

STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIFTH JUDICIAL DISTRICT
ONONDAGA COUNTY COURTHOUSE
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LAWRENCE K. MARKS
Chief Administrative Judge


VITO C. CARUSO
Deputy Chief Administrative Judge
Courts Outside New York City

JAMES P. MURPHY
Justice of Supreme Court
District Administrative Judge
Fifth Judicial District

ANTHONY LAVALLE, ESQ.
Special Counsel

DAVID S. GIDEON, ESQ.
Principal Law Clerk

TO: Local Bar Association Presidents

FROM: Hon. James P. Murphy, Administrative Judge 

DATE: August 26, 2019

RE: Preliminary Notification of Intent to Request Implementation of mandatory e-filing program in Herkimer County Surrogate's Court

A very successful and well received mandatory e-filing program has been implemented in the Surrogate's Court within the 5th JD in Jefferson, Oneida, Onondaga, and Oswego Counties. Based on this success, please be advised that we are specifically requesting implementation of **mandatory e-filing in Herkimer County Surrogate's Court for probate and administration proceedings, and miscellaneous proceedings relating thereto, to be effective November 2019.**

Please be advised that we plan to provide several demonstrations and training sessions to practitioners and court staff both prior to and after the "start-up" date. In addition, this notice is to advise you that we will be submitting our request to implement this programs to the Chief Administrative Judge, who is commissioned by statute to post this proposal on the UCS website inviting comments from attorneys and all affected parties. (<http://www.nycourts.gov/rules/efiling>)

This request and any public comment received will be presented for consultation purposes to an advisory committee. After the committee has reported its review of the implementation proposal to the Chief Administrative Judge, the Chief Administrative Judge will consider our request and may issue an implementation Order thereon.

Please also note that by legislation and statute all unrepresented parties are exempt from participating in e-filing in any case. However, unrepresented parties may choose to e-file.

Please distribute this preliminary notice to your members in a manner you deem appropriate.

We look forward to your continued cooperation and thank you for your support.

cc: Hon. Vito C. Caruso
Hon. James P. Murphy
Hon. John H. Crandall
John W. McConnell, OCA Chief Counsel
Jeffrey Carucci, Director Division of E-Filing
Michael A. Klein, District Executive
Therese Soules, Chief Clerk
Michele Gartner, Esq.
Mindy Jeng, Esq.