



NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

HON. JOSEPH A. ZAYAS
CHIEF ADMINISTRATIVE JUDGE

HON. NORMAN ST. GEORGE
FIRST DEPUTY CHIEF ADMINISTRATIVE JUDGE

DAVID NOCENTI
COUNSEL

MEMORANDUM

To: All Interested Persons

From: David Nocenti

Re: Request for Public Comment on a proposal to adopt permanent rules governing e-filing in the Family Court

Date: October 2, 2026

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The Administrative Board of the Courts is seeking public comment on a proposal recommended by the UCS Division of E-Filing to adopt a new 22 NYCRR§ 205.7-c establishing permanent rules governing e-filing in the Family Court.

Electronic filing in Family Court commenced in 2022 with a consensual pilot project which only applied to certain proceedings and to the filing and service of papers in designated matters. Interim e-filing rules were adopted for the pilot program through an Administrative Order issued on August 10, 2022. The pilot program was expanded in 2025 to authorize electronic filing of documents related to petitions that were initially filed in paper or submitted through EDDS, and updated rules were set forth in a new Administrative Order. The pilot program was made permanent in March 2026 through the issuance of Administrative Order 68/26, which made modest updates to the 2025 rules, and stated that the new rules were to remain in effect “on an interim basis until uniform rules for the consensual program are promulgated.”

The Division of E-Filing conducted extensive stakeholder outreach and is now recommending the formal adoption of updated rules to replace the interim rules. In particular, the new rules are intended to address gaps identified during the pilot, and incorporate the requirements needed for mandatory e-filing as Family Court expands its use of the NYSCEF program to additional courts and case types.

The proposed new rule is attached as Exhibit A. Attached as Exhibit B is a memorandum from the Director of the Division of E-Filing dated September 3, 2026, providing background regarding e-filing in Family Court and the reasons for the proposed new rules.

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Persons wishing to comment on the proposal should e-mail their submissions to rulecomments@nycourts.gov or write to: David Nocenti, Esq., Counsel, Office of Court

Administration, 25 Beaver Street, 10th Fl., New York, New York, 10004. Comments must be received no later than Friday, November 23, 2026.

All public comments will be released and made available to the public on the Unified Court System website following finalization of the proposed rule. Issuance of a proposal for public comment should not be interpreted as an endorsement of that proposal by the Unified Court System.

EXHIBIT A

Proposed Amendments

The Uniform Rules for the Family Court (22 NYCRR Part 205) are amended by adding a new Section 205.7-c to read as follows (all language is new):

§ 205.7-c. Electronic Filing in Family Court

(a) Application.

(1) Except as otherwise provided in this section, 22 NYCRR section 202.5b, and section 202.-bb where applicable, shall apply to all proceedings in which electronic filing is authorized in the family court. References in sections 202.5-b and 202.5-bb to the Chief Clerk of the Supreme Court, or the clerk of the court shall be deemed to mean, where relevant, the Clerk of Court and references in such section to the CPLR shall be deemed to include, where relevant, the New York Family Court Act, Domestic Relations Law, and Social Services Law.

(2) All documents filed and served by electronic means in the Family Court either as a required (mandatory) or voluntary (consensual) filing, shall be subject to the extent and manner provided in this section, and only in such actions and in such counties as shall be authorized by order of the Chief Administrator of the Courts.

(b) Definitions. For purposes of these rules:

(1) “electronic means” shall mean any method of transmission of information between computers or other machines, other than facsimile machines, designed for the purpose of sending and receiving such transmissions, and which allows the recipient to reproduce the information transmitted in a tangible medium of expression;

(2) “NYSCEF” shall mean the New York State Courts Electronic Filing System and the “NYSCEF site” shall mean the New York State Courts Electronic Filing System website located at www.nycourts.gov/efile;

(3) “e-filing”, “electronic filing” and “electronically filing” shall mean the filing and service of documents in a proceeding by electronic means through the NYSCEF site;

(4) an “authorized e-filing user” shall mean a person who has registered to use e-filing pursuant to subdivision (d) of these rules;

(5) a “proceeding” shall mean each new petition or supplemental petition in which documents are to be filed and served;

(6) “hard copy,” where authorized, shall mean a document set forth in paper form;

(7) “working copy” shall mean a hard copy that is an exact copy of a document that has been electronically filed in accordance with these rules;

(8) “party” or “parties” to a proceeding shall include a party (petitioner/respondent) and counsel of record, attorney for the child, an unrepresented litigant, or interested party or intervener as permitted by the court, and presentment agencies;

(9) “unrepresented litigant” shall mean a party to a proceeding who is not represented by counsel;

(10) “Participating party” shall mean a party who consents to e-filing pursuant to paragraphs (2) or (3) of subdivision (c) of these rules;

(11) “non-party filer” shall mean officers/representatives of authorized agencies/organizations that may submit documents electronically for filing only with the court in a family court proceeding, including, but not limited to, Support Collection Unit, Department of Social Services, Administration for Children’s Services, Department of Probation, and as otherwise permitted by the court.

(12) “expedited processing” shall mean the expedited registration of an unrepresented party as an authorized e-filing user; and

(13) “Resource Center” shall mean the NYSCEF Resource Center, the e-filing help center available at 646-386-3033 or nyscef@nycourts.gov.

(c) Electronic Filing and Service: Proceedings in Family Court. Except as otherwise provided in these rules, the following shall apply to all proceedings in which electronic filing is authorized in the Family Court.

(1) Electronic filing of documents. Except as otherwise provided in this section, every proceeding authorized as a mandatory e-filing case type in the county and class of proceedings under this section shall be commenced by electronically filing the petition with the clerk of the court through the NYSCEF site. In any proceeding authorized as a voluntary (consensual) e-filing case type in the county and class of proceedings under this section, a party may commence the proceeding by electronically filing the petition or with the clerk of the court through the NYSCEF site.

(i) Where electronic filing has been authorized pursuant to subdivision (a)(1), a proceeding shall be commenced in the Family Court by electronically filing with the court a petition through the NYSCEF site in all case types designated as required (mandatory), and may be commenced electronically in case types designated as voluntary (consensual). A proceeding initially commenced in paper or via EDDS may also become subject to e-filing upon the electronic filing of subsequent documents through the NYSCEF site. A party who has commenced a proceeding by e-filing a petition, or who causes a proceeding to become subject to e-filing as described above, is deemed to have consented to e-filing in that matter and shall be bound by these rules. An attorney is required to electronically file a notice of appearance upon the filing of their initial document.

(ii) Upon receipt of documents transmitted to the NYSCEF site, pursuant to subparagraph (c)(1)(i) of these rules, a notification of such receipt shall be electronically transmitted from the NYSCEF site to the person filing such document as confirmation. Upon the assignment of a file and/or docket number, a second notification shall be transmitted by the NYSCEF site to the email service address of the filing party.

(2) Service of initiating documents.

(i) Service of initiating e-filed documents cannot be made through the NYSCEF system. Initiating documents may be served pursuant to the Family Court Act, CPLR, or by any other applicable method authorized by law.

(ii) A party who has e-filed a petition or caused a proceeding to become subject to e-filing pursuant to subparagraph (c)(1)(i) of these rules, shall serve upon the other parties a notice of e-filing in a

form approved by the Chief Administrator. Such notice of e-filing shall provide sufficient information in plain language explaining e-filing procedures and options. The Court shall furnish a copy of the notice of e-filing to any attorney for the child(ren) at the time of their appointment. An attorney served with such a notice shall promptly electronically file their notice of appearance in the manner provided at the NYSCEF site or file with the court and serve on all parties of record a declination of consent, in a consensual matter. In any mandatory e-filing matter, an attorney may opt out by submitting a form prescribed by the Chief Administrator in which the attorney certifies, in good faith, that they (i) lack the computer hardware, internet connection, scanner, or other equipment needed to convert documents into electronic format, or (ii) lack the requisite technical knowledge to operate such equipment; and for purposes of this provision, the knowledge of any employee of the attorney, or of the attorney's law firm, office, or business acting under the attorney's direction, shall be imputed to the attorney.

(iii) An unrepresented litigant is exempt from having to file and serve documents electronically in accordance with these rules and need not respond to the notice of e-filing described herein; except that they may choose to e-file by recording their consent to participate electronically by registering at the NYSCEF site provided the court has made available sufficient information in plain language which explains the e-filing procedures and options, including the option for expedited processing of their User ID.

(iv) When a participating party serves a document in hard copy or any other applicable method authorized by law on a non-participating party, the document served shall bear full signatures of all signatories and proof of such service shall be filed electronically.

(3) E-filing in a proceeding after commencement. After a proceeding becomes subject to e-filing in accordance with subparagraph (c)(1)(i) of these rules, the following provisions shall apply:

(i) Mandatory case types. In all case types designated as required (mandatory) e-filing, all party attorneys shall file and serve all subsequent documents electronically, except where an attorney has submitted the hardship certification described in subparagraph (c)(2)(ii) of this section. A party attorney who has submitted such certification shall file documents in hard copy form as permitted by the court and shall serve and be served with documents in hard copy or by any other method authorized by law.

(ii) Consensual case types. In case types designated as voluntary (consensual) e-filing, subsequent documents may be electronically filed and served only by, and electronic service shall be made only upon, parties who have recorded their consent to participate in e-filing in the manner provided on the NYSCEF site. A party who has not recorded their consent shall file documents in hard copy form or as permitted by the court and shall serve and be served with documents in hard copy or by any other method authorized by law. A party's failure to record their consent to participation in electronic filing and service shall not bar any other party to the proceeding from filing documents electronically with the court or serving documents upon any other party who has recorded their consent to participate in e-filing. A party's recording of their consent shall not constitute an appearance in the action under CPLR § 320.

(iii) In case types designated as voluntary (consensual) e-filing, no party shall be compelled, directly or indirectly, to participate in e-filing pursuant to these rules. However, the recording of consent to participate in e-filing shall bind the party to the filing and service provisions in these rules.

(iv) In case types designated as mandatory e-filing, party attorneys are required to participate in e-filing unless an attorney is exempted through submission of the hardship certification described in subparagraph (c)(2)(ii) of this section.

(v) An unrepresented litigant is exempt from having to file and serve documents electronically in

any case type. However, the submission of an application by an unrepresented litigant to participate in an e-filed matter prompts the court to consent on their behalf upon the court's approval. An unrepresented litigant who chooses to participate in e-filing may opt out at any time by filing and serving a Notice of Intent to Cease (Stop) E filing, in a form approved by the Chief Administrator.

(4) Service of Documents after a proceeding is subject to e filing; e-mail address for service.

(i) In any proceeding subject to e-filing, all documents required to be filed with the court by an e-filing party shall be filed and served electronically, except as otherwise directed.

(ii) The e-mail service address recorded at the time of registration is the e-mail address at which service of documents on that party shall be made through notification transmitted by the NYSCEF site. It is the responsibility of each filing user to monitor that address and promptly update their service email address on the NYSCEF site and notify the court in the event of a change in their e-mail service address.

(iii) How service is made. A participating party causes service of a document to be made upon another participating party by filing the document electronically. Upon receipt of a document, the NYSCEF site shall automatically transmit electronic notification to all e-mail service addresses in such proceeding.

(A) Such notification shall provide the title of the document received, the date received, and the names of those appearing on the list of e-mail service addresses to whom that notification is being sent. Each party receiving the notification shall be responsible for accessing the NYSCEF site to obtain a copy of the document received.

(B) The electronic transmission of the notification shall constitute service of the document on the e-mail service addresses provided. Proof of such notification of service will be recorded on the NYSCEF site. If the filing party learns that the notification did not reach the address of the person to be served, the party should utilize other service methods permitted by the Family Court Act, CPLR, or by any other applicable method authorized by law and proof of that service shall be filed electronically.

(iv) When an e-filing party serves a document in hard copy on a non-participating party, the document served shall bear full signatures of all signatories. Proof of such service shall be filed electronically.

(5) When documents are filed. Documents may be transmitted at any time of the day or night to the NYSCEF site. A document other than an order or judgment is filed when its electronic transmission is recorded at that site. Except that, documents that are received after 5:00 P.M. or on a Saturday, Sunday, or on a legal holiday will be considered filed at 9:00 A.M. on the next business day.

(6) Attorneys: recording of consent and notice of appearance. An attorney who is served with a Notice of Electronic Filing shall promptly electronically file a notice of appearance and record their consent in each proceeding in the manner provided on the NYSCEF site.

(d) Authorized E-filing Users, Passwords and Registration.

(1) Registration required. Documents may be filed or served electronically only by a person who has registered as an authorized e-filing user or as otherwise provided in this subdivision.

(2) Registering as an authorized e-filing user.

(i) Who may register. An attorney admitted to practice in the State of New York may register as an authorized e-filing user of the NYSCEF site. An attorney admitted pro hac vice in a proceeding, an unrepresented litigant, an agency agent, or where permitted a represented party, may also register as an authorized e-filing user, but solely for purposes of reviewing such proceeding.

(ii) How to register. Registration shall be made in a manner provided at the NYSCEF site and shall not be complete until the registering person has been approved as an e-filing user. An authorized e-filing user shall notify the court immediately of any change in the information provided upon registration and update as required on the NYSCEF site.

(3) Identification and password. Upon approval of registration, an authorized e-filing user shall be issued a confidential User Identification Designation ("User ID") and a password by the Unified Court System ("UCS"). An authorized e-filing user shall maintain their User ID and password as confidential, except as provided in paragraph (4) of this subdivision. Upon learning of the compromise of the confidentiality of either the User ID or the password, an authorized e-filing user shall immediately notify the court and the NYSCEF Resource Center. At its initiative or upon request, the UCS may at any time issue a new User ID or password to any authorized e-filing user.

(4) User ID and password: use by authorized person. An authorized e-filing user may authorize another person to file a document electronically on their behalf in a particular proceeding using the User ID and password of the user, but, in such event, the authorized e-filing user shall retain full responsibility for any document filed.

(e) Format of E-Filed Documents. All e-filed documents shall comply with the technical requirements set forth at the NYSCEF site.

(f) Termination/modification of e-filing procedures. The court may at any time order discontinuation of e-filing in such proceeding or modification of e-filing procedures therein in order to prevent prejudice and promote substantial justice.

(g) Exception to E-filing: Notice of Hard Copy Submission. Where a proceeding is subject to e-filing, a document that is required to be filed and served electronically in accordance with these rules, may nevertheless be filed and served in hard copy by a participating party. Such document shall include, on a separate page firmly affixed thereto, a Notice of Hard Copy Submission, in a form approved by the Chief Administrator, that states one of the following reasons why the document is being filed in hard copy:

(1) in a consensual case, an attorney on behalf of their client, has filed a declination of consent to e-filing pursuant to paragraph (c)(2) of these rules; or

(2) when a party seeks expedited review of an application, the party may file and serve the application in hard copy upon providing within the notice of hard copy submission a showing of good cause stating the reason(s) the electronic filing of such application is impractical. The party shall file the application with the NYSCEF site within three business days after it is heard, or as otherwise directed by the court; or

(3) when a participating party is unable to file and serve a document electronically because of technical problems with their computer equipment or Internet connection, the party may file and serve the document in hard copy. The party shall file the document with the NYSCEF site within three business days of resolving the technical/internet issues, or as otherwise directed by the court; or

(4) if the NYSCEF site is subject to technical failure and e-filing is hindered by this failure pursuant to subdivision (m) of these rules, the filer shall file and serve the document in hard copy and file the document with the NYSCEF site within three business days of restoration of normal operations at the site, or as otherwise directed by the court; or

(5) when there is an application to restrict or limit access to a document from one or more parties the filer may submit this application in hard copy. The court may direct a party to e-file the application and all or part of any related document after review; or

(6) when a participating party is submitting a document for in camera review, the court may direct a party to e-file all or part of that document after review; or

(7) when a participating party filing an exhibit that cannot be e-filed because such exhibit is impractical to e-file, pursuant to subdivision (h) of these rules.

(h) Exhibits in Hard Copy. Notwithstanding any other provision of these rules and in accordance with court procedures, when it is impractical to electronically file an exhibit, (i.e., an oversized map, video/audio recording, or other object), the filing party must e-file a form approved by the Chief Administrator, Notice of Hard Copy or Physical Evidence Exhibit Filing, in its place.

(i) Signatures of Filing Parties.

(1) Signing of a document. An electronically filed document shall be considered to have been signed by, and shall be binding upon, the person identified as a signatory, if:

(i) it bears the physical signature of such person and is scanned into an electronic format that reproduces such signature; or

(ii) the signatory has electronically affixed the digital image of their signature to the document; or

(iii) it is electronically filed under the User ID and password of that person; or

(iv) it otherwise bears the electronic signature of the signatory in a format conforming to such standards and requirements as may hereafter be established by the Chief Administrator.

(2) Compliance with Part 130. A document shall be considered to have been signed by an attorney or party in compliance with section 130-1.1-a of the Rules of the Chief Administrator (22 NYCRR §130-1.1-a) if it has been signed by such attorney or party as provided in paragraph (1) of this subdivision and it bears the signatory's name.

(j) Addition of Parties in a Pending E-Filed Proceeding. A party to be added in an e-filed proceeding shall be served with a copy of the petition, summons, and related documents in hard copy together with the notice of e-filing form, unless the court directs otherwise.

(k) Decisions, Orders, Judgments and Other Documents: signed by court.

(1) Any document that is sent to the court by a participating party seeking a judge's signature shall be transmitted electronically, unless otherwise directed by the court.

(2) Any document signed by the court shall be transmitted electronically to the NYSCEF site.

(l) Filing and Service of Orders and Judgments.

(1) Filing Orders and Judgments. In a proceeding subject to e-filing, the clerk of the court or their designee shall file orders and judgments of the court electronically. The filed date is the date the Order or Judgement is signed by the court, unless otherwise indicated.

(2) Service of Orders and Judgments. Upon the uploading of an order and/or judgment, the NYSCEF system shall transmit to the e-mail service addresses a notification of receipt. Such notification shall not constitute service upon any party. An order and/or judgment shall be served pursuant to the Family Court Act, CPLR, or by any other applicable method authorized by law.

(m) Technical Failures. The NYSCEF site shall be considered to be subject to a technical failure on a given day if the site is unable to accept filings or provide access to filed documents continuously or intermittently over the course of any period of time greater than one hour after 12:00 noon of that day. Notice of all such technical failures shall be provided on the site. When e-filing is hindered by a technical failure, a party may file with the appropriate clerk of the court and serve in hard copy. With the exception of deadlines that by law cannot be extended, the time for filing of any document that is delayed due to technical failure of the site shall be extended for one day for each day on which such failure occurs, unless otherwise ordered by the court. In the event an attorney or party shall file and serve documents in hard copy pursuant to this paragraph, each such document shall include the notice required by subdivision (g)(4) of these rules, and the filer shall file those documents with the NYSCEF site within three business days after restoration of normal operations at that site.

(n) Electronic Filing of Discovery Materials and Evidence.

(1) Leave of Court is required to conduct discovery. Such leave shall also direct whether discovery materials may be e-filed. In the absence of such an order, no party shall file electronically any such materials except in the form of excerpts, quotations, or selected exhibits from such materials as part of motion papers, pleadings, or other filings with the court.

(2) Evidence: Evidence submitted to the Family Court should not be e-filed. Evidence should be submitted via the VEC (Virtual Evidence Courtroom), where available, or as otherwise authorized by the court.

(o) Official Record; Maintenance of Files; Sealing and Confidentiality; Working Copies.

(1) Official record. When a document has been filed electronically pursuant to these rules, the official record shall be the electronic recording of the document as stored by the court. The clerk of the court or their designee may scan and e-file documents that were filed in hard copy in a proceeding subject to e-filing or maintain those documents in hard copy form. The clerk of the court or their designee who maintains documents in hard copy or other form in a particular matter shall so indicate in the NYSCEF record.

(2) Maintenance/Correction. If an electronically filed document has been filed in error, the filer shall promptly notify the parties of the error, and request the court return or remove the document. The clerk of the court or their designee may remove or return the document or proceed as directed by the court.

(3) Sealing and confidentiality.

(i) Submissions pursuant to e-filing procedures are subject to the same sealing and confidentiality protections as paper documents.

(ii) No information or documents in a Family Court proceeding shall be available for public inspection on-line via NYSCEF.

(iii) Personal contact information, other than that of an attorney, shall not be displayed to other parties on the NYSCEF site.

(iv) Nothing in these rules shall affect or change any existing procedure governing a request or order for address confidentiality.

(4) Working copies. Parties participating in e-filing shall not be required to submit working copies of documents filed electronically.

EXHIBIT B



New York State Unified Court System

Office of Court Administration • Division of E-Filing

Justin A. Barry, Esq.
Executive Director

Christopher Gibson
Director, Division of E-Filing

To: David Nocenti, Counsel
Anthony Perri, First Deputy Counsel

From: Chris Gibson, Director, Division of E-Filing
Phyllis Mingione, Esq., Division of E-Filing

Re: Proposed Family Court Rules

Date: September 3, 2026

I. Introduction

This memorandum is submitted to provide a comprehensive overview of the development, current status, and operational needs of the Family Court electronic filing (NYSCEF) program, and to propose adoption of uniform Family Court e-filing rules pursuant to AO/68/26 ([AO.68.26.pdf](#)). The Family Court e-filing initiative has reached a stage where statewide consistency is essential. The pilot and interim rules - created under AO/188/22 ([AO.188.22.pdf](#)) and expanded by AO/130/25 ([AO.130.25.pdf](#)) - no longer reflect the breadth, functionality, and volume of the current program, nor do they sufficiently support the needs of both consensual and future mandatory e-filing.¹

The attached proposed rules were drafted to ensure statewide uniformity, streamline practice, and address operational requirements identified through extensive stakeholder engagement. Their adoption will formally replace the interim pilot rules and provide a regulatory framework for continued expansion of e-filing in Family Court.

¹ AO/188/22, AO/130/25, and AO/68/26 - and the underlying rules - were each issued by the Chief Administrative Judge with the approval and/or consultation of the Administrative Board of the Courts.

Background and Program History

AO/188/22 established the initial Family Court e-filing pilot program, authorizing electronic filing for the origination of certain proceedings and the filing and service of papers in designated pending matters. The pilot launched in August 2022, beginning with custody, guardianship, parentage/paternity, and support case types.

Since its inception, the program has steadily expanded. As of August 2026, NYSCEF is active in 34 counties, including all Family Courts in New York City and all Family Courts within the 4th and 9th Judicial Districts. The program remains on track to expand to all 62 Family Courts statewide by the end of 2027.

AO/130/25 built on the initial pilot framework by authorizing electronic filing of documents related to petitions that were initially filed in paper or submitted through EDDS, enabling filers to convert existing matters to electronic format and improving workflow efficiency.

As the program expanded, e-filing volume grew substantially. In 2025, participating Family Courts processed 26,019 e-filed proceedings. Since 2022, more than 47,000 matters and 1.25 million documents have been filed electronically across authorized courts.

Operational improvements have accompanied this growth. The UCS has developed a workflow process that routes NYSCEF documents to the Universal Case Management System (UCMS), providing greater efficiencies for the court and staff. The reverse workflow also occurs, allowing documents uploaded in UCMS and moving into NYSCEF.

In March 2026, AO/68/26 formally retired the pilot designation and continued Family Court e-filing as a permanent, statewide consensual program, specifying that the updated pilot rules under AO/130/25 remain in effect only on an interim basis until uniform rules are promulgated.

II. Development of Proposed Uniform Rules

To replace the current interim pilot rules and support broader statewide adoption, the attached proposed uniform Family Court e-filing rules were developed to:

- Incorporate enhancements authorized under AO/130/25;
- Reflect operational practices identified during the pilot period;
- Support both consensual and future mandatory filing;
- Standardize procedures, workflows, and terminology across counties.

These rules were developed with the assistance of the rules working group of the Family Court Advisory Committee on E-Filing, as well as other Family Court working groups that have met

regularly since the pilot program's inception and are composed of judges, clerks, administrative personnel, and attorneys with practical e-filing experience. Their expertise helped ensure that the rules reflect the distinct procedures of Family Court and comply with all confidentiality and procedural requirements.

Feedback from litigants, agencies, and court staff informed many of the revisions and updates, and stakeholder involvement throughout the development of the program and this process has been instrumental.

The proposed rules address gaps identified during the pilot that were not fully resolved in AO/188/22 or AO/130/25, incorporate the requirements needed for mandatory e-filing as Family Court expands its use of the NYSCEF program to additional courts and case types, and establish a consistent statewide framework for electronic filing.