



STATE OF NEW YORK
UNIFIED COURT SYSTEM
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Chief Administrative Judge

SHERRY KLEIN HEITLER
Administrative Judge for Civil Matters
First Judicial District

FERN A. FISHER
Deputy Chief Administrative Judge
New York City Courts

MEMO

To: All Counsel

From: Steven Helfont, Esq.
Law Clerk to the Hon. Sherry Klein Heitler

Date: February 6, 2012

Re: Mandatory E-Filing

Pursuant to Administrative Order, electronic filing will become mandatory in all asbestos cases that are commenced in New York County Supreme Court on or after February 27, 2012 (See Attached Notice to the Bar Regarding Mandatory E-Filing).

In-person training is available for those who may feel the need for it. A two-hour training course is offered, with two CLE credits awarded to attending counsel at no charge. The course is presented weekly at Supreme Court, Civil Branch, New York County at 60 Centre Street. Attorneys must register in advance for this course, which may be done on-line at the "Training" link on the website of the New York State Courts Electronic Filing System (www.nycourts.gov/efile). In addition, a special one-hour course will be conducted by the Supreme Court, Civil Branch, New York County at 60 Centre Street on Wednesday, February 15, 2012, from 1-2 PM, and as circumstances make appropriate. Reservations for this course are also required. Again, attorneys should go to the "Training" link to sign up.

For additional information, please contact the statewide NYSCEF Resource Center at 646-386-3033 or efile@courts.state.ny.us.



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NOTICE TO THE BAR REGARDING MANDATORY E-FILING

Pursuant to an Administrative Order, dated Jan. 12, 2012, issued by the Chief Administrative Judge in accordance with legislation enacted in 2011, electronic filing of litigation documents through the New York State Courts Electronic Filing System ("NYSCEF") will become mandatory in all commercial, contract, and tort actions, without regard to the amount in controversy, that are commenced in New York County Supreme Court on or after February 27, 2012. On and after that date, such cases must be commenced electronically and initiating documents will not be accepted in hard copy form. Personal jurisdiction shall be obtained by service of documents in hard copy form in the normal manner, except that the plaintiff/petitioner must serve on the defendant/respondent a Notice of Commencement of Mandatory E-Filed Case (form available on the NYSCEF website (www.nycourts.gov/efile)). Thereafter, with very limited exceptions, all documents must be e-filed.

Court fees are paid to the County Clerk by credit or bank card (MasterCard, Visa, or American Express) through NYSCEF. The normal filing fees apart, there is no charge to use NYSCEF, file documents in it, serve documents through it, or print out hard copies from it.

Mandatory e-filing is governed by Uniform Rule 202.5-bb. The court has issued a *Protocol on Courthouse Procedures for Electronically Filed Cases* that explains how customary courthouse procedures, such as with regard to proposed orders to show cause, are applied in e-filed cases. The *Protocol* is posted on the court's website (on the "E-Filing" page at www.nycourts.gov/supctmanh).

The NYSCEF system is intuitive and easy to learn. Working with NYSCEF will be especially easy for attorneys who are familiar with the Federal courts' ECF system. A *User's Manual* and *FAQs* are posted on the NYSCEF website. The NYSCEF application includes a training utility, which allows attorneys to practice filing documents in fictitious cases for as often and as long as counsel may desire.

Live training is also available for those who may feel the need for it. A two-hour training course is offered, with two CLE credits awarded to attending counsel at no charge. The course is presented weekly at Supreme Court, Civil Branch, New York County at 60 Centre Street. Attorneys must register in advance for this course, which may be done on-line at the "Training" link on the NYSCEF website. In addition, a special one-hour course (with one CLE credit at no charge) will be conducted by the Supreme Court, Civil Branch, New York County at 60 Centre Street on Wednesday, February 15, 2012, from 1-2 PM, and as circumstances make appropriate. Reservations for this course are also required. Again, attorneys should go to the "Training" link to sign up. For additional information, please contact the statewide NYSCEF Resource Center at 646-386-3033 or efile@courts.state.ny.us.

Feb. 1, 2012