

*State of New York
Unified Court System*



*Lawrence K. Marks
Chief Administrative Judge*

*25 Beaver Street
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MEMORANDUM

November 6, 2020

To: Hon. George J. Silver
Hon. Vito C. Caruso

From: Lawrence K. Marks *LM*

Subject: Resumption of Normal Practices of Filing and Service

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Continuing our progress towards the fuller resumption of normal court operations, attached please find a copy of AO/267/20 (Attachment A), which restores normal practices of filing and serving legal papers in New York, effective November 4, 2020. This return to normal practices is consistent with recent gubernatorial Executive Orders ending the toll of "any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding as prescribed by the procedural laws of the state" on November 3, 2020 (Exh. B).

Please note that in-person filing of papers in court facilities may be barred if the responsible Deputy Chief Administrative Judge determines that such conduct is not consistent with the health and safety needs of the public and court personnel. This will allow, for example, the temporary suspension of in-person filings in regions where coronavirus positivity rates increase to unacceptable levels. In-person filing by unrepresented parties (other than those who have expressly "opted in" to participate electronically in a NYSCEF matter) shall be permitted at all times.

In addition, the order urges all parties to eschew in-person filing and/or service, resorting instead to NYSCEF, EDDS, and mail delivery wherever possible.

Please distribute this memorandum and attachments to judges and non-judicial staff as you deem appropriate.

Attachments

c: County Clerks