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## New York State Unified Court System

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## **New York State Unified Court System - Filing By Electronic Means**

### **Practice System**



<a href="#">Public Inquiry</a>	<a href="#">Search for cases/claims/documents</a>
<a href="#">Filing User Entry</a>	<a href="#">Initiate a case/claim/document</a>

The **New York State Unified Court System** has adopted a program under which some legal papers in civil lawsuits may be filed electronically. Unless sealed by court order, such papers are available to the public. The filing of papers is restricted to attorneys or parties to a case. Persons who file papers must be registered as a Filing User. All other persons are Public Users.

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## UCS EFiling Forms

### Forms (used in all counties, unless listed separately below)

EF-1	<a href="#">Filing User Registration Form to Access the EFiling System (fill-n-print)</a>	An application form for a user id to access the EFiling System (For Attorney Users)
EF-2	<a href="#">Filing User Registration Form to Access the Practice EFiling System</a>	An application form for a user id to access the EFiling Practice System (For ALL Users)
EF-3	<a href="#">Notice Regarding Availability of Electronic Filing</a>	A notice of availability form and instructions for electronic filing
EF-4	<a href="#">Request for Judicial Intervention - RJl (fillable pdf form)</a>	A fill-in-the-blanks standard RJl form that can be saved, filed and printed (For Court Courtesy ONLY)
EF-5	<a href="#">Summons (fillable PDF form)</a>	A fill-in-the-blanks Summons that can be saved, filed and printed (For Court Courtesy ONLY)
EF-6	<a href="#">EFiling Consent</a>	A fill-in-the-blanks EFiling Consent to participate in an EFiling case that can be saved, filed and printed

### Forms (used in the Court of Claims only)

CC-1	<a href="#">EFiling Consent</a>	EFiling Consent to participate in a Court of Claims EFiling case
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The following documentation is available for the rules of the New York State Electronic Filing System

- 1 [Rules of the Chief Administrative Judge](#)
- 2 [New Enabling Legislation \(7/18/2007\) \(PDF\)](#)
- 2 [Enabling Legislation \(4/13/2005\) \(PDF\)](#)
- 3 [Enabling Legislation \(8/16/2004-4/13/2005\) \(PDF\)](#)
- 4 [Enabling Legislation \(7/01/2003 - 8/16/2004\) \(PDF\)](#)
- 5 [Enabling Legislation \(6/28/2002 - 7/01/2003\) \(PDF\)](#)
- 6 [Original Enabling Legislation \(PDF\)](#)

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## NEW YORK STATE ELECTRONIC FILING SYSTEM USER's MANUALS AND FAQ's



<b><u>Part I</u></b>	<b><u>Provides an overview of the FBEM system and Rules</u></b>
<b><u>Part II</u></b>	<b><u>Provides a detailed, illustrated explanation of how the software works</u></b>
<b><u>Part III</u></b>	<b><u>Provides a detailed, illustrated explanation of the segment of the software that permits bulk filing of tax certiorari cases</u></b>
<b><u>FAQ's</u></b>	<b><u>Frequently asked questions</u></b>

## **PART III**

### **HOW TO USE THE FBEM SYSTEM - BULK FILING OF TAX CERTIORARI CASES BY STIPULATION (NEW YORK CITY AND OTHER AREAS)**

A User may commence and pursue a tax certiorari case in the FBEM system in the manner outlined in Part II. Consent must be obtained from all parties in each such case and that consent must be recorded in FBEM in each such case. In addition, though, there is a separate compartment of the FBEM system for tax certiorari cases in which blanket consent is obtained by stipulation covering a multiplicity of cases. Part III discusses this specialized tax certiorari area, which is primarily used within the City of New York but is also available for other areas in which its use would be convenient.

The reason for the development of this separate tax certiorari filing area is as follows. Tax certiorari cases are often filed in large numbers over a brief period by a small number of law firms against only a few respondents. In New York City, there is one respondent in thousands of cases. In these circumstances, a system requiring the recording of consent in every such case by hard-copy filing or by on-line designation would be cumbersome and inefficient. In this dedicated compartment of the software, attorneys who have executed a stipulation with the taxing authority can initiate large numbers of cases without having to obtain individual consent in each. In the City, the tax certiorari Bar and the Corporation Counsel of the City have worked out a stipulation that provides in that one document consent to all electronic filings that are made by the stipulating attorney against the Tax Commission

for the filing year. The stipulation also obviates the need for service on the City, as well as for the preparation of affidavits of service and the filing of them with the court.

In addition, the software permits the User, in up to 40 cases at a time, to upload data from a datafile to fill in required data fields in the system automatically, or even to create petitions on-line using uploading of data to a template. Either procedure significantly expedites the filing process.

### **SPECIAL ID AND PASSWORD**

A dedicated User ID and Password are required annually to enter this tax certiorari section. To obtain such a tax certiorari User ID and Password for the Live System and one for the Practice System or to reactivate a User ID and Password issued in a prior year, the User should contact the local court or the Resource Center (212-374-6562). An attorney who wishes to obtain a dedicated tax certiorari ID and Password for the Live System must first file a stipulation signed by the attorney and the taxing authority consenting to the attorney's use of FBEM for all cases filed against the authority during the current filing season.

### **LOG-IN AND BEGINNING**

When a User logs in to the FBEM program using the special ID and Password, he/she will automatically enter the special tax certiorari sector of the FBEM software. The "Main Menu" will appear listing available functions (Screen No. 24).

<a href="#">Home</a>		<a href="#">Users Manual</a>		<a href="#">Rules</a>		<a href="#">Forms</a>	
<a href="#">Practice System</a>	<a href="#">Main Menu</a>	<a href="#">To-Do List</a>	<a href="#">File Document</a>	<a href="#">Inquiry</a>	<a href="#">Modify Profile</a>	<a href="#">Logout</a>	

User: Reginald Boucher Address: 60 Centre Street, New York

Welcome to the New York State Unified Court System's Filing By Electronic Means System

#### Practice System

##### Available Functions

<a href="#">To Do List</a>	View all items currently in your to-do list
<a href="#">File A Document</a>	Options Include: <ul style="list-style-type: none"> <li>• File a document to initiate an action</li> <li>• File a document to an existing case/claim</li> <li>• Consent to a case/claim</li> </ul>
<a href="#">Case/Claim Inquiry</a>	Search for a case/claim/document
<a href="#">Modify Profile</a>	Update your user information (Name, Address and E-Mail)
<a href="#">Logout</a>	Logout from the system

Note : These functions are also available via the buttons above

### Screen 24

These functions are explained in Part II of this User's Manual. The "Main Menu" can also be reached via the buttons across the top of any page.

If the User clicks "File A Document," the following screen (Screen No. 25) appears. It is similar to one in the commercial/tort segment of the program, but it contains an additional button that permits the User to file to commence a new tax certiorari case. There

<a href="#">Home</a>		<a href="#">Users Manual</a>		<a href="#">Rules</a>		<a href="#">Forms</a>	
<a href="#">Practice System</a>	<a href="#">Main Menu</a>	<a href="#">To-Do List</a>	<a href="#">File Document</a>	<a href="#">Inquiry</a>	<a href="#">Modify Profile</a>	<a href="#">Logout</a>	

User: William Dietz Address: Unified Court Employee, New York

**Select One Of The Following:**

<input type="radio"/> File to start a new action or proceeding	Case/Claim Type: <input type="text" value="*** Please Select One ***"/>
<input type="radio"/> File to start a new Tax Certiorari (Stipulation with Respondents Required)	
<input type="radio"/> File to an existing case/claim	<input type="text" value=""/>
Or if Claim/Index Number is known enter it below	
<input type="radio"/> Consent to electronic filing for an existing case/claim	Claim/Index Number: <input type="text" value=""/> County: <input type="text" value="New York"/>

### Screen 25



is a notation adjacent to this button indicating that a stipulation governing consent is required. The User who wishes to file a new tax certiorari matter using this segment of the software (and having the necessary stipulation) should select the appropriate button and click on “Continue” at the lower right.

## PAYING INDEX NUMBER FEES

When the user clicks on to file a new tax certiorari matter, the following screen

[Home](#) | [Users Manual](#) | [Rules](#) | [Forms](#)

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[Practice System](#) | [Main Menu](#) | [To-Do List](#) | [File Document](#) | [Inquiry](#) | [Modify Profile](#) | [Logout](#)

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User: William Dietz Address: Unified Court Employee, New York

### Application For Tax Certiorari Index Number(s)

**Select Payment Method:**

<p><b>Credit Card</b></p> <p><u>Credit Card</u></p> <p>(Electronic payment by credit card. Index number(s) will be issued on completion and approval of on-line credit card authorization.)</p>	<p><b>Electronic Check</b></p> <p>***Future payment method***</p> <p>(Payment by electronic check. Index number(s) will be issued after confirmation of debit from account.)</p>	<p><b>Pay to County Clerk at the courthouse</b></p> <p><u>County Clerk</u></p> <p>(Payment to County Clerk at the courthouse. Index number(s) will be issued after presentation of proper payment and approval by County Clerk of proposed electronic filing documents.)</p>
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Screen 26

(Screen No. 26) opens:

This page presents payment options for tax certiorari cases. At present, the User can pay by credit or debit card (Mastercard or Visa) or in person at the County Clerk’s Office. If the

filer wishes to use the latter option, the filer will transmit cases to the system and these cases will be held in a suspended status pending receipt of the fees, which the User must expeditiously pay in person or by authorized messenger at the County Clerk's Office by check, cash or credit card. (An electronic check payment option is under development.)

If the User selects the credit card payment method, an application for index number page appears (Screen No. 27). The user should enter the credit card information at the top of the screen.

Home User Menu Rules Forms

Previous Screen Within Menu To-Do List No Document Inquiry Modify Profile Logout

User: William Dietz Address: Unified Court Employee, New York

### Application For Tax Certiorari Index Number(s)

**PAYMENT METHOD SELECTED**  
 Credit Card:  
 Credit card number: 12345678  
 Type of credit card: VISA  
 Credit card expiration date: 12/2008  
 Cardholder's name: (as it appears on the credit card) William Dietz

**APPLICA**  
 Court: New York County Supreme Court - Tax Certiorari  
 Suffolk County Supreme Court - Tax Certiorari  
 Westchester County Supreme Court - Tax Certiorari  
 Monroe County Supreme Court - Tax Certiorari

Number of index number(s) your requesting:

**Plaintiff(s)/Petitioner(s): (Optional)**  
 First Middle Last Suffix

If you are entering data from a text file enter it below, otherwise leave it blank to enter the data manually.  
 (Optional) Click browse to select file - OR - Enter full path name of the file  
 Text Load File [X]:

SCREEN 27

## FILING A PETITION OR PETITIONS - IN GENERAL

Next, the User must choose a filing procedure. The system offers two options: (i) procedures for the opening of case files in which petitions in PDF format are attached individually, one-by-one; or (ii) an automated process of case commencement and petition generation and attachment.

In the first option, the User can file a single case or a group of cases, up to 40 at a time, by entering data manually (petitioner, respondent, property, etc.) for each case, or by uploading data from the attorney's text file, which many counsel maintain for internal purposes. The system will accept up to eight blocks and lots for each case. Once the case file data are filled in, the petitions must be attached to each case file manually, one by one (although the process is a quick one).

The second option allows the User to enter data for new cases, up to 40 at a time, by uploading it from the attorney's text file. When the data is uploaded, the system will generate petitions for each case in PDF format on-line. Data from the attorney's text file populates certain key fields in an on-line template petition in each case, thereby creating a petition for the case and property in question (again, up to eight blocks and lots can be included under one index number).

## **MAKING A FILING OR FILINGS**

On the Tax Certiorari Index Number Application screen (Screen No. 27), the filer must select from separate drop-down lists (i) the county in which the filing is taking place

and (ii) the number of index numbers being requested (number of cases being initiated).

### **1. Opening Cases Files Manually or by Upload and Manual Attachment of Petitions**

If the filer is entering a case manually, he/she will manually fill in the case detail called for in Section 1 of the screen (block, lot, address, grounds, etc.) with respect to all the blocks and lots in the case (up to eight per case). If the User is instead uploading data from a text file, he or she must designate the file in the indicated space by selecting a file using “Browse” or by filling in a file path. By clicking on the “Help-File Description” link, the User will be given access to a description of the format in which the data must appear in order to be uploaded correctly. The User then clicks “Continue.” This will cause the data to be uploaded from the attorney’s text file and the data will automatically populate the case file fields in Section 1 (blocks, lots, addresses, grounds, etc.). The same data will also appear in “Section 3 - Computer Generated Document.” If the User wishes to attach PDF images of petitions rather than use the system’s template petition created in Section 3, he or she should fill in Section 2 (see Screen No. 28 ). For each case opened, the User selects a petition to attach using “Browse” or fills in a file path for each PDF file being attached. (The PDF documents must be located in separate files on the User’s disk; they cannot be collected in one master file since the software would not be able to identify which petition to attach to which case file.) The User should then click on “Upload/Generate Petitions” at the bottom of the page. This will cause the uploading of the case file information and the associated PDF petition for each case. Although Section 3 will appear filled in on screen, in fact

petitions will not be generated by the system; whenever PDF petitions are attached using

<a href="#">Home</a>	<a href="#">User Manual</a>	<a href="#">Rules</a>	<a href="#">Forms</a>
<a href="#">Petition System</a>	<a href="#">Main Menu</a>	<a href="#">To-Do List</a>	<a href="#">File Document</a>
<a href="#">Inquiry</a>	<a href="#">Modify Profile</a>	<a href="#">Logout</a>	

User: William Davis Address: United Court Employee, New York

### Tax Certiorari Information

You are currently entering documents to initialize a FBEM case  
*Note: All documents are Main Documents except exhibits*

**Tax Certiorari Entry #1**

**SECTION 1 - Plaintiff(s)/Petitioner(s) and Tax Certiorari Data**  
**Plaintiff(s)/Petitioner(s) (Either Business/Organization or Individual's Name)**

#	Boro	Block	Lot	Address	First:	Land Assmnt	Land&Imp	Middle:	Claim Value	L
1	2	3267	3	011 Main St	10000	40000	47000			
2	2	3267	11	012 Main St	10000	900000	104000			
3	2	3282	18	013 Main St	10000	500000	563000			
4	2	3283	48	014 Main St	10000	30000	33000			
5	2	3283	53	015 Main St	10000	900000	239000			
6										
7										
8										

**SECTION 2 - Attach Document**  
**Document Type** Click browse to select document -- OR -- Enter full path name of document file  
 Petition:    
 Exhibit:

**SECTION 3 - Computer Generated Document**  
**Petitioner(s) Entity:**  **Petitioner(s) Relation:**   
**Firm Name1:**  **Firm Name2:**   
**Firm Address1:**  **Address2:**   
**Signatory Name:**  **Signatory Title:**   
**Corporation Language 1:**   
**Corporation Language 2:**   
**Corporation Language 3:**

## SCREEN 28

Section 2, Section 3 will not generate petitions. The program affords the User an opportunity to attach an exhibit.

## 2. Bulk Filings by Uploading Data/Computer-Generated Petitions

If the filer wishes to file numerous petitions by uploading data into a template and creating the petitions on-line, the User will designate in the indicated space on Screen 27 a text file selected either by using “Browse” or by filling in a file path. As explained,

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF New York

In the Matter of	
TEST PETITIONER01	Petitioner,
against	
THE TAX COMMISSION OF THE CITY OF NEW YORK AND THE COMMISSIONER OF FINANCE OF THE CITY OF NEW YORK.	Respondents

Borough of: Bronx  
Taxes of 2004 - 2005

BLOCK	LOT	ADDRESS
3287	3	011 Main St
3267	11	012 Main St
3282	18	013 Main St
3283	48	014 Main St
3283	53	015 Main St

TO THE SUPREME COURT OF THE STATE OF NEW YORK:

The Petitioner above named respectfully shows and alleges as follows:

1. At all times hereinafter mentioned, the petitioner was and still is a domestic corporation and owner of certain real property in the City of New York, which real property is described in Schedule A hereto annexed and made part of hereof, by block and lot number and Borough by which the said real property was designated on the tax maps of the City of New York for the fiscal year July 1, 2004 to June 30, 2005.

Page 1

## SCREEN 29

clicking “Continue” causes the data on the disk automatically to populate the case file fields (block, lot, address, etc.) in Section 1 and populate the variable fields on screen in “Section 3 - Computer Generated Document.” From the latter area the User can (by clicking on “Display Petition w. Load File Data”) examine the template in a form that is completed using the filer’s own data (see Screen No. 29). The User can thus see the petition that will be created from the data on the text file before the command is definitively executed.

Since in this option the User is creating the petitions on-line, petitions will not be attached in Section 2, which will instead be left blank. The system understands that the absence of an attached petition in Section 2 means that the template is to be used to generate petitions. Clicking on “Upload/Generate Petitions” at the lower right will produce the creation of a petition for each case with the filer’s data. These petitions are then stored by the system in PDF format.

If an attorney plans to use the option for bulk upload and computer generation of petitions, the attorney will, prior to filing any cases, generate the same petition in his/her office for each case to be filed. The best way for the attorney to do this would be by using the same text file that will later be used to generate the petitions. The attorney will forward the petitions to the clients for review and signature. The original petitions will be returned by the clients and will be retained in the office files of the attorney. When ready to file with the court, the attorney will use the office text file to generate petitions on-line by uploading of the data to the system in accordance with the procedures set out in the preceding paragraphs. The petitions filed with the system thus will be substantively the same as the originals, but will not be exact images of them, in contrast with petitions in PDF format attached using the manual case-by-case filing option. In the stipulation referred to earlier, the Corporation Counsel has agreed with the filing counsel that it is acceptable if the original petition is in substantially the same form as the template, a copy of which is appended to the stipulation, and is retained in counsel’s files and made available upon request.

## RECEIPT FOR/PROOF OF FILINGS

### 1. Payment On-Line by Credit Card

Upon the filing of petitions, the system will generate a "Credit Card Confirmation Report/Receipt" when payment is made on-line by credit card. The index numbers for the petitions filed will be generated automatically upon payment. The index numbers will appear in this Report, along with the blocks and lots included in each case, as shown in Screen No. 30. The same receipt/report is simultaneously transmitted to the filing User.

User: William Dietz Address: Unified Court Employee, New York

**County Clerk and Clerk of the Supreme Court, New York County  
Confirmation Report / Receipt of Filing and Payment  
for Tax Certiorari Cases**

*Please print this as a confirmation of your filing(s) and as a receipt of payment.*

**Filing Attorney Information**

Attorney Name: William Dietz  
Work Address: Unified Court Employee  
New York, NY 10007  
Phone Number:

**Payment Information**

Credit card number: 9090\*\*\*\*\*9090 Type: VISA  
Auth Trans code: 222222789/111111789 Amount paid: \$210  
Date paid: 2004-11-17

**Tax Certiorari Information**

1-1	950612/2004	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3267	3	011 Main St	47000	TEST PETITIONER01
1-2	950612/2004	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3267	11	012 Main St	104000	TEST PETITIONER01
1-3	950612/2004	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3282	18	013 Main St	563000	TEST PETITIONER01
1-4	950612/2004	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3283	48	014 Main St	33000	TEST PETITIONER01
1-5	950612/2004	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3283	53	015 Main St	239000	TEST PETITIONER01

Print Continue Close

SCREEN 30



## 2. Payment at the County Clerk's Office

If the filer previously designated that payments would be made at the County Clerk's

User: William Dietz Address: Unified Court Employee, New York

### County Clerk and Clerk of the Supreme Court, New York County Confirmation Report / Receipt of Filing for Tax Certiorari Cases

*Please print this as a confirmation of your filing(s).*

#### Filing Attorney Information

Attorney Name: William Dietz  
Work Address: Unified Court Employee  
New York, NY 10007  
Phone Number:

#### Tax Certiorari Information

Case No.	Status	Date	Case Name	Index	Page	Room	Address	Room	Address
1-1	Not Assigned	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3267	3	011 Main St	47000	TEST PETITIONER01
1-2	Not Assigned	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3267	11	012 Main St	104000	TEST PETITIONER01
1-3	Not Assigned	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3282	18	013 Main St	563000	TEST PETITIONER01
1-4	Not Assigned	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3283	48	014 Main St	33000	TEST PETITIONER01
1-5	Not Assigned	2004-11-17	TEST PETITIONER01 v. TAX COMMISSIONERS, OF THE CITY OF NEW YORK	1	3283	53	015 Main St	239000	TEST PETITIONER01

### SCREEN 31

Office, a receipt will be produced by the system upon the transmission of the petitions. However, since payment will not have occurred as of that time, the receipt will not list the index numbers, as shown in Screen No. 31. Rather, the index numbers will be assigned (and

filing will be complete) once payment is made, at which time a second confirmation will be generated. This will both appear on screen and be forwarded as an e-mail message to the filing User.

## **TRANSMITTING FILING DATA TO THE TAX AUTHORITY**

In New York City, attorneys filing tax certiorari cases in hard-copy format have been and still are required to submit to the Tax Commission a computer disk bearing key information on each case instituted by that attorney. The Tax Commission does not require delivery of such a disk in FBEM cases since the software itself generates for the Commission a report containing all the information needed. This is another respect in which FBEM makes the filing process more convenient and efficient for the Bar.

## **HOW CASES COMMENCED USING THE SPECIAL SOFTWARE ARE PROCESSED THEREAFTER**

Once an RJI is filed in a tax certiorari case that was commenced using the special compartment of the software described here, the system will thereafter function in the same manner as the main portion of the software described in Part II.

12/03/04