State of New York
Unified Court System

Lawrence K. Marks
Chief Administrative Judge

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MEMORANDUM

May 20, 2020

TO: All Trial Court Justices and Judges

FROM: Lawrence K. Marks LM

SUBJECT: Filing of New Cases

I hope you and your families are all doing well. As you know, among the series of steps we have taken in recent weeks to restore judicial services in the Unified Court System has been the return this week of judges and designated staff to courthouses in upstate counties in which the Governor has eased restrictions on commercial activity. In addition to expanding judicial services, courts and county clerk's offices in those counties are now accepting the filing of new non-essential matters through the New York State Electronic Filing System (NYSCEF).

Consistent with the goal of expanding court activity while maintaining appropriate standards of public health and safety, we will be taking another important operational step commencing Monday, May 25. Beginning that day, e-filing through the NYSCEF system -- including the filing of new non-essential matters -- will be restored in those counties of the state that have not yet met the benchmarks required to participate in the Governor's regional reopening plan. Those counties include the five New York City counties, Nassau and Suffolk counties, and Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties.

In recognition of the continued curtailment of in-court activities of court personnel and the public -- and in contrast to the usual practice in consensual e-filing matters -- this restoration of NYSCEF usage will be limited to cases in which represented parties file and serve all papers electronically. (Unrepresented litigants may continue to file, serve and be served papers through non-electronic means in those cases).

This expanded use of NYSCEF will permit a significant broadening of civil litigation in a manner that continues to ensure the highest measure of health and safety to judges, court personnel and the public. As always, thank you for your cooperation and support.

cc: Chief Judge Janet DiFiore
Hon. George Silver
Hon. Vito Caruso
Administrative Judges
County Clerks