

F.C.A. §§ 413, 424(a), 426, 427, 433, Art. 5-B
(TO BE USED WHEN PERSON BEING SUMMONED IS
NOT A NEW YORK STATE RESIDENT)

Form 4-1b
(Summons
Support - Non-Resident)
1/2001

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF _____

.....
In the Matter of a Proceeding under
Article (4) (5-B) of the Family Court Act

Docket No. _____

(Commissioner of Social Services, Assignee
on behalf of _____, Assignor

SUMMONS
SUPPORT NON-RESIDENT

Petitioner,
-against-
Respondent,

.....
NOTICE TO NON-NEW YORK STATE RESIDENTS: SECTION 580-316 OF THE FAMILY COURT ACT OF THE STATE OF NEW YORK PROVIDES THAT THE COURT MAY PERMIT A PARTY OR WITNESS RESIDING IN ANOTHER STATE¹ TO BE DEPOSED OR TO TESTIFY BY TELEPHONE, AUDIO-VISUAL MEANS OR OTHER ELECTRONIC MEANS AT A DESIGNATED TRIBUNAL OR OTHER LOCATION IN THAT STATE. IF YOU ARE UNABLE TO APPEAR IN PERSON YOU MAY APPLY FOR PERMISSION TO TESTIFY BY TELEPHONE, AUDIOVISUAL MEANS OR OTHER ELECTRONIC MEANS. IF YOU WISH TO REQUEST THIS PERMISSION YOU MUST RETURN THE ATTACHED "ELECTRONIC TESTIMONY APPLICATION" TO THIS COURT EITHER BY CERTIFIED MAIL OR TELEPHONE FACSIMILE (Fax No. _____), IN ORDER FOR IT TO BE RECEIVED BY THIS COURT NOT LATER THAN THREE DAYS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS, IN ADVANCE OF THE HEARING DATE ON THIS SUMMONS. IF YOUR APPLICATION IS DENIED, YOU WILL BE SO NOTIFIED. YOUR FAILURE TO APPEAR IN PERSON OR BY COURT-APPROVED ELECTRONIC TESTIMONY MAY RESULT IN A DEFAULT JUDGMENT BEING ENTERED AGAINST YOU.

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK TO THE ABOVE-NAMED RESPONDENT: _____,
residing or found at: _____

¹ FCA Section 580-101(19) defines "State" as a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. The term includes: (i) an Indian tribe; and (ii) a foreign jurisdiction that has enacted a law or established procedures for issuance and enforcement of support orders which are substantially similar to the procedures under this article, the Uniform Reciprocal Enforcement of Support Act, or the Revised Uniform Reciprocal Enforcement of Support Act.

A Petition under Article (4)(5-B) of the Family Court Act having been filed with this Court, and annexed hereto

YOU ARE HEREBY SUMMONED to appear before this Court at _____, New York, on _____, at _____ o'clock in the _____ noon of that day to answer the petition and to be dealt with in accordance with Article (4)(5-B) of the Family Court Act.

You must provide the court with the proof of your income and assets by _____, on the attached form provided for that purpose. You are required to attached current and representative paycheck stubs and most recently filed state and federal income tax returns to said form.

You may be required to furnish past and present income tax returns; employer statements; pay stub; corporate, business or partnership books and records; corporate and business tax returns; and receipts for expenses or such other measures of verification as the court determines appropriate.

A temporary or permanent order of support will be made on the return date of the summons whether or not you appear in person or by electronic means.

On your failure to appear as herein directed, a warrant may be issued for your arrest.

Dated: _____

Clerk of the Court