

State of New York  
Unified Court System



Lawrence K. Marks  
Chief Administrative Judge

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

MEMORANDUM

To: All Interested Bar Associations and Persons

From: Lawrence K. Marks *LM*

Re: Expansion/Implementation of Mandatory Electronic Filing – 6<sup>th</sup> Judicial District

Date: April 8, 2021

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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"). To date, the 6<sup>th</sup> Judicial District has successfully implemented e-filing programs in the Supreme Court in all counties within the District. At this time, the District Administrative Judge of the 6<sup>th</sup> Judicial District has proposed the following: to expand the current mandatory e-filing program in the Broome County Supreme Court, and to implement mandatory e-filing programs in the Supreme Court of Chenango, Madison, Schuyler, and Tioga Counties. The County Clerk of each County has joined in the request. It is expected that the proposed programs will take effect on **May 26, 2021**. As a result of the requested expansion/implementation, there will be a mandatory e-filing program in the Supreme Court of each of the 10 counties within the 6<sup>th</sup> Judicial District.

As of the effective date, the authorization will be to implement a mandatory e-filing program in the Supreme Court of **Chenango, Madison, Schuyler, and Tioga** Counties, and to expand the current mandatory e-filing program in the Supreme Court of **Broome** County, to **include all new civil actions, except:**

- 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 foreclosure actions as defined in RPAPL 1304\*  
(\*except initial filing of commencement papers by a represented party, which is mandatory)

Additionally, each of the existing consensual programs will be modified to include the case types listed above that are not subject to mandatory e-filing, and will include the consensual e-filing of documents filed subsequent to commencement papers in consumer credit transactions and residential foreclosure actions.

Persons wishing to comment on this proposal should e-mail their submissions to [efilingcomments@nycourts.gov](mailto:efilingcomments@nycourts.gov) no later than May 22, 2021. A new page has been created on the Unified Court System's website - [www.nycourts.gov/rules/efiling/](http://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 10007

As we move forward with the expansion of mandatory e-filing in Broome County Supreme Court, and the implementation of mandatory e-filing in Chenango, Madison, Schuyler, and Tioga Counties, 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 instructor-led training sessions can receive CLE credit(s) free of charge. Information on virtual training sessions is available on the NYSCEF website: [www.nycourts.gov/efile](http://www.nycourts.gov/efile), or by contacting the Resource Center at [NYSCEF@nycourts.gov](mailto:NYSCEF@nycourts.gov). Attorneys, paralegals and interested filers may register on-line for upcoming 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/e-file-unrepresented>. Attorneys who certify in good faith that they lack requisite hardware, electronic connection, or technical knowledge to participate in e-filing, may opt out of e-filing.

E-filing represents an important and necessary 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. Eugene D. Faughnan  
Hon. Joseph A. Mihalko  
Hon. Mary C. Weidman  
Hon. Michael Keville  
Hon. Theresa Philbin

Hon. Andrea Klett  
John McConnell, Esq., Executive Director  
Nancy Barry, Esq., Chief of Operations  
Eileen D. Millet, Esq., OCA Counsel  
Jeffrey Carucci, Dir., OCA E-File Division  
Porter Kirkwood, District Executive  
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Kimberly S. Sitts, Chief Clerk (Chenango)  
Acting Chief Clerk (Madison)  
Michele Ormsbee, Chief Clerk (Schuyler)  
Janean Cook, Chief Clerk (Tioga)  
Jessica Cherry, Esq.  
Mindy Jeng, Esq.