

Memorandum in Support

January 31, 2024

S. 2717
A. 2767

By: Senator May
By: M. of A. Santabarbara
Senate Committee: Judiciary
Assembly Committee: Judiciary
Effective Date: 90th day after enactment

AN ACT to amend the civil practice law and rules, in relation to authorizing a program for electronic filing for commencement of civil actions and proceedings and service of papers in town and village courts

LAW AND SECTIONS REFERRED TO: Subdivision a of Section 2111 of the Civil Practice Law and Rules

This legislation would permit electronic filing of civil actions and proceedings and service of papers in town and village courts.

The New York State Bar Association's Task Force Report on E-Filing of Court Documents assesses the impact and benefits e-filing may have on different types of courts: supreme and county, specialized, appellate and federal.¹ This report along with a subsequent report published in 2012 were adopted as policy by NYSBA's House of Delegates.² NYSBA's Task force on the Modernization of Criminal Practice 2023 Report also details the benefits of a state-wide e-filing system.³ All three reports stress the importance of uniform, mandatory e-filing across the NYS court system, and the efficiency and equity such a method could provide.

A key mission of NYSBA's advocacy efforts is access to justice for all. Many areas of New York are very rural, with attorneys and clients possibly far removed from their town or village courts. It is difficult for many clients to meet the requirement of appearing physically in court; having to travel for hours and miss work or may even lack the access to transportation they would need to get there. By allowing electronic filing, this legislation would provide easier access to the court system for remote New Yorkers and would allow attorneys who may not be physically present in rural communities to serve those rural communities remotely. This legislation will ultimately allow for greater access to justice, particularly for New York Communities that are historically underrepresented.

For the above reasons and the attached reports, the New York State Bar Association **SUPPORTS** this legislation.

¹ [Image10 \(nysba.org\)](#)

² [Progress Toward Implementing Statewide Electronic Filing in New York Courts.indd \(nysba.org\)](#)

³ [final-report-Task-Force-on-Modernization-of-Criminal-Practice-June-2023.pdf \(nysba.org\)](#)