

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 of Mandatory Electronic Filing in Queens County Supreme Court

Date: January 22, 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"). The District Administrative Judge of the 11<sup>th</sup> Judicial District and the County Clerk of Queens County have proposed to expand the current mandatory e-filing program in the Supreme Court, Queens County. As of February 16, 2021, the existing mandatory program **will be expanded to include all 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)\*  
(\*except initial filing of commencement papers by a represented party, which is mandatory)

They have additionally proposed to modify the existing consensual program to include the case types listed above that are not subject to mandatory e-filing, and to include the consensual e-filing of documents filed subsequent to commencement papers in consumer credit transactions.

Persons wishing to comment on this proposal should e-mail their submissions to [efilingcomments@nycourts.gov](mailto:efilingcomments@nycourts.gov) no later than February 12, 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  
NYS Courts E-Filing Division  
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 Supreme Court, Queens County, 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](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 continues to be invaluable as we confront the challenges created by the current public health emergency. 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. George J. Silver  
Hon. Marguerite A. Grays  
Hon. Audrey I. Pheffer  
John McConnell, Esq., Executive Director  
Nancy Barry, Esq., Chief of Operations  
Eileen D. Millet, Esq., OCA Counsel  
Jeffrey Carucci, Dir., OCA E-File Division  
Tamara Kersh, Chief Clerk  
Jessica Cherry, Esq.  
Mindy Jeng, Esq.