ADMINISTRATIVE ORDER OF THE CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and in consultation with the Presiding Justices of the Appellate Divisions, upon notice by the Presiding Judge of the Court of Claims, and, as appropriate, in consultation with or with the approval of County Clerks, I hereby establish, continue, or give notice of, programs for the voluntary and mandatory use of electronic means for the filing and service of documents ("e-filing") in the manner authorized pursuant to L. 1999, c. 367, as amended by L. 2009, c. 416, L. 2010, c. 528, L. 2011, c. 543, L. 2012, c. 184, L. 2013, c. 113, and L. 2015, c. 237 in the counties, courts, and cases in effect as of the date of this Order or upon the effective dates set forth in Appendix A (e-filing matters) attached hereto. Such programs shall be subject to sections 202.5-b, 202.5-bb, 206.5, 206.5-aa, 207.4-a, 207.4-aa, and 208.4-a of the Uniform Rules for the New York State Trial Courts. This Order is effective January 24, 2018, and supersedes AO/170A/17.

Chief Administrative J

Chief Administrative Judge of the Courts

Dated: January 22, 2018

AO/116/18

EXHIBIT A

Albany	Consensual/Voluntary: • all actions <u>except</u> – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – actions authorized for mandatory program listed below <u>Mandatory:</u> • tax certiorari (excluding RPTL §730 proceedings)	Br	oome	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • emergency medical treatment applications • matrimonial matters (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters • name change applications • consumer credit actions as
Bronx	Consensual/Voluntary: • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 Mandatory: • all actions except – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – consumer credit actions as defined in CPLR 105(f) – residential foreclosures as defined in RPAPL §1304			 defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 RPTL §730 proceedings Mandatory: all actions except CPLR Art. 70 proceedings CPLR Art. 78 proceedings Election Law proceedings Election Law proceedings matrimonial matters materimonial matters name change applications consumer credit actions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304 RPTL §730 proceedings

Cortland

Chautauqua	<u>Consensual/Voluntary:</u> • all actions <u>except</u> – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters <u>Mandatory:</u> None
Chenango	Consensual/Voluntary: • all case types (See Appendix B relating to matrimonial filings.) Mandatory: None

Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • Election Law proceedings • matrimonial matters (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters Mandatory in part (e-filing of commencement documents is mandatory; e-filing of subsequent documents is consensual/voluntary): • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters

- Mental Hygiene Law matters

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Dutchess	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See Appendix B relating to matrimonial filings.) • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 <u>Mandatory:</u> • all actions <u>except</u> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings		Erie	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • RPTL §730 proceedings Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - in rem tax foreclosures - matrimonial matters - Mental Hygiene Law matters - RPTL §730 proceedings

defined in RPAPL §1304

Mandatory in part commencement documents is mandatory; e-filing of subsequent documents is consensual/voluntary): •consumer credit actions as defined in CPLR 105(f)Mandatory in consumer credit defined in CPL • all actions except • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • Election Law proceedings • Election Law proceedings • CPLR Art. 7 • Mental Hygiene Law mattersMandatory in commencement mandatory: • matrimonial mattersMandatory: • matrimonial • matrimonial• CPLR Art. 7 • matrimonial	i matters (See elating to filings.) iene Law matters in part (e-filing of ent documents is -filing of subsequent bluntary): redit actions as PLR 105(f) foreclosures as PAPL §1304 except 70 proceedings 78 proceedings w proceedings
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* For cases commenced prior to January 24, 2018, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, AO/84/17, and AO/170A/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

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Kings	<u>Consensual/Voluntary:</u>		Lewis	Consensual/Voluntary:
	 all actions <u>except</u> 			CPLR Art. 70 proceedings
	- CPLR Art. 70 proceedings			 CPLR Art. 78 proceedings
1	– Election Law proceedings			 Election Law proceedings
	- emergency medical treatment			 matrimonial matters (See
	applications			Appendix B relating to
1	- matrimonial matters			matrimonial filings.)
	– Mental Hygiene Law matters			 Mental Hygiene Law matters
	- name change applications			
	- sale or finance of religious/not			Mandatory in part (e-filing of
	for profit property			commencement documents is
	– actions authorized for			mandatory; e-filing of subsequent
	mandatory program listed below			documents is
1	71 8			consensual/voluntary):
	Mandatory:			 consumer credit actions as
	Commercial Division matters			defined in CPLR 105(f)
	(commercial cases as defined in			 residential foreclosures as
	22 NYCRR §202.70(a), (b), and			defined in RPAPL §1304
	(c))			
	• tort			Mandatory:
1				• all actions <u>except</u>
				- CPLR Art. 70 proceedings
				- CPLR Art. 78 proceedings
				- Election Law proceedings
	• •			– matrimonial matters
				– Mental Hygiene Law matters
				montal Hygiono Daw matters

Livingston	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • Election Law proceedings • matrimonial matters (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters	Monroe	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • Election Law proceedings • matrimonial matters (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters
	Mandatory in part (e-filing of commencement documents is mandatory; e-filing of subsequent documents is consensual/voluntary): • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304		Mandatory in part (e-filing of commencement documents is mandatory; e-filing of subsequent documents is consensual/voluntary): • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304
	Mandatory: • all actions <u>except</u> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters		Mandatory: • all actions <u>except</u> - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters

* For cases commenced prior to January 24, 2018, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, AO/84/17, and AO/170A/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

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Nassau	Consensual/Voluntary: • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters	Niagara	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • in rem tax foreclosures • RPTL §730 proceedings • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 <u>Mandatory:</u> • all actions <u>except</u> – CPLR Art. 70 proceedings
	- consumer credit actions as defined in CPLR 105(f)		 – CPLR Art. 78 proceedings – Election Law proceedings
	- residential foreclosures as defined in RPAPL §1304		 matrimonial matters Mental Hygiene Law matters
New York	Consensual/Voluntary: •CPLR Art. 70 proceedings •CPLR Art. 78 proceedings • contested matrimonial matters Mandatory:		 in rem tax foreclosures RPTL §730 proceedings consumer credit actions as defined in CPLR 105(f) residential foreclosures as defined in RPAPL §1304
	Mandatory: • all actions <u>except</u> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters		

* For cases commenced prior to January 24, 2018, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, AO/84/17, and AO/170A/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

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Oneida	Consensual/Voluntary: - consumer credit actions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304 Mandatory: • all actions <u>except</u> - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - emergency medical treatment applications - matrimonial matters - name change applications - RPTL §730 proceedings - consumer credit actions as		Onondaga	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • Election Law proceedings • emergency medical treatment applications • foreclosure actions addressing real property and mechanics liens • matrimonial matters (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters • name change applications • RPTL § 730 proceedings Mandatory: • all actions except – CPL B Art 70 proceedings
1	· · · ·			
	– Election Law proceedings			
	– emergency medical treatment	-		 Mental Hygiene Law matters
	applications			 name change applications
	– matrimonial matters			RPTL § 730 proceedings
	– Mental Hygiene Law matters			
1				Mandatory:
		1		 all actions <u>except</u>
1	- consumer credit actions as	1		- CPLR Art. 70 proceedings
]	defined in CPLR 105(f)			- CPLR Art. 78 proceedings
	- residential foreclosures as			- Election Law proceedings
	defined in RPAPL §1304	1		- emergency medical treatment
L	<u></u>	1		applications
				- foreclosure actions addressing
				real property and mechanics liens
			· ·	– matrimonial matters
				– Mental Hygiene Law matters
				- name change applications
				- RPTL §730 proceedings
				- KI I L 3120 proceedings

Queens	Consensual/Voluntary: • tort (except for medical, dental, and podiatric malpractice actions, which are mandatory) • tax certiorari (including RPTL §730 proceedings) • workers' compensation applications for judgment Mandatory: • commercial • medical, dental, and podiatric malpractice actions • foreclosure actions (including commercial foreclosures) addressing real property and mechanics liens	Richmond	Consensual/Voluntary: • consumer credit actions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL §1304 <u>Mandatory:</u> • all actions <u>except</u> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matter – applications to extend mechanics liens – consumer credit actions as defined in CPLR 105(f) – residential foreclosures as defined in RPAPL §1304
		Rockland	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See AO/366/13 and Annendix B

	Mandatory: • all actions except - CPLR Art. 70 proceedings - CPLR Art. 78 proceedings - Election Law proceedings - matrimonial matters - Mental Hygiene Law matters - applications to extend mechanics liens - consumer credit actions as defined in CPLR 105(f) - residential foreclosures as defined in RPAPL §1304
kland	Consensual/Voluntary: • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See AO/366/13 and Appendix B relating to matrimonial filings.) Mandatory: • all actions except – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters

Suffolk

Seneca	Consensual/Voluntary: • all case types
	(See Appendix B relating to matrimonial filings.)
	Mandatory: None
Steuben	Consensual/Voluntary: • all case types
	(See Appendix B relating to matrimonial filings.)
=	Mandatory: None

Consensual/Voluntary: None

Mandatory in part (e-filing of commencement documents is mandatory; e-filing of subsequent documents is consensual/voluntary): • consumer credit actions as defined in CPLR 105(f)

Mandatory:

all actions except
CPLR Art. 70 proceedings
CPLR Art. 78 proceedings
civil forfeiture actions
Election Law proceedings
emergency medical treatment applications
matrimonial matters
Mental Hygiene Law matterss
name change applications
other special proceedings (except CPLR Art. 75 proceedings, which are mandatory)

APPENDIX A E-FILING MATTERS

(commenced on or after January 24, 2018,* unless otherwise indicated)

SURROGATE'S COURT

Allegany Broome Cattaraugus Cortland Dutchess Genesee Niagara Orange	Consensual/Voluntary: • probate and administration proceedings • miscellaneous proceedings relating thereto • such other types of proceedings as the court may permit
Orleans Queens	Mandatory: None
Tompkins	
Wyoming	

SURROGATE'S COURT

Albany Cayuga Chautauqua Erie Franklin Jefferson Livingston Monroe Montgomery Oneida Onondaga Ontario Oswego Schenectady Seneca Steuben Suffolk Ulster Warren	Consensual/Voluntary: • such types of proceedings as the court may permit Mandatory: • probate and administration proceedings • miscellaneous proceedings relating thereto
Wayne Westchester	
Yates	

^{*} For cases commenced prior to January 24, 2018, see AO/243/08, AO/244/08, AO/371/09, AO/395/10, AO/396/10, AO/507/10, AO/376/11, AO/468/11, AO/527/11, AO/529/11, AO/530/11, AO/531/11, AO/235/12, AO/236/12, AO/237/12, AO/238/12, AO/245/12, AO/112/13, AO/173/13, AO/222/13, AO/029/14, AO/64/14, AO/210/14, AO/049/15, AO/058/15, AO/194/15, AO/10/16, AO/79/16, AO/151/16, AO/224/16, AO/24/17, AO/84/17, and AO/170A/17; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

APPENDIX A E-FILING MATTERS

(commenced on or after January 24, 2018,* unless otherwise indicated)

COURT OF CLAIMS

Albany District (Albany, Clinton, Columbia, Essex, Franklin, Greene, Rensselaer, Saratoga, Schenectady, Ulster,	<u>Consensual/Voluntary:</u> • claims for personal injury or property damage <u>Mandatory:</u> None
Warren, Washington)	

New York District	Consensual/Voluntary:
(Bronx, Kings,	 claims for personal
Nassau, New York,	injury or property
Queens, Richmond,	damage
Suffolk)	
	Mandatory: None

CIVIL COURT

New York City	Consensual/Voluntary: • actions brought by a provider of health services specified in Insurance Law §5102(a)(1) against an insurer for failure to comply with rules and regulations promulgated by the Superintendent pursuant to Insurance Law §5108(b) • actions removed from New York County Supreme Court pursuant to CPLR § 325(d) (See AO/292/17.) Mandatory: None
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EXHIBIT B

APPENDIX B

Rules Governing the Consensual Electronic Filing of Matrimonial Actions in Supreme Court

(a) Application

(1) On consent, documents may be filed and served by electronic means in matrimonial actions in the Supreme Court of authorized counties subject to the conditions set forth below. Except as otherwise required by this order/appendix, the provisions of 22 NYCRR § 202.5-b shall apply.

(2) For purposes of this order/appendix:

 (i) "Matrimonial actions" shall mean those actions set forth in CPLR § 105(p) and DRL § 236 wherein:

(A) the action is contested, and addresses issues including, but not limited to, alimony, counsel fees, pendente lite, maintenance, custody and visitation, child support or the equitable distribution of property; or

(B) the action is uncontested; or

(C) the action is a post-judgment application that either (1) addresses an underlying matrimonial action that was commenced electronically, or (2) is electronically initiated with the purchase of a new index number.

(ii) A "party" or "parties" shall mean the party or parties to the action or counsel thereto (as set forth in 22 NYCRR § 202.5-b(a)(2)(viii)) and the attorney(s) for the minor child(ren).

(3) No paper or document filed by electronic means in a matrimonial action shall be available for public inspection on-line or at any computer terminal in the courthouse or the office of the County Clerk.

(4) Nothing in this section shall be construed to abrogate existing personal service requirements as set forth in the domestic relations law, family court act or civil practice law and rules.

(5) Unless otherwise directed by the court, forensic evaluation reports in custody, visitation and other matters concerning children shall not be filed electronically.

(6) Service of the initiating documents in post-judgment applications subject to consensual e-filing must be effectuated in hard copy and accompanied by a notice regarding availability of electronic filing in post-judgment matrimonial proceedings on a form to be approved by the Chief Administrator. Proof of hard copy service shall be filed by electronic means.