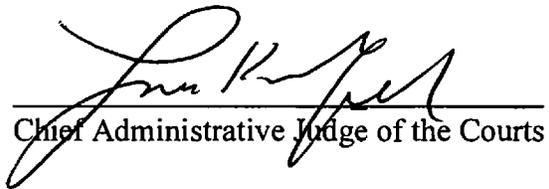


ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

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 December 15, 2015, and supersedes AO/58/15.



Chief Administrative Judge of the Courts

Dated: December 14, 2015

AO/194/15

**APPENDIX A
E-FILING MATTERS**

(commenced on or after December 15, 2015,* unless otherwise indicated)

[corrected 12/17/15]

SUPREME COURT

Albany	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including RPTL §730 proceedings) • foreclosure actions addressing real property and mechanics liens <p><u>Mandatory:</u> None</p>
Bronx	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort (except for medical, dental, and podiatric malpractice actions, which are mandatory) • tax certiorari (including RPTL §730 proceedings) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • medical, dental, and podiatric malpractice actions
Broome	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (excluding RPTL §730 proceedings) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment • CPLR Art 75 proceedings • CPLR Art 78 proceedings • matrimonial (See Appendix B relating to matrimonial filings.) • Mental Hygiene Law matters <p><u>Mandatory:</u> None</p>

Cortland	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • all actions except <ul style="list-style-type: none"> – Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) <p><u>Mandatory:</u> None</p>
Dutchess	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See Appendix B relating to matrimonial filings.) • consumer credit transactions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL § 1304 <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except <ul style="list-style-type: none"> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – consumer credit transactions as defined in CPLR 105(f) – residential foreclosures as defined in RPAPL § 1304

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; 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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[corrected 12/17/15]

SUPREME COURT

Erie	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • RPTL § 730 proceedings <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • 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 	Livingston	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • all actions except – Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) <p><u>Mandatory:</u></p> <p>None</p>
Essex	<p><u>Consensual/Voluntary:</u></p> <p>None</p> <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • tax certiorari (excluding RPTL §730 proceedings) • eminent domain matters • foreclosure actions involving real property (but <u>excluding</u> mechanics liens and in rem tax foreclosure) 	Nassau	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • all actions except – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – residential mortgage foreclosures as defined in RPAPL § 1304 <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • commercial matters (without regard to the amount in controversy) • civil forfeitures • in rem tax foreclosures • tax certiorari (including RPTL § 730 proceedings)
Kings	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort (except certain Commercial Division matters, which are mandatory) • tax certiorari (including RPTL §730 proceedings) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • Commercial Division matters (commercial cases as defined in 22 NYCRR §§202.70(a), (b),and (c)) 	New York	<p><u>Consensual/Voluntary:</u></p> <p>None</p> <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; 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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[corrected 12/17/15]

SUPREME COURT

Niagara	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • in rem tax foreclosures • RPTL §730 proceedings • consumer credit transactions as defined in CPLR 105(f) • residential foreclosures as defined in RPAPL § 1304 <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – in rem tax foreclosures – RPTL § 730 proceedings – consumer credit transactions as defined in CPLR 105(f) – residential foreclosures as defined in RPAPL § 1304
Onondaga	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • CPLR Art. 78 proceedings • name change applications • non-residential foreclosures, including in rem tax foreclosures, commercial foreclosures, and mechanics lien matters <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except – 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 – Mental Hygiene Law matters – name change applications – RPTL § 730 proceedings
Ontario	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • all actions except – Mental Hygiene Law matters (See Appendix B relating to matrimonial filings.) <p><u>Mandatory:</u> None</p>

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; 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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[corrected 12/17/15]

SUPREME COURT

Queens	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort (except for medical, dental, and podiatric malpractice actions, which are mandatory) • tax certiorari (including RPTL §730 proceedings) • workers' compensation applications for judgment <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • medical, dental, and podiatric malpractice actions • foreclosure actions (including commercial foreclosures) addressing real property and mechanics liens 	Rockland	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • matrimonial matters (See AO/366/13 relating to matrimonial filings.) <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters
Richmond	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including RPTL §730 proceedings) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment <p><u>Mandatory:</u> None</p>		

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; 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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[corrected 12/17/15]

SUPREME COURT

Suffolk	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • tort (except for medical, dental, and podiatric malpractice actions, which are mandatory) <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except <ul style="list-style-type: none"> – CPLR Art. 70 proceedings – CPLR Art. 75 proceedings – CPLR Art. 78 proceedings – civil forfeiture actions – consumer credit transactions as defined in CPLR 105(f) (except initial filing of commencement papers by a represented party, which is mandatory) – Election Law proceedings – emergency medical treatment applications – matrimonial matters – Mental Hygiene Law matters – name change applications – other special proceedings – tort actions (except medical, dental, and podiatric malpractice actions, which are mandatory) 	Westchester	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • matrimonial matters (See AO/139/13 relating to matrimonial filings.) • CPLR Art. 70 proceedings • CPLR Art. 78 proceedings • name change applications <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • all actions except <ul style="list-style-type: none"> – CPLR Art. 70 proceedings – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters
Tompkins	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • all actions except <ul style="list-style-type: none"> – Mental Hygiene Law matters <p>(See Appendix B relating to matrimonial filings.)</p> <p><u>Mandatory:</u> None</p>		

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; 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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SURROGATE’S COURT

Allegany Cattaraugus Cortland Genesee Niagara Orleans Queens Tompkins Wyoming	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • probate and administration proceedings • miscellaneous proceedings relating thereto • such other types of proceedings as the court may permit <p><u>Mandatory:</u> None</p>
Cayuga Chautauqua Erie Livingston Monroe Ontario Seneca Steuben Wayne Yates	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • such types of proceedings as the court may permit <p><u>Mandatory:</u></p> <ul style="list-style-type: none"> • probate and administration proceedings • miscellaneous proceedings relating thereto

CIVIL COURT

New York City	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • 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) <p><u>Mandatory:</u> None</p>
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COURT OF CLAIMS

Albany District (Albany, Clinton, Columbia, Essex, Franklin, Greene, Rensselaer, Saratoga, Schenectady, Ulster, Warren, Washington)	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • claims for personal injury or property damage <p><u>Mandatory:</u> None</p>
New York District (Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk)	<p><u>Consensual/Voluntary:</u></p> <ul style="list-style-type: none"> • claims for personal injury or property damage <p><u>Mandatory:</u> None</p>

* For cases commenced prior to December 15, 2015, 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, and AO/058/15; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

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.