



Lawrence K. Marks
Chief Administrative Judge

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

CORRECTED & UPDATED

MEMORANDUM

To: All Interested Bar Associations and Persons

From: Lawrence K. Marks *LM*

Re: Implementation of Mandatory Electronic Filing in NYC Civil Court

Date: July 22, 2021

=====

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 Hon. George J. Silver, Deputy Chief Administrative of Judge of the NYC Courts and Interim Administrative Judge of the NYC Civil Court, and the Chief Clerk of the NYC Civil Court, in consultation with Hon. Carolyn Walker-Diallo, Supervising Judge, Kings County Civil Court, have proposed to expand the current e-filing program in the NYC Civil Court to include mandatory e-filing for actions brought by a provider of health services specified in Insurance law Sec. 5102(a)(1) against an insurer for failure to comply with rules and regulations promulgated by the Superintendent pursuant to Insurance Law Sec. 5108(b). Beginning September 29, 2021, the existing e-filing program in the NYC Civil Court **will be expanded to include the mandatory e-filing of the above-mentioned case type.**

Persons wishing to comment on this proposal should e-mail their submissions to efilingcomments@nycourts.gov no later than September 22, 2021. A 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, Director
OCA E-Filing Division
Office of Court Administration
25 Beaver Street, Room 1062
New York, NY 10007

As we move forward with mandatory e-filing for actions brought by a provider of health services specified in Insurance law Sec. 5102(a)(1) against an insurer for failure to comply with rules and regulations promulgated by the Superintendent pursuant to Insurance Law Sec. 5108(b) in the NYC Civil Court, 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 sessions can receive CLE credit(s) free of charge. Information on virtual 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 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 continues to be invaluable as we confront COVID-related challenges affecting our courts and the justice system. We thank you for the wonderful support and cooperation you have shown and look forward to continuing to work closely with you as this program moves forward.

cc: Hon. George J. Silver, Deputy Chief Administrative Judge, NYC Courts
Hon. Carolyn Walker-Diallo, Supervising Judge, Kings County Civil Court
Hon. Myrna Socorro, Supervising Judge, Bronx County Civil Court
Hon. Shahabuddeen A. Ally, Supervising Judge, New York County Civil Court
Hon. Joy Campanelli, Supervising Judge, Richmond County Civil Court
Hon. Tracy Catapano-Fox, Supervising Judge, Queens County Civil Court
Alia Razzaq, Chief Clerk NYC Civil Court
Nancy J. Barry, Esq., Chief of Operations
Justin A. Barry, Esq., Chief of Administration
Eileen D. Millet, Esq., OCA Counsel
Jeffrey Carucci, Director, OCA E-File Division
Linda Dunlap-Miller, Chief of Staff, DCAJ Office
Mindy Jeng, Esq., Executive Director of Pro Bono Services
Eugene Hurley, First Deputy Chief Clerk NYC Civil Court
Jessica Cherry, Esq., Counsel's Office