

Memorandum in Support

NYSBA Memorandum #14

June 16, 2015

S. 5833

By: Senator Bonacic

A. 8083

By: M. of A. Weinstein

Senate Committee: Judiciary

Assembly Committee: Judiciary

Effective Date: Immediately

AN ACT to amend the judiciary law, the civil practice law and rules, the court of claims act, the criminal procedure law, the family court act, the New York city civil court act and the surrogate's court procedure act, in relation to use of electronic means for the commencement and filing of papers in certain actions and proceedings; and providing for the repeal of certain provisions upon expiration thereof

THE NEW YORK STATE BAR ASSOCIATION SUPPORTS THIS LEGISLATION

This bill would amend numerous provisions of law relating to electronic commencement of an action or special proceeding and filing of papers. The topic of “e-filing” has been of great interest to the Association since pilot programs were initiated by Chapter 367 of the Laws of 1999.

The State Bar Association’s position on electronic filing is clear: the House of Delegates, by resolution dated March 31, 2007, called for the implementation of universal and mandatory electronic filing in all New York State courts without undue delay. In 2012, the Association reviewed the progress toward implementation of e-filing in the courts.

Electronic filing of court documents offers significant advantages over paper filing including savings of costs and time to clients and attorneys, savings of storage costs to the court system, minimal misfiling of documents, access to documents on file at any time from a remote location, and uniformity of filing procedures, among other advantages.

Based on the foregoing, the New York State Bar Association **SUPPORTS** this legislation.