

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 in **Lewis County Surrogate's Court**

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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 a mandatory e-filing program has been proposed by the District Administrative Judge of the 5th Judicial District for the Surrogate's Court in Lewis County. To date, mandatory e-filing programs have been successfully implemented in the Surrogate's Courts within the 5th Judicial district in Herkimer, Jefferson, Oneida, Onondaga and Oswego Counties. It is expected that the proposed program will be **implemented February 1, 2021, for newly filed probate and administration proceedings and miscellaneous proceedings relating thereto**. Once implemented all Surrogate's Courts within the 5th Judicial District will have mandatory e-filing programs.

The District Administrative Judge of the 5th Judicial District additionally proposes to implement **consensual e-filing** in this Court 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 the program, 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 sessions 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 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 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. James P. Murphy
Hon. Daniel R. King
John McConnell, Esq, Executive Director
Nancy J. Barry, Esq., Chief of Operations
Eileen D. Millett, OCA Counsel
Jeffrey Carucci, Director Division of E-Filing
Michael A. Klein, District Executive
Melissa J. Lopez, Chief Clerk
Michelle Gartner, Esq.
Mindy Jeng, Esq.