

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 9, 2020

MEMORANDUM

To: All Interested Bar Associations and Persons

From: Lawrence K. Marks *LM*

Re: Implementation of Mandatory Electronic Filing: Surrogate's Court – Orange, Putnam, and Rockland Counties

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I am pleased to provide the Bar and other interested persons with an update on the progress of the New York State Courts' Electronic Filing System ("NYSCEF"). The implementation of mandatory e-filing has been proposed by the District Administrative Judge of the 9th Judicial District for the Surrogate's Courts in **Orange, Putnam, and Rockland Counties**. To date, mandatory e-filing programs have been successfully implemented in the Surrogate's Courts within the 9th Judicial District in Dutchess and Westchester Counties, and a successful consensual e-filing program has been implemented in Orange County Surrogate's Court. It is expected that the mandatory programs proposed herein, will take effect on **February 1, 2021, for newly filed probate and administration proceedings and miscellaneous proceedings relating thereto**. Once implemented, all Surrogate's Courts within the 9th Judicial District will have mandatory e-filing programs.

The District Administrative Judge of the 9th Judicial District additionally proposes to implement **consensual e-filing** in these Courts to include such other types of proceedings as the court may permit.

Persons wishing to comment on this proposal should e-mail their submissions to efilingcomments@nycourts.gov no later than January 18, 2021. A new page has been created on the Unified Court System's website - www.nycourts.gov/rules/efiling/ - to provide notice to the public of proposed new or expanded mandatory e-filing programs and for posting any public comments received on such proposals. Any person who wishes to comment but lacks access to a computer may forward comments by regular mail to:

Jeffrey Carucci, Div. of E-Filing
Office of Court Administration
25 Beaver Street, Room 823
New York, NY 10004

As we move forward with the implementation of these mandatory programs, please be assured that the staff of the E-Filing Resource Center will continue to offer training. The NYSCEF system is intuitive and easy to use, and attorneys participating in our virtual training session can receive CLE credit(s) free of charge. Information on training is available on the NYSCEF website: www.nycourts.gov/efile, or by contacting the Resource Center at NYSCEF@nycourts.gov. Attorneys, paralegals and interested filers can register on-line for upcoming virtual training sessions.

Please note that by legislation and statute all unrepresented parties are automatically exempt from participating in e-filing in any case. However, unrepresented parties may choose to e-file. Information on how to do so is available at <http://www.nycourts.gov/efile-unrepresented>. Attorneys who certify in good faith that they lack the requisite hardware, electronic connection or technical knowledge to participate in e-filing, may opt out of e-filing.

E-filing represents an important advance for the courts and the legal profession in New York State, and the current public health emergency has heightened the importance of these invaluable programs. We thank you for the wonderful support and cooperation you have shown and look forward to continuing to work closely with you as the program continues to move forward.

cc: Hon. Vito C. Caruso
Hon. Kathie E. Davidson
Hon. Timothy McElduff, Jr.
Hon. James T. Rooney
Hon. Keith J. Cornell
John McConnell, Esq.
Nancy Barry, Esq.
Eileen D. Millett, Esq.
Jeffrey Carucci
James M. McAllister
Amy Miller, Chief Clerk (Orange County)
Irene Muller, Chief Clerk (Putnam County)
Eileen Horan, Chief Clerk (Rockland County)
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Michele Gartner, Esq.
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