

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

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby amend, effective immediately, section 202.12(c) of the Uniform Civil Rules for the Supreme and County Courts, to add a new paragraph (3) related to electronic discovery, to read as follows:

§202.12 Preliminary Conference

* * *

(c) The matters to be considered at the preliminary conference shall include:

* * *

(3) Where the court deems appropriate, establishment of the method and scope of any electronic discovery, including but not limited to (a) retention of electronic data and implementation of a data preservation plan, (b) scope of electronic data review, (c) identification of relevant data, (d) identification and redaction of privileged electronic data, (e) the scope, extent and form of production, (f) anticipated cost of data recovery and proposed initial allocation of such cost, (g) disclosure of the programs and manner in which the data is maintained, (h) identification of computer system(s) utilized, and (i) identification of the individual(s) responsible for data preservation;

[(3)](4) addition of other necessary parties;

[(4)](5) settlement of the action;

[(5)](6) removal to a lower court pursuant to CPLR 325, where appropriate; and

[(6)](7) any other matters that the court may deem relevant.

Chief Administrative Judge of the Courts

Dated:

AO/ /09