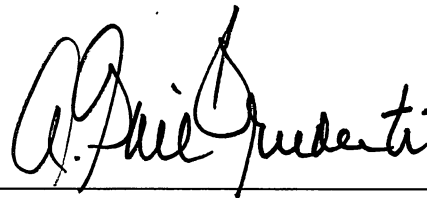


ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

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 or 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, and L. 2013, c. 113, 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 (voluntary e-filing) and Appendix B (mandatory e-filing) 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. The consensual electronic filing of matrimonial actions in Supreme Court shall be governed by rules set forth in Appendix C. This Order is effective March 23, 2015, and supersedes AO/049/15.



Chief Administrative Judge of the Courts

Dated: March 18, 2015

AO/58/15

APPENDIX A
CONSENSUAL/VOLUNTARY CASES
(in effect as of March 23, 2015,* unless otherwise indicated)

SUPREME COURT

Albany	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including under RPTL §730) • foreclosure actions addressing real property and mechanics liens
Bronx	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including under RPTL §730) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment See also, Appendix B (mandatory cases).
Broome	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (excluding under RPTL §730) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment • CPLR Art. 78 proceedings • CPLR Art. 75 proceedings • guardianship, matrimonial, and mental hygiene matters
Cortland	<ul style="list-style-type: none"> • all actions <u>except</u> – Mental Hygiene Law matters
Dutchess	<ul style="list-style-type: none"> • all actions <u>except</u> – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – RPTL § 730 proceedings
Erie	<p>None</p> <p>See also, Appendix B (mandatory cases).</p>
Essex	<p>None</p> <p>See also, Appendix B (mandatory cases).</p>
Kings	<ul style="list-style-type: none"> • commercial, contract, tort (except certain Commercial Division matters [see Appendix B]) • tax certiorari (including under RPTL §730) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment See also, Appendix B (mandatory cases).
Livingston	<ul style="list-style-type: none"> • all actions <u>except</u> – Mental Hygiene Law matters

Nassau	<ul style="list-style-type: none"> • contract, tort • workers' compensation applications for judgment See also, Appendix B (mandatory cases).
New York	<p>None</p> <p>See also, Appendix B (mandatory cases).</p>
Niagara	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including under RPTL §730) • foreclosure actions addressing real property and mechanics liens
Onondaga	<p>None</p> <p>See also, Appendix B (mandatory cases).</p>
Ontario	<ul style="list-style-type: none"> • all actions <u>except</u> – Mental Hygiene Law matters
Queens	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including under RPTL §730) • workers' compensation applications for judgment See also, Appendix B (mandatory cases).
Richmond	<ul style="list-style-type: none"> • commercial, contract, tort • tax certiorari (including under RPTL §730) • foreclosure actions addressing real property and mechanics liens • workers' compensation applications for judgment
Rockland	<ul style="list-style-type: none"> • matrimonial matters (See AO/366/13 relating to matrimonial filings.) <p>See also, Appendix B (mandatory cases)</p>
Suffolk	<ul style="list-style-type: none"> • commercial, contract, tort (except Commercial Division matters [see Appendix B]) • tax certiorari (excluding under RPTL §730) See also, Appendix B (mandatory cases).
Tompkins	<ul style="list-style-type: none"> • all actions <u>except</u> – Mental Hygiene Law matters
Westchester	<ul style="list-style-type: none"> • matrimonial matters (See AO/139/13 relating to matrimonial filings.) See also, Appendix B (mandatory cases).

* For cases commenced prior to February 17, 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, and AO/049/15; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

APPENDIX A
CONSENSUAL/VOLUNTARY CASES (cont'd)
(in effect as of March 23, 2015,* unless otherwise indicated)

SURROGATE'S COURT

Allegany Cattaraugus Cortland Genesee Niagara Queens Tompkins Wyoming	<ul style="list-style-type: none"> • probate and administration proceedings • miscellaneous proceedings relating thereto • such other types of proceedings as the court may permit
Cayuga Chautauqua Erie Livingston Monroe Ontario Seneca Steuben Wayne Yates	<ul style="list-style-type: none"> • such types of proceedings as the court may permit <p>See also, Appendix B (mandatory cases).</p>

CIVIL COURT

New York City	<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)
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COURT OF CLAIMS

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

* For cases commenced prior to February 17, 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, and AO/049/15; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

**APPENDIX B
MANDATORY CASES**

(in effect as of March 23, 2015,* unless otherwise indicated)

SUPREME COURT

Bronx	<ul style="list-style-type: none"> • medical, dental, and podiatric malpractice actions <p>See also, Appendix A (consensual/voluntary cases)</p>
Erie	<ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 78 proceedings – Election Law proceedings – in rem tax foreclosures – matrimonial matters – Mental Hygiene Law matters – RPTL § 730 proceedings
Essex	<ul style="list-style-type: none"> • tax certiorari (excluding under RPTL § 730) • eminent domain matters • foreclosure actions involving real property (but <u>excluding</u> mechanic’s liens and in rem tax foreclosure)
Kings	<ul style="list-style-type: none"> • Commercial Division matters (commercial cases as defined in 22 NYCRR §§202.70(a), (b), and (c)) <p>See also, Appendix A (consensual/voluntary cases)</p>
Nassau	<ul style="list-style-type: none"> • commercial matters (without regard to the amount in controversy) • civil forfeitures • in rem tax foreclosures • tax certiorari (including under RPTL § 730) <p>See also, Appendix A (consensual/voluntary cases)</p>
New York	<ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters
Onondaga	<ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 78 proceedings – CPLR Art. 70 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters – foreclosure actions – RPTL § 730 proceedings – name change applications – emergency medical treatment applications

Queens	<ul style="list-style-type: none"> • medical, dental, and podiatric malpractice actions • foreclosure actions (including commercial foreclosures) addressing real property and mechanics liens <p>See also, Appendix A (consensual/voluntary cases)</p>
Rockland	<ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters <p>See also, Appendix A (consensual/voluntary cases)</p>
Suffolk	<ul style="list-style-type: none"> • Commercial Division matters (commercial cases as defined in 22 NYCRR §§202.70(a), (b), and (c)) • medical, dental, and podiatric malpractice actions • RPTL §730 proceedings • foreclosure actions addressing real property and mechanics liens <p>See also, Appendix A (consensual/voluntary cases)</p>
Westchester	<ul style="list-style-type: none"> • all actions <u>except</u> <ul style="list-style-type: none"> – CPLR Art. 78 proceedings – Election Law proceedings – matrimonial matters – Mental Hygiene Law matters <p>See also, Appendix A (consensual/voluntary cases)</p>

SURROGATE’S COURT

Cayuga Chautauqua Erie Livingston Monroe Ontario Seneca Steuben Wayne Yates	<ul style="list-style-type: none"> • probate and administration proceedings • miscellaneous proceedings relating thereto <p>See also, Appendix A (consensual/voluntary cases)</p>
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* For cases commenced prior to February 17, 2014, 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, and AO/049/15; see also, administrative orders of the Court of Claims dated 12/31/02 and 6/3/13 (www.nycourts.gov/efile).

APPENDIX C

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 addressing an underlying matrimonial action that was either (1) commenced electronically on or after April 1, 2013, or (2) initiated by 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.