

December 10, 2024

Dear Governor Hochul,

We are writing to urge you to prioritize legislation to expand the current authority for the use of e-filing in courts ([S7524/A10350](#)). As stakeholders in the legal process in New York State, we see firsthand the benefits that e-filing provides for litigants and attorneys.

This statewide legislation would authorize the Chief Administrative Judge (CAJ) to implement e-filing on a consensual or mandatory basis in all courts and case types, with the requirement that they consult interested parties prior to introducing e-filing in a court (including the relevant bar and legal service agencies) and to obtain the consent of the local county clerks. The legislation also maintains the existing exemptions and opt-outs to mandatory e-filing, including an automatic exemption to mandatory e-filing for unrepresented litigants.

Currently, the Chief Administrative Judge has limited authority to institute e-filing in trial courts. They cannot require e-filing in the local criminal courts and in the local civil courts outside of New York City, including e-filing for landlord and tenant matters outside of New York City. The restrictions on e-filing disproportionately impact court users with the fewest resources and prevent people living in rural areas from accessing the benefits of e-filing. The current limitations on e-filing in New York State are outdated; [there have been more cases e-filed in the last four years \(3.4 million\) than in the prior 20+ years \(2.6 million\)](#). This increase in the use of e-filing demonstrates the need for an expansion of the New York State Courts E-Filing (NYSCEF) Program to include local criminal and local civil courts across the state.

We are encouraged by the success of e-filing in areas where it is authorized. Between 2010 and 2023, [there was an increase of almost 500%](#) in e-filed cases in the Supreme Court around New York State. County clerks from Kings County and Putnam County, as well as the President of the New York State Association of County Clerks, wrote letters in support of the expansion of e-filing in New York State, citing its success and benefits. In addition, the success of e-filing during the pandemic demonstrated the potential for its expansion. In [Texas](#) and [Florida](#), mandatory e-filing for civil cases has been lauded as an overwhelming success. In [Massachusetts](#), 94.5% of all briefs in appellate court were filed electronically during FY2023. A total of 1.3 million documents were filed electronically in Massachusetts Trial Court. As of 2019, [16 states had statewide e-filing in all appellate and trial courts](#), for both criminal and civil cases. Since then, more states have expanded the use of e-filing systems in their courts. The broad use of e-filing demonstrates its widespread success and increased convenience for litigants and courts.

The benefits of e-filing include lessening the burden on practitioners in rural areas who lack the resources of larger law firms and must travel long distances to serve and file papers; increased security for documents in the case of lost documents, tracking who has accessed files, and maintaining confidentiality; convenient access to court files; and reducing the environmental impact. E-filing also significantly reduces the cost of serving: In Florida, [e-service notices saved filers approximately \\$38,837,113](#) in postage costs between 2014 and 2020.

We support the signing of this bill in order to increase efficiency, decrease costs, and promote equal access for under-resourced litigants. The success of NYSCEF and other e-filing systems across the United States have demonstrated the need to expand e-filing across New York State. We urge you to sign S7524/A10350 this year, to expand the authority for the use of e-filing in New York courts.

Sincerely,

Hudson Valley Justice Center  
For the Many  
Volunteer Lawyers Project of CNY, Inc.  
CAMBA Legal Services  
Pro Bono Net  
Just Cause  
United Tenants of Albany, Inc.  
Access Justice Brooklyn  
Her Justice  
Center for Elder Law & Justice  
Legal Aid Bureau of Buffalo, Inc.  
Housing Justice for All  
William John Galvin, Esquire  
Volunteers of Legal Service  
Rural Law Center of New York  
Erie County Bar Association  
Volunteer Lawyers Project, Inc.  
New York Legal Assistance Group  
Legal Services of Central New York, Inc.  
The Legal Project  
Mobilization for Justice, Inc.  
LatinoJustice PRLDEF

