

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, and upon consultation with and approval by the Presiding Justice of the Appellate Division, Second Department, I hereby adopt, effective immediately, the following rules relating to a pilot program for the consensual electronic filing of matrimonial actions in the Supreme Court, Westchester County.

(a) Application

(1) There is hereby established a pilot program where, on consent, documents may be filed and served by electronic means in Supreme Court, Westchester County, in matrimonial actions described in section (2) below. Except as otherwise required by this order, the provisions of 22 NYCRR § 202.5-b shall govern this program.

(2) For purposes of this pilot program:

(i) "Matrimonial actions" shall mean those actions set forth in CPLR § 105(p) and DRL § 236 wherein:

(A) the action is contested, and addresses issues including, but not limited to, alimony, counsel fees, pendente lite, maintenance, custody and visitation, child support or the equitable distribution of property; or

(B) the action is uncontested; or

(C) the action is a post-judgment application addressing an underlying matrimonial action that was either (1) commenced electronically on or after April 1, 2013, or (2) initiated by purchase of a new index number.

(ii) A "party" or "parties" shall mean the party or parties to the action or counsel thereto (as set forth in 22 NYCRR § 202.5-b(a)(2)(viii)) and the attorney(s) for the minor child(ren).

(3) No paper or document filed by electronic means in a matrimonial action shall be available for public inspection on-line or at any computer terminal in the courthouse or the office of the County Clerk.

(4) Nothing in this section shall be construed to abrogate existing personal service requirements as set forth in the domestic relations law, family court act or civil practice law and

rules.

(5) Unless otherwise directed by the court, forensic evaluation reports in custody, visitation and other matters concerning children shall not be filed electronically.

(6) Service of the initiating documents in post-judgment applications subject to consensual e-filing must be effectuated in hard copy and accompanied by a notice regarding availability of electronic filing in post-judgment matrimonial proceedings on a form to be approved by the Chief Administrator. Proof of hard copy service shall be filed by electronic means.



Chief Administrative Judge of the Courts

Dated: April 1, 2013

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