

22 NYCRR § 202.5

This document reflects those changes received from the NY Bill Drafting Commission through August 1, 2025

NY - New York

Codes, Rules and Regulations >

TITLE 22. JUDICIARY >

SUBTITLE A. JUDICIAL ADMINISTRATION >

CHAPTER II. UNIFORM RULES FOR THE NEW YORK STATE TRIAL COURTS >

PART 202. UNIFORM CIVIL RULES FOR THE SUPREME COURT AND THE COUNTY COURT

§ 202.5 Papers filed in court

(a) Index number; form; label.

(1) The party filing the first paper in an action, upon payment of the proper fee, shall obtain from the county clerk an index number, which shall be affixed to the paper. The party causing the first paper to be filed shall communicate in writing the county clerk's index number forthwith to all other parties to the action. Thereafter such number shall appear on the outside cover and first page to the right of the caption of every paper tendered for filing in the action. Each such cover and first page also shall contain an indication of the county of venue and a brief description of the nature of the paper and, where the case has been assigned to an individual judge, shall contain the name of the assigned judge to the right of the caption. In addition to complying with the provisions of CPLR 2101, every paper filed in court shall have annexed thereto appropriate proof of service on all parties where required, and if typewritten, shall have at least double space between each line, except for quotations and the names and addresses of attorneys appearing in the action, and shall have at least one-inch margins. In addition, every paper filed in court, other than an exhibit or printed form, shall contain writing on one side only, except that papers that are fastened on the side

may contain writing on both sides, and shall contain print no smaller than 12-point, or 8 1/2 x 11 inch paper, bearing margins no smaller than one inch. The print size of footnotes shall be no smaller than 10 point. Papers that are stapled or bound securely shall not be rejected for filing simply because they are not bound with a backer of any kind.

(2) Unless otherwise directed by the court, each electronically-submitted memorandum of law, affidavit and affirmation, exceeding 4500 words, which was prepared with the use of a computer software program, shall include bookmarks providing a listing of the document's contents and facilitating easy navigation by the reader within the document.

(b) Submission of papers to judge. All papers for signature or consideration of the court shall be presented to the clerk of the trial court in the appropriate courtroom or clerk's office, except that where the clerk is unavailable or the judge so directs, papers may be submitted to the judge and a copy filed with the clerk at the first available opportunity. All papers for any judge that are filed in the clerk's office shall be promptly delivered to the judge by the clerk. The papers shall be clearly addressed to the judge for whom they are intended and prominently show the nature of the papers, the title and index number of the action in which they are filed, the judge's name and the name of the attorney or party submitting them.

(c) Papers filed to commence an action or special proceeding. For purposes of CPLR 304, governing the method of commencing actions and special proceedings, the term clerk of the court shall mean the county clerk. Each county clerk, and each chief clerk of the Supreme Court, shall post prominently in the public areas of his or her office notice that filing of papers in order to commence an action or special proceeding must be with the county clerk. Should the county clerk, as provided by CPLR 304, designate a person or persons other than himself or herself to accept delivery of the papers required to be

filed in order to commence an action or special proceeding, the posted notice shall so specify.

(d)

(1) In accordance with CPLR 2102(c), a county clerk and a chief clerk of the Supreme Court or County Court, as appropriate, shall refuse to accept for filing papers filed in actions and proceedings only under the following circumstances or as otherwise provided by statute, chief administrator's rule or order of the court:

- (i)** the paper does not have an index number;
- (ii)** the summons, complaint, petition, or judgment sought to be filed with the county clerk contains an "et al." or otherwise does not contain a full caption;
- (iii)** the paper sought to be filed with the county clerk is filed in the wrong court;
- (iv)** the paper is not signed in accordance with section 130-1.1-a of the Rules of the Chief Administrator; or
- (v)** the paper sought to be filed:
 - (a)** is in an action subject to electronic filing pursuant to Rules of the Chief Administrator;
 - (b)** is not being filed electronically; and either
 - (c)** is not being filed by an unrepresented litigant who is not participating in e-filing, or
 - (d)** does not include the notice required by paragraph (1) of subdivision (d) of section 202.5-b(d)(1) of such Rules.

The county clerk shall require the payment of any applicable statutory fees, or an order of the court waiving payment of such fees, before accepting a paper for filing.

(2) A county clerk or chief clerk shall signify a refusal to accept a paper by use of a stamp on the paper indicating the date of the refusal and by providing on the paper the reason for the refusal.

(e) Omission or redaction of confidential personal information.

(1) Except in a matrimonial action, or a proceeding in surrogate's court, or a proceeding pursuant to article 81 of the Mental Hygiene Law, or as otherwise provided by rule or law or court order, and whether or not a sealing order is or has been sought, the parties shall omit or redact confidential personal information in papers submitted to the court for filing. For purposes of this rule, confidential personal information (CPI) means:

(i) the taxpayer identification number of an individual or an entity, including a social security number, an employer identification number, and an individual taxpayer identification number, except the last four digits thereof;

(ii) the date of an individual's birth, except the year thereof;

(iii) the full name of an individual known to be a minor, except the minor's initials;

(iv) a financial account number, including a credit and/or debit card number, a bank account number, an investment account number, and/or an insurance account number, except the last four digits or letters thereof;

(v) any of the documents or testimony in a matrimonial action protected by Domestic Relations Law section 235 or evidence sealed by the court in such an action which are attached as exhibits or referenced in the papers filed in any other civil action. For purposes of this rule, a matrimonial action shall mean: an action to annul a marriage or declare the nullity of a void marriage, an action or agreement for a separation, an action for a divorce, or an action or proceeding for custody, visitation, writ of habeas corpus, child support, maintenance or paternity.

(2) The court sua sponte or on motion by any person may order a party to remove CPI from papers or to resubmit a paper with such information redacted; order the clerk to seal the papers or a portion thereof containing CPI in accordance with the requirement of section 216.1 of this Title that any sealing be no broader than necessary to protect the CPI; for good cause permit the inclusion of CPI in papers; order a party to file an unredacted copy under seal for in camera review; or determine that information in a particular action is not confidential. The court shall consider the pro se status of any party in granting relief pursuant to this provision.

(3) Where a person submitting a paper to a court for filing believes in good faith that the inclusion of the full confidential personal information described in subparagraphs (1)(i) to (iv) of this subdivision is material and necessary to the adjudication of the action or proceeding before the court, he or she may apply to the court for leave to serve and file together with a paper in which such information has been set forth in abbreviated form a confidential affidavit or affirmation setting forth the same information in unabbreviated form, appropriately referenced to the page or pages of the paper at which the abbreviated form appears.

(4) The redaction requirement does not apply to the last four digits of the relevant account numbers, if any, in an action arising out of a consumer credit transaction, as defined in subdivision (f) of section 105 of the Civil Practice Law and Rules. In the event the defendant appears in such an action and denies responsibility for the identified account, the plaintiff may without leave of court amend his or her pleading to add full account or CPI by (i) submitting such amended paper to the court on written notice to defendant for in camera review or (ii) filing such full account or other CPI under seal in accordance with rules promulgated by the chief administrator of the courts.

Section statutory authority:

Civil Practice Law & Rules, § 2101. Section statutory authority: Civil Practice Law & Rules, § 304. Section statutory authority: Civil Practice Law & Rules, § 2102. Section statutory authority: Mental Hygiene Law, § A81. Section statutory authority: Domestic Relations, § 235. Section statutory authority: Civil Practice Law & Rules, § 105

History

Amended 202.5(a) on 5/16/94; added 202.5(c) on 3/17/04; added 202.5(d) on 2/03/10; added 202.5(d)(1)(v) on 5/19/10; amended 202.5(d)(1)(v) on 10/21/15; added 202.5(e)(also see 12, 10, 14 Register) on 12/03/14; amended 202.5(e)(effective 03/01/16) on 2/03/16; amended 202.5(a)(effective 02/01/21) on 2/10/21; amended 202.5(a)(2) on 7/06/22; amended 202.5(a)(2) on 8/31/22.

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