

# Amid Stacks of Paper, ‘E-Court’ Is Finally in Session

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The Manhattan courthouse is famous for its clean architectural lines and grand outdoor staircase leading to Foley Square. But inside is a Dickensian maze of dark wood and battered cabinets. And paper. Tons of paper. Piles, boxes, and rooms packed with summonses, exhibits and briefs.



Hiroko Masuike/The New York Times

People waited to file documents in Courtroom 130.

So much paper. More than two million pieces in 80,000 new civil suits a year, with some 360,000 more files in the basement. Lawyers sometimes use hand-trucks to wheel in new stacks of documents.

“We’ve run out of space to put the paper,” said Edward M. Kvarantan, one of the court clerks, while at the next table another clerk sorted through the latest piles to arrive at the court, at 60 Centre Street, where big civil suits are handled. When the file cabinets filled up, Mr. Kvarantan said, “we began to put the files on top of the cabinets, but it didn’t look very good.”

The digital revolution has now, finally, and perhaps improbably, made it here to this courthouse, State Supreme Court in Manhattan, whose staircase is featured so often on television that some people would not be faulted for thinking it is a stage set for “Law & Order.”

The court is the setting for the first full “e-court” in the state and is part of efforts by more than a dozen court systems nationally to move toward a paperless future that has come slowly to state courts, where old habits die hard. (Federal courts, and much of the rest of the world, have been online for more than a decade.)

Archived files in the basement of the State Supreme Court in Manhattan, which is now moving toward a paperless future.

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Hiroko Masuike/The New York Times

For the past year, New York State has for the first time been requiring lawyers in about 6,000 cases dealing with commercial disputes in the Manhattan courthouse to “e-file” their cases over the Internet. Clerks and judges then process the documents from the first gripe, through the spiteful arguments and on to the final rulings, all the while [providing full public access](#) — and all, at least theoretically, paperlessly.

Some courts in Westchester and Rockland Counties have followed Manhattan’s pilot project to require mandatory electronic filing over the last year. And last month the Legislature authorized a wide expansion of electronic courts to a broad array of civil cases and to courts in every borough and several upstate counties. New York is not yet handling criminal cases electronically.

All of which has made this old-style court something of a pioneer. “We have momentum to really eliminate the paper,” said Jeffrey Carucci, the first deputy chief clerk of the Manhattan court.

From his base in the Centre Street courthouse, Mr. Carucci, 49, coordinates the statewide program to expand the electronic court to other courthouses. The whole project could be complete, he said, in 20 years. Having e-courts statewide, court officials say, will mean half a billion fewer pieces of paper annually.

“It’s a tremendous cultural change,” Mr. Carucci said.



Hiroko Masuike/The New York Times

The court clerk Michael P.D. Kenny, seated, handles the electronic cases.

Mr. Carucci recalled that some lawyers seemed to require persuasion to believe that their computer could actually accomplish the act of filing a document at the courthouse that used to require a personal visit to a scratched counter. He said he explained patiently, “E-filing is not just putting it out into cyberspace; it was actually filing,” in court.

There are skeptics. Though the law does permit courts to require electronic filing in certain cases, it also provides that people can opt out for specified reasons, including that they do not know how to use a computer. In the 5,745 commercial cases in which electronic filing has been required for the last year, court officials say, only 30 people have filed the necessary opt-out form (paper that goes into yet another file).

A Manhattan lawyer, Louis P. Giordano, said his firm uses computers but decided to stick with paper in a recent case. He said he worried about whether the courts had “really gotten the kinks out.”

“Things occasionally get botched in state court,” Mr. Giordano said. “In state court I do not want to be that guinea pig.”

The other day the future could be glimpsed in 60 Centre Street’s Courtroom 130, a cavernous brownish room that looked as if it were a backdrop in an old Edward G. Robinson movie.

Courtroom 130 is the palace of paper. Every weekday morning, court is in session. But there is no judge. Instead, clerks call a list of cases and lawyers line up with their piles of documents. The purpose of the exercise is the collection, collation and preparation of paper from all participants to a case for the day when it will be needed by a judge.

But in the back, at a desk with computer screens, sits Michael P. D. Kenny, the court clerk of the future. Mr. Kenny handles the electronic cases, a task that is supposed to involve key strokes and e-mail rather than lines and piles.

It has worked somewhat, Mr. Kenny said, as he prepared his cases for the next day. But what was that he was working on? It looked suspiciously like piles of paper.

He sheepishly explained that some judges have specified that the electronic court is all well and good but that when it comes to their cases, they want the paper printed out.

“It’s taking them a little while,” he said as he straightened a pile. “This moving forward,” he added, “it’s like taking baby steps.”

But some judges say paperlessness has won them over even in cases in which it is not required.

In his robing room off another big courtroom where he handles contract disputes, personal injury claims and other civil cases, Justice Paul G. Feinman said there were many benefits to the electronic court. One benefit, he said, was that he has worked on cases in any number of places with Internet access, including his mother's house, his living room and Fire Island without having to haul pounds of documents with him.

Among its many bells and whistles, the court's computer program automatically notifies all lawyers to a case when a document is filed by any participant. One result, Justice Feinman said, is that the age-old practice of bickering among lawyers about whether they received a copy of this or that is becoming a thing of the past.

Justice Feinman has become something of an antipaper zealot. "Papers collect," he said. "They get full of dust. They get coffee stains." He noted with evident disgust that the judges received a memorandum not long ago advising that they should avoid keeping piles of paper on courthouse floors. [Bedbugs](#), the memo asserted, do not confine themselves to beds.

Justice Feinman was warming to the topic as he extolled the benefits of the e-court. "I do have fewer paper cuts since we went into this," he said.

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