

State of New York
Unified Court System



Lawrence K. Marks
Chief Administrative Judge

25 Beaver Street
New York, N.Y. 10004
(212) 428-2100

December 7, 2018

To: Bar Associations, Legal Service Providers,
Other Interested Organizations, and Attorneys

Re: New York State Courts Electronic Filing Program

Dear Counsel:

As you may know, the Office of Court Administration submits a report each February 1 to the Legislature, the Governor, and the Chief Judge evaluating the State's experience with the Unified Court System's electronic filing system. I write to invite your comments on electronic filing for inclusion in that annual report in 2019.

I write as well to solicit your observations, for inclusion in the February report, on proposed amendments to CPLR Article 21A and other relevant statutes to do the following:

1. authorize the commencement of mandatory e-filing in matrimonial actions.

Currently, e-filing in matrimonial cases on a consensual basis is authorized in 31 counties throughout New York State. Across these counties more than 12,000 matrimonial cases have been e-filed to date. Comments from members of the bar with experience in consensual e-filing in matrimonial cases are particularly welcome.

2. extend the time to develop and test e-filing programs in Family Court and Criminal Court (currently due to expire on September 1, 2019).
3. authorize the continuation of mandatory e-filing programs in residential foreclosure actions and consumer credit actions in certain counties (CPLR 2111[2-a]).

These proposals would not alter requirements of consultation with the Bar, legal services providers, and other groups (as well as the consent of the County Clerk in affected counties outside New York City in Supreme Court matters) in advance of any future expansion of

unrepresented persons from e-filing (unless they affirmatively choose to participate). Moreover, attorneys would continue to be able to opt out of e-filing if they lack the equipment or knowledge to participate. Finally, the proposal would not alter current requirements of confidentiality in the treatment of matrimonial actions.

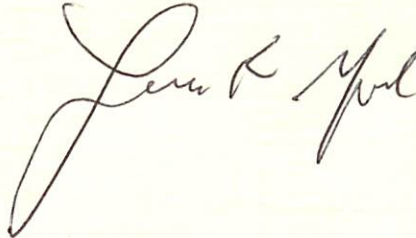
In order that we may have the time needed to prepare the report, I ask that you as a group or any of your individual members submit any comments by January 4, 2019. All comments received will be included in the Annual Report. Comments should be sent by e-mail or regular mail to either of the following addresses:

Jeffrey Carucci
Statewide Coordinator for
Electronic Filing
NYS Unified Court System
New York County Courthouse
60 Centre Street, Room 119 M
New York, New York 10007

efilingcomments@nycourts.gov

We look forward to your comments on this program and these proposals.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffrey Carucci". The signature is fluid and cursive, with a large loop at the end of the last name.