



## New Law For Notice of Claim

A good step in the protection of the rights of injured people was taken by the legislature with the passage of the uniform notice of claim act. Claims against most municipalities are governed by the general municipal law which provides a two step process:

First a notice of claim must be served upon the municipality within 90 days and

Second any lawsuit must be commenced within a year and 90 days of the injury.

However, many municipalities and quasi-municipal entities had other time requirements. In addition, the person to serve and the manner of delivery has been the source of frequent errors.

This new law provides that the time is the LONGER of one year and 90 days, or the time otherwise provided and very importantly, allows for service upon the New York Secretary of State in Albany. This may be done by certified mail return receipt requested or by personal delivery.

This is not all a free gift to the injured in pursuing a claim. A fee of \$250.00 must be paid to the Secretary of State with each notice of claim.

The ability to serve the municipality directly such as the Clerk of a County, Town or Village remains an option.

As a result of our many years of litigating claims KEEGAN & KEEGAN, ROSS & ROSNER, LLP has compiled a list of the municipalities on Long Island and the person to serve. If you or someone you care for has been injured consult with an attorney immediately to determine if a notice of claim should be filed, even as a precaution. It is generally a good practice, particularly if serious injuries are involved.