

OFFICE OF THE ALBANY COUNTY CLERK

CLERK OF SUPREME AND COUNTY COURTS
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APRIL 7, 2014

NOTICE REGARDING E-FILED JUDGMENTS

In recent weeks, there have been several discussions regarding the NYS Courts Electronic Filing (NYSCEF). While the Albany County Clerk's Office has been in this pilot program, since 2004, participation in the program has increased significantly in the last year.

E-filing in Albany County allows attorneys and individuals to electronically file commercial cases on a consensual basis (one or more parties has the right to opt-out). All documents relevant to these cases are scanned and uploaded into the state e-filing website at www.nycourts.gov/efile. Albany County currently only accepts Commercial, Tort, and Tax Certiorari cases to be e-filed. All other cases must be filed in hard copy at our office.

With the increasing volume of e-filed cases, more of these cases have resulted in Judgment. While there are many rules & protocols in effect regarding how these e-filed documents are to be handled, there is room for discussion as to what constitutes the docketing of a judgment in electronic format. **CPLR §5018 2. (d). A county clerk may adopt a new docketing system utilizing electro-mechanical, electronic or any other method he deems suitable for maintaining the dockets.**

After many discussions with the NYSCEF staff in charge of the e-filing website, as well as with different title agencies, there has been a decision to update the e-filing site with regards to the entry/docketing/uploading of judgments. In the interim, we will work with the title industry and give them an opportunity to get more familiar with the e-filing website, and we will index these judgments in the County Clerk System, as well.

Once the updates in the e-filing system are complete, we will revisit whether or not there is a need to have the judgments indexed in our system, as well. This is a temporary solution that we hope will please everyone involved making the transition to e-filing as smooth and as effortless as possible.

In the near future, we will be setting up a separate PC in our office with a direct link to the e-filing website. We will gladly offer training and answer any questions you may have while you learn; and encourage you to start familiarizing yourself with the site. The move in the future will be to eventually mandate all court proceedings to be e-filed.

As always, we appreciate your input and suggestions. If you have any additional questions, please feel free to speak with Gerry Gould, Shelley Aubrey, or myself about these issues.

Regards,

Bruce A. Hidley
Albany County Clerk

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