



Lawrence K. Marks
Chief Administrative Judge

25 Beaver Street
New York, N.Y. 10004
(212) 428-2100

MEMORANDUM

March 15, 2020

To: All Judicial and Non-Judicial Personnel of the Unified Court System

From: Lawrence K. Marks *LM*

Re: Updated Protocols

=====

In light of further recent developments in the coronavirus public health emergency in New York State, please be advised of the following updated operational protocols for the trial courts of the Unified Court System, as well as all other UCS offices.

- **Effective 5 p.m. on Monday, March 16, we will be postponing all non-essential functions of the courts until further notice. All essential functions will continue, as described below.**
- Pending Trials: Pending criminal and civil trials will continue to conclusion. Consistent with our directive of March 13, no other criminal or civil trials shall commence until further notice.
- Special Parts: Outside of New York City, special court parts will be established in individual jurisdictions (at the courthouses listed in Attachment A) where essential matters will be consolidated; inside New York City, courthouses will remain open to handle essential matters:

Supreme Court: Essential applications as the court may allow, e.g., Mental Hygiene Law applications, civil commitments, and guardianships.

Civil matters in courts
other than Supreme Court: Essential applications as the court may allow.

Effective Monday, March 16, all eviction proceedings and pending eviction orders shall be suspended statewide until further notice.

NYC Housing Court: Essential applications as the court may allow, e.g., landlord lockouts, serious housing code violations, and repair orders.

Criminal (superior court) matters: Essential applications as the court may allow.

Effective Monday, March 16, felony matters wherein the defendant is not in custody shall be administratively adjourned until further notice. Felony matters in which defendants are in custody will either be administratively adjourned or be conducted remotely by video in New York City and in jurisdictions outside of New York City that have technology available to do so.

Criminal (lower court): Arraignments, and essential applications as the court may allow, e.g., applications for orders of protection.

Arraignments shall be conducted through video remote appearances in New York City and to the fullest extent possible throughout the State.

In New York City, the Red Hook Community Court and the Midtown Community Court have been designated as arraignment sites where persons believed to be at medical risk related to the coronavirus will appear remotely by video.

Family Court: Essential matters as the court may allow, e.g., issues related to child protection proceedings, juvenile delinquency proceedings, family offenses, and support orders.

Surrogate's Court: Essential applications as the court may allow.

Court of Claims: Essential applications as the court may allow.

Please note that, in addressing essential applications, judges will exercise judicial discretion in a manner designed to **minimize court appearance and traffic in the courts.**

- Dedicated 800 Number: The Court System will be establishing an emergency telephone number, available 24/7, for all questions from the public relating to court operations during the coronavirus public health emergency.
- Judicial Assignments: Judges should check with their Administrative or Supervising Judge for information on their assignment under these updated protocols.
- Staff Assignments: Nonjudicial employees should check with their supervisor for information on their assignment under the updated protocols. **Unless you are expressly notified that you must report to work, do not report to work on Tuesday, March 17.** (Staff remaining home pursuant to this directive shall designate such time as excused leave for payroll purposes.) Staff not required to report to work on Tuesday shall remain available for potential future work assignments going forward.

=====

These initiatives are part of our continuing and evolving efforts to assure the operation of the courts in the safest possible manner for the public and our employees in this time of medical emergency. Please consult your Administrative or Supervising Judge for further details on these proposals.

Thank you for your continuing cooperation and support in these efforts.