



Ann Pfau  
Chief Administrative Judge

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**MEMORANDUM**

July 1, 2009

TO: Administrative Judges, Districts 3-9

FROM: Ann Pfau *AP*

SUBJECT: Original papers in civil motions and special proceedings in Supreme Court

I want to thank you for your assistance and extensive input in addressing the issue of ensuring that the papers in civil motions and special proceedings in Supreme Court are filed with the County Clerk. As we have discussed, in many locations the court file is given to the prevailing party for the attorney to make sure that the motion and other papers are filed with the County Clerk. Unfortunately, there have been instances, particularly when a case is settled, when the papers are not returned to the County Clerk.

We, of course, are responsible for the integrity of the court file. Accordingly, in our discussions we concluded that the court system, rather than the bar, should maintain control of the file. Please advise your Judges who handle these matters that the original papers should be given to the Supreme Court Chief Clerk's office for transmission to the County Clerk or given to the County Clerk directly, whichever is more convenient for the Judge. Since attorneys will want original orders that they can file for entry with the County Clerk, Judges' chambers should send or provide to the prevailing attorney the decision and the original order for entry. A copy of the decision and the order should be included in the file sent to the County Clerk.

We will continue to work with you and your Supreme Court Chief Clerks to make sure that Judges' chambers are not affected and to minimize the impact that this new procedure may have on their offices.

cc: Hon. A. Gail Prudenti  
Hon. Anthony V. Cardona  
Hon. Henry Scudder  
Hon. Michael Coccoma  
Lawrence Marks, Esq.  
Michael Colodner, Esq.  
David Sullivan  
District Executives