

What is E-Filing?

Beginning on March 23, 2015, all residential and commercial foreclosure cases in Queens County must be electronically filed through the New York State Courts E-Filing (NYSCEF) system.

E-filing is designed to streamline the filing of court documents while reducing the use of paper documents.

E-filing is open to all attorneys and unrepresented parties and provides an opportunity to file and view court documents 24 hours a day.

You can tell if a case is e-filed by the index number on the summons and complaint. E-filed foreclosure cases in Queens County have index numbers in the 700000 range. You also will receive a hard copy (paper) *Notice of Commencement of Action Subject to Mandatory Electronic Filing* attached to the summons and complaint served on you in the action.

As an unrepresented party, you have no obligation to participate in e-filing. You may choose to “Opt out” of e-filing or you may choose to participate in e-filing. If you opt out, your opponent must file and serve all documents on you in hard copy. You must file and serve all documents in hard copy as well.

As an unrepresented party, you do not need to give any reason for your decision to opt out. To opt out of e-filing, you must file a form with the County Clerk. The “Opt-out” form is available at the Office of the County Clerk, on the NYSCEF website and at the court’s Office of Self Help.

If you choose to participate in e-filing, electronic filing offers significant benefits by simplifying and reducing the cost of litigation for unrepresented individuals. The NYSCEF system allows documents to be filed with the County Clerk and the court at any time of the day or night and on any day of the week. In most instances, filing the document with NYSCEF also electronically serves that document on all participating parties. Documents can be viewed over the internet at any time of the day or night and may be printed without charge. There is no fee to use the NYSCEF System, whether to file a document, serve a document, print a document, or to view any document in your case. Normal County Clerk or court filing fees must be paid, but this can be done by credit or bank card on-line.

Participants in e-filing will automatically receive e-mail notifications

whenever papers are filed in their case.

In order to e-file, you must first create an e-filing account and obtain a user ID and password.

To create an account, visit the website at www.nycourts.gov/efile and click on the "Create an Account" button. On the next screen, click on the link beneath the statement, "If you are representing yourself without an attorney." On the next screen, click on the link displayed as "Create Self Represented (for existing case) Account." This will open a form you will be required to complete, print, and then sign before a notary. Submit this form to the E-Filing Resource Center by fax at (212) 401-9146 or by e-mail to efile@nycourts.gov.

For expedited processing of your account application, print "Please expedite" at the top of the form.

You can see step-by-step e-filing instructions and a complete user manual by visiting the NYSCEF website at www.nycourts.gov/efile

Please be aware of the following rules for the filing of papers in an e-filed case:

Even if you are a participant in e-filing, you may still be required to submit "working copies" of some documents (e.g. motion papers) to the court. (Review the rules of the judge assigned to the case or court part located on the Court's website and/or the Queens County E-Filing Protocol to determine if you are required to do so.) Working copies are hard copy versions of your e-filed documents. When filing a working copy, you must print and attach the Confirmation Notice that is generated by the e-filing system upon the filing of the document.

There are two ways to print the Confirmation Notice: 1) you may print the Confirmation Notice immediately after e-filing the document by clicking the button on the Thank You page that appears after you have completed your filing; or 2) you may print the Confirmation Notice at any time by clicking the link for the document on the Document List for the case.

NOTE: For orders to show cause, the working copy to be delivered to the Centralized Motion Part must include the signed order to show cause and all supporting papers.

If you have opted out of e-filing, you must attach a *Notice of Hard Copy Submission – E-Filed Case* to every paper filed with the court, including the Centralized Motion Part. This form will be available in the Self Help Office, the County Clerk’s office, and the Centralized Motion Part.

Any papers without one of these documents may be rejected.

For more information on e-filing in Queens County, contact 718-298-0173.

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