



New York State  
Unified Court System  
25 Beaver Street  
New York, New York 10004

A. Gail Prudenti  
Chief Administrative Judge

212-428-2120

January 4, 2012

To: Bar Associations  
From: A. Gail Prudenti *AGP*  
Subject: Mandatory Electronic Filing in the New York State Courts [Amended Version]<sup>1</sup>

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SUPREMACY COURT  
MONROE COUNTY, N.Y.

It is my pleasure to continue to provide the Bar with updates on the progress of the New York State Courts Electronic Filing System ("NYSCEF"). With the recent enactment of Chapter 543 of the Laws of 2011,<sup>2</sup> I am pleased to announce expanded authorization of the mandatory e-filing pilot program. As a result of this expansion, we anticipate that e-filing will be mandatory in the following courts, locations and case types.

- Supreme Court, Westchester County: all actions (except matrimonial matters and CPLR Art. 78, election law and Mental Hygiene Law proceedings), without regard to amount in controversy, commenced on or after January 17, 2012.<sup>3</sup>
- Supreme Court, New York County: commercial, contract, and tort actions without regard to amount in controversy commenced on or after February 27, 2012.
- Supreme Court, Kings County: commercial actions commenced on or after February 27, 2012.
- Supreme Court, Bronx County: medical malpractice actions commenced on or after February 27, 2012.

<sup>1</sup> An earlier version of this memorandum, dated December 30, 2011, contained a typographical error in the commencement date for the Westchester County e-filing program. The correct date is January 17, 2012.

<sup>2</sup> The full text of Chapter 543 can be found on the court system's e-filing website at the following address: [www.nycourts.gov/efile](http://www.nycourts.gov/efile).

<sup>3</sup> Pursuant to legislation enacted in 2009 and 2010, mandatory e-filing is presently authorized and underway in Supreme Court in the following locations and case types: in Westchester County, for certain commercial actions, and for contract and tort actions; in New York County, in certain commercial actions; and, in Rockland County, for all matters (except matrimonial cases and election law, Article 78, and Mental Hygiene Law proceedings).

1. The first part of the document is a letter from the Secretary of the State to the Governor, dated 10th March 1870.

2. The second part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

3. The third part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

4. The fourth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

5. The fifth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

6. The sixth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

7. The seventh part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

8. The eighth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

9. The ninth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

10. The tenth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

11. The eleventh part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

12. The twelfth part is a report from the Secretary of the State to the Governor, dated 10th March 1870.

- Surrogate's Court, Chautauqua, Erie and Monroe Counties: probate and administration proceedings commenced on or after March 1, 2012.

As we move forward with implementation of e-filing in these locations, I want to assure you that we will work with your bar association to provide necessary training for attorneys and paralegals. We are increasing the number of training sessions available in Westchester, Manhattan and elsewhere around the State, including sessions for the Surrogate's Bar of Chautauqua, Erie, and Monroe Counties. The NYSCEF system is intuitive and easy to use, and the training program takes about two hours to complete. Participants receive two CLE credits free of charge. Training is presented by the staff of our E-Filing Resource Center and the Westchester Supreme Court and Westchester County Clerk. Information on training is available on the NYSCEF website, [www.nycourts.gov/efile](http://www.nycourts.gov/efile), or by contacting the Resource Center at 646-386-3033 or [efile@courts.state.ny.us](mailto:efile@courts.state.ny.us). Attorneys may go to the NYSCEF website to register on-line now for upcoming training sessions in Manhattan and White Plains.

It is important to point out that the e-filing legislation provides an opt-out mechanism in mandatory e-filing cases for those attorneys who certify in good faith that they lack the hardware, electronic connection, or technical knowledge necessary to participate in e-filing. The court may also exempt an attorney upon a showing of good cause.

As we enter this next phase of e-filing in New York, we very much welcome the input of your members, including any specific recommendations or concerns they may have regarding e-filing in the New York State courts. Please forward any comments to:

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Statewide Coordinator for Electronic Filing  
60 Centre Street, Room 119 M  
New York, NY 10007  
[jcarucci@courts.state.ny.us](mailto:jcarucci@courts.state.ny.us)

E-filing represents an important advance for the courts and the legal profession in New York State. We thank you for the wonderful support and cooperation you have shown, and look forward to continuing to work closely with you throughout the year ahead.

cc: Hon. Fern A. Fisher  
Hon. Michael V. Cocco  
Ronald P. Younkings, Esq.  
Hon. Sherry Klein Heitler  
Hon. Sylvia Hinds-Radix  
Hon. Douglas E. McKeon  
Hon. Alan Scheinkman  
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Hon. Timothy C. Idoni  
Hon. Holly C. Tanner  
Jeffrey Carucci