Should the Commissioner of Investigation, following a hearing, conclude that a penalty in excess of a suspension of six months is warranted, he may impose such six months' suspension, and shall thereupon refer the entire matter together with the minutes of all proceedings had therein and his report and recommendations to both Appellate Divisions for their joint consideration and disposition.
- (4) Should the Commissioner of Investigation deem the charges to be of such a nature as to warrant the immediate suspension of a city marshal pending a hearing on removal proceedings, he shall not conduct such hearings or proceedings but shall file such charges in writing with both Appellate Divisions pursuant to Section 1610 of the Civil Court Act, together with his request for the immediate suspension of such city marshal and for such removal proceedings as the Appellate Divisions may be advised to pursue under the circumstances.
- (5) In all other respects the provisions of Joint Administrative Order #453 dated November 12, 1975, shall remain in full force and effect.

Dated: New York, N.Y. and Brooklyn, New York  
February 27, 1976

FOR THE FIRST DEPARTMENT  
/S/  
HAROLD A. STEVENS  
Presiding Justice

FOR THE SECOND DEPARTMENT  
/S/  
FRANK A. GULOTTA  
Presiding Justice

TESTIMONY OF THE LEGAL AID SOCIETY  
BEFORE THE NEW YORK CITY COUNCIL’S COMMITTEE ON OVERSIGHT AND  
INVESTIGATIONS – HEARING ON THE DEPARTMENT OF INVESTIGATION’S  
OVERSIGHT OF NYC’S MARSHALS

May 2, 2024

My name is Nakeeb Siddique, and I am a housing justice and eviction defense attorney with The Legal Aid Society, the nation’s oldest and largest non-profit legal services organization. Thank you to the City Council, to this Committee, and to the members of your respective staffs for convening this important hearing regarding the Department of Investigation’s (“DOI”) Oversight of New York City’s Marshals.

The Legal Aid Society urges this Committee, the City Council and DOI to mandate in all eviction cases commenced by electronic filing, that City Marshals must electronically file and upload to the New York State Courts Electronic Filing (“NYSCEF”)<sup>1</sup> system a copy of every Marshals’ Notice of Eviction they serve or re-serve, whether by personal service or mail, within one business day of completing service of the Notice of Eviction. Filing of Marshal’s Notices of Eviction on NYSCEF will provide added valuable protection and notice to tenants facing eviction, promote transparency and accountability, enhance the ability of tenants advocates and agencies like the Human Resources Administration (“HRA”) to access information about impending evictions,<sup>2</sup> uphold the City Marshals’ mission of treating the public with respect and dignity,<sup>3</sup> and with minimal costs or need for additional training as City Marshals and their staff are already familiar with the NYSCEF system, which they use on a daily basis.<sup>4</sup>

---

<sup>1</sup> Electronic filing via the NYSCEF system was introduced to New York City Civil Court, including the Housing Courts, in 2020, at the height of the COVID-19 pandemic, under Rule 2111 of the Civil Practice Law and Rules (“CPLR”) and Section 208.4-a of the Uniform Civil Rules for the New York City Civil Court (“22 NYCRR”). See CPLR 2111 and 22 NYCRR 208.4-a. The vast majority of eviction cases in NYC are now filed via NYSCEF.

<sup>2</sup> Any member of the public, including staff at City agencies such as HRA, Adult Protective Services (“APS”) and the Department of Homeless Services (“DHS”), may search for and access records and papers filed in e-filed eviction cases, free of charge, on the NYSCEF website at the following address, using either the Index Number for the proceeding or the names of the parties involved: <https://iapps.courts.state.ny.us/nyscef/HomePage> (accessed May 2, 2024). Parties to eviction cases in NYC may at any time register with NYSCEF and choose to receive real-time notification of all new filings made in their case via e-mail. See CPLR 2111.

<sup>3</sup> See Section 1-2 of the *New York City Marshals Handbook of Regulations* (April 24, 2013) [“*Marshals Handbook*”] available at: [https://www.nyc.gov/assets/doi/Marshals/MarshalsHandbook4\\_24\\_13\\_Dir\\_Guidelines.pdf](https://www.nyc.gov/assets/doi/Marshals/MarshalsHandbook4_24_13_Dir_Guidelines.pdf) (accessed May 2, 2024).

<sup>4</sup> Landlords’ attorneys routinely authorize their employees and agents, including City Marshals, to file documents via NYSCEF in NYC eviction cases, pursuant to 22 NYCRR § 202.5-b(d)(1)(ii). The NYSCEF system already allows such “filing agents” to upload documents in eviction cases under the existing category of “Sheriff/Marshal Certificate of Service,” which City Marshals could easily use to upload Notices of Eviction. The state court system could also create a new category of documents for NYSCEF called “Notice of Eviction.”

NYC Marshals perform thousands of evictions every year.<sup>5</sup> Tenants' advocates, including legal service providers rely on timely and accurate information regarding whether and when Notices of Eviction have been served or re-served. To obtain this information, advocates and staff at City agencies such as HRA and APS, and certainly unrepresented tenants, are forced to call Marshals' offices, sometimes multiple time each week or month. Advocates report that they sometimes have difficulty obtaining this information. Tenants frequently report the same.

Having a copy of the Marshal's Notice of Eviction posted on NYSCEF will help tenants and their advocates avoid unnecessary evictions. For example, tenants sometimes find themselves waiting on emergency rental assistance from HRA and therefore also waiting to file an Order to Show Cause to obtain more time to pay because they have not yet received a Notice of Eviction. Advocates and attorneys for tenants, as well as *pro se* tenants who opt to use NYSCEF, would receive immediate e-mail notification that a Notice of Eviction has been served, and could take appropriate action in a timely manner. Judges and court staff, and agencies like APS, would also find it helpful to be able to see a copy of the same Notice of Eviction served on the tenant. The Marshals' offices would also likely receive far fewer phone and e-mail inquiries from tenants and their advocates if these notices were simply posted on NYSCEF.

The DOI already has the legal authority to issue a directive requiring City Marshals to upload Notices of Eviction to NYSCEF within one business day of completing service, under Joint Administrative Order 453 of the Appellate Division of the Supreme Court, First and Second Judicial Departments, which provides for the supervision and regulation of NYC Marshals.<sup>6</sup> For example, on March 10, 2020, DOI issued Directive Q-157 to amend the *Marshals Handbook* to account for major changes to the law, including changes to the form of Notices of Eviction enacted by the Housing Stability and Tenant Protection Act of 2019.<sup>7</sup>

All major stakeholders in NYC eviction cases – including the parties, their attorneys, judicial staff, city agency staff, and even the Marshals themselves – already use NYSCEF every day. There is no need to create a separate portal or system for information on impending evictions when NYSCEF already exists. The City Council and DOI should act swiftly to create a rule requiring City Marshals to upload Notices of Eviction to NYSCEF.

---

<sup>5</sup> See <https://council.nyc.gov/data/evictions/> (accessed May 2, 2024) and [https://data.cityofnewyork.us/City-Government/Evictions/6z8x-wfk4/about\\_data](https://data.cityofnewyork.us/City-Government/Evictions/6z8x-wfk4/about_data) (accessed May 2, 2024).

<sup>6</sup> DOI would only have to notify the Appellate Divisions of the new directive requiring uploading of Notices of Eviction to NYSCEF. See 22 NYCRR § 635.9(4)(a).

<sup>7</sup> See *Marshals Handbook*, at pp. 218-223, available at: [https://www.nyc.gov/assets/doi/Marshals/MarshalsHandbook4\\_24\\_13\\_Dir\\_Guidelines.pdf](https://www.nyc.gov/assets/doi/Marshals/MarshalsHandbook4_24_13_Dir_Guidelines.pdf) (accessed May 2, 2024).

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jocelyn Strauber

Address: 150 Maiden Lane

I represent: Dept of Investigation

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/2/2024

(PLEASE PRINT)

Name: Nakeeb Siddiqui

Address: \_\_\_\_\_

I represent: The Legal Aid Society

Address: 2090 Adam Clayton Powell Jr. Blvd, 3rd Fl

New York, NY 10027

Please complete this card and return to the Sergeant-at-Arms