

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 Administrative Board of the Courts, I hereby amend, effective immediately, section 202.5-bb(a) of the Uniform Civil Rules for the Supreme and County Courts, relating to electronic filing of actions in the Supreme Court, to read as follows:

* * *

§202.5-bb. Electronic Filing in Supreme Court; Mandatory Program.

(a) Application.

(1) There is hereby established a pilot program in which all documents filed and served in Supreme Court shall be filed and served by electronic means in such classes of actions and such counties as shall be specified by order of the Chief Administrator in accordance with chapter 367 of the laws of 1999, as amended ~~[by chapter 416 of the laws of 2009 and chapter 528 of the laws of 2010]~~.

Except to the extent that this section shall otherwise require, the provisions of section 202.5-b of these rules shall govern this pilot program.

(2) For purposes of this ~~{section}~~pilot program:

(i) “commercial actions” and “breach of contract actions” shall mean actions in which at least one claim of the types described in subparagraph (1) of paragraph (B) of subdivision (b) of section 6 of chapter 367 of the laws of 1999, as amended ~~[by chapter 416 of the laws of 2009 and chapter 528 of the laws of 2010]~~, is asserted.

(ii) "tort actions" shall mean actions (excluding a commercial or breach of contract action defined as set forth above or a claim expressly excluded from "commercial actions" by chapter 367 of the laws of 1999, as amended ~~{but without regard to the amount in controversy}~~) in which only money damages are sought and in which at least one claim is asserted that arises out of or alleges:

(A) a motor vehicle accident, product liability, injury to person or property from tortious conduct, wrongful death, mass tort, or medical, dental or podiatric malpractice;

(B) other professional malpractice;

(C) damages to persons or property from environmental conditions; and

(D) negligence, defamation, intentional infliction of emotional distress or other intentional harm.

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Chief Administrative Judge of the Courts

Dated: January 9, 2012

AO/ 238 / 12