

Electronic Filing

E-filing Further Expansion in the Appellate Division, Second Judicial Department

The Appellate Division for the Second Judicial Department began e-filing, through the New York State Courts Electronic Filing ([NYSCEF](#)) system, in 2018. We started in Westchester County in March, expanded to Suffolk County in July, and further expanded to Orange, Dutchess, Putnam and Rockland Counties in December. In July of 2019 mandatory e-filing was again expanded, this time to Queens County, and voluntary, consensual e-filing was adopted in Richmond County. Currently, the Court requires that all appeals in all matters originating and electronically filed in the Supreme and Surrogate's Courts of Westchester, Suffolk, Orange, Dutchess, Putnam, Rockland and Queens Counties be e-filed, and permits, upon consent of all parties, e-filing in matters originating and electronically filed in the Supreme and Surrogate's Courts of Richmond County.

Given the great success of e-filing in the Second Department thus far, the Court will further expand mandatory appellate e-filing. As of April 1, 2020, **the Court will require appeals in all matters originating and electronically filed in Supreme and Surrogate's Courts in Nassau County to be e-filed. In addition, the Court will mandate e-filing in all matters originating and electronically filed in the Supreme and Surrogate's Courts in Richmond County.** This expansion of mandatory e-filing to Nassau and Richmond Counties will be effective in the following appeals:

Where the notice of appeal is dated on or after April 1, 2020, and

Where the notice of appeal is dated prior to April 1, 2020, and the appeal is perfected on or after May 15, 2020.

In matters which fall within the second category, compliance with the time limitation contained in [22 NYCRR 1245.3\(a\)](#) shall be measured from April 1, 2020.

E-filing is neither mandated nor permitted in any matters originating and electronically filed in Supreme and Surrogate's Courts in Nassau County which are perfected prior to April 1, 2020.

In summary, upon the effective date of this latest expansion, e-filing will be mandatory in all matters originating and electronically filed in the Supreme and Surrogate's Courts in Nassau, Richmond, Queens, Suffolk, Westchester, Orange, Dutchess, Putnam and Rockland Counties. **E-filing is not permitted in any matters originating in Kings County.** We hope to be able to expand mandatory e-filing to matters originating and electronically filed in Kings County this summer.

The rules of the Appellate Division on electronic filing may be found at [22 NYCRR Part 1245](#). In addition, please click [here](#) for further information regarding [technical requirements and guidelines](#) for e-filing in the Second Department.

For those practitioners and unrepresented litigants who need some guidance regarding the use of the NYSCEF system as it relates to the Appellate Division, the NYSCEF Resource Center offers [online training](#) as well as assistance via email, at efile@nycourts.gov, or by telephone at (646) 386-3033. Any questions which relate to this Court's [rules and procedures](#) can be directed to AD2-ClerksOffice@nycourts.gov or (718) 722-6324. For fillable forms please click [here](#).