

CIVIL COURT OF THE CITY OF NEW YORK

DIRECTIVES AND PROCEDURES

Subject: Electronic Document Delivery System (EDDS)

Class: DRP- 208A

Category: GP-10

LT-10

Eff. Date: June 15, 2020

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BACKGROUND:

Administrative Order 115/20 dated May 28, 2020, relating to the Electronic Document Delivery System (EDDS), supersedes Administrative Order 87/20 (pars. A-C) and, as relevant here, alters the requirements for service of certain documents on unrepresented parties when using EDDS. This DRP amends DRP 208 issued on May 5, 2020, to reflect the changes effected by AO 115/20.

EDDS is a program intended to mitigate the effects of the COVID-19 outbreak upon the courts and the public. It provides a means for attorneys and unrepresented litigants to make and respond to motions in pending cases before the Civil and Housing Parts of the Civil Court of the City of New York. EDDS is not a system for filing new actions and proceedings in the Court. No answers or notices of trial may be filed through EDDS in the Civil and Housing Parts of the Civil Court of the City of New York.

DIRECTIVE:

For parties represented by counsel, all new motions and other documents submitted through EDDS must be served electronically, either by email or facsimile transmission. It is the responsibility of the party submitting papers through EDDS to ensure that copies of documents are served electronically on all other parties.

Unrepresented parties must file, serve, and be served with motions by non-electronic means (i.e. personal service, mail, or other physical delivery service) unless they provide written notification to the court and all parties that they wish to file, serve, and be served electronically. A sample consent form is annexed as Exhibit A.

All parties are encouraged to use EDDS to complete the submission of motions that were partially submitted when the Court halted acceptance of paper filings on March 22, 2020. Wherever possible, the Court will consolidate papers previously filed with documents newly submitted through EDDS to create a complete set of motion papers. However, judges may direct that parties submit courtesy copies of previously filed

documents through EDDS to ensure that a complete record is available. In the event that there are discrepancies between papers previously filed in person and submissions made through EDDS, the EDDS submission shall supersede the earlier paper submission.

All existing procedural rules concerning the form of motion papers and times for opposing and replying will apply to motions made through EDDS.

The availability of EDDS does not supersede, abrogate, or otherwise modify any administrative orders relating to the filing of new actions or proceedings during the COVID-19 outbreak, or any administrative orders relating to the entry of default judgments or orders.

Notices of trial in the Civil Court may not be filed through EDDS. Notices of appeal may be filed through EDDS provided payment of appropriate fees is made.

To the extent that any local rule regarding EDDS submissions or any requirement herein conflicts with Administrative Order 115/20, the Order of the Chief Administrative Judge controls.

Dated: June 15, 2020

_____/s/_____
Hon. Anthony Cannataro
Administrative Judge
Civil Court of the City of New York

Exhibit A

**CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF**

-----X

Plaintiff/Petitioner,

Index No.

- against -

Defendant/Respondent.

-----X

**NOTICE OF CONSENT TO BE SERVED ELECTRONICALLY IN THIS
CASE VIA THE NYS COURTS ELECTRONIC DOCUMENT DELIVERY
SYSTEM ("EDDS")**

To the Parties in this case and the Court:

1. I do not have an attorney. I am unrepresented.
2. I will serve and file all court documents via EDDS.
3. I consent to being served with motion papers electronically (via email or facsimile) in the above-named case.

Dated: _____

E-mail: _____

Telephone: _____

Signed: _____

Print your name: _____