

9TH Judicial District
Return to In-Person Operations Plan
Phase I - Highlights
****To Commence May 27, 2020****

Our region has met established bench-marks, triggering the first phase of a return to more in-person operations. Throughout this public health crisis, the courts have remained opened and, while limiting foot traffic, have continued to hear Essential Matters.

Over the past several weeks, courts have been steadily increasing cases handled and clearing up existing pending matters. Thanks to the dedication and hard work of our remarkable judges and court staff, we are ready to begin Phase I of the Return to In-Person Operations

We will begin a flexible, measured and steady return to in-person operations commencing on **May 27, 2020**. We will continue to ensure the safety of all who enter the Courthouses – Judges, Staff and the public by assuring that appropriate safety measures are followed.

- Judges and Chambers Staff in Dutchess, Orange, Putnam, Rockland and Westchester Counties will return to their courthouses commencing **May 27, 2020**.
- All Court Attorney Referees and Support Magistrates will return to their courthouses on a rotating basis.
- The pre-existing “Virtual Courtrooms” and “Virtual Chambers” Plans shall continue unless specifically modified herein.
- No one shall be permitted to enter a Court facility without a mask covering their mouth and nose. Security personnel will require proper PPE (masks, hand sanitizer) and social distancing for all members of the public who enter the courthouse.
- Non-employee court visitors will be required to undergo approved COVID-19 screening before entering the courthouse.
- Enhanced cleaning protocols shall be established ensuring regular, thorough cleaning and disinfection of all occupied areas within a facility.
- The e-filing system shall be fully expanded, and the Electronic Document Delivery System shall continue. New filings and matters shall be accepted for filing and processed.
- All County and City Courthouses in Dutchess, Orange and Westchester Counties will be open and staffed.
- County Courthouse operations will continue as they are presently.
- Pro se litigants shall continue to be permitted access to Virtual Courtrooms remotely either through their own technology means or in an anteroom previously established near the entrance to the court facility.
- Employees
 - Use of masks/gloves
 - Spatial distancing at work stations
 - Provisions for vulnerable employees

Designated Judges and Courts 9th JD**Westchester**Supreme Court

Hon. David F. Everett	Week of 3/16
Back Up: Hon. Lewis Lubell	
Hon David Everett	Week of 3/23
Back Up: Hon Gretchen Walsh	
Hon. Joan B. Lefkowitz	Weeks of 3/30 - 4/05
Back Up: Hon William Giacomo	
Hon. Gretchen Walsh	Weeks of 4/06 - 4/19
Back Up: to be determined	
Hon. James Hubert	Weeks of 4/20 - 5/03
Back Up: Judge Lubell	
Hon. Bruce Tolbert	Weeks of 5/04 - 5/17
Back up: Judge Wood	
Hon. Mary Smith	Weeks of 5/18 - 5/31
Back up: Judge Ruderman	
Hon. David Everett	Weeks of 6/01 - 6/14
Back up: TBD	
Hon. William J. Giacomo	Weeks of 6/15 - 6/28
Back up: TBD	
Hon. Lawrence H. Ecker	Weeks of 6/29 - 7/12
Back up: TBD	
Hon. Janet C. Malone	Weeks of 7/13 - 7/26
Back up: TBD	
Hon. Terry Jane Ruderman	Weeks of 7/27 - 8/09
Back up: TBD	

County Court

Judge Susan Cacace	Week of 3/17
Back Up: Judge Barry Warhit	
Judge Anne Minihan	Week of 3/23
Back Up: Judge Helen Blackwood	
Judge David Zuckerman	Week of 3/30
Back Up: Judge Susan Capeci	
Judge George Fufidio	Week of 4/06
Back Up: Judge Melissa Loehr	
Primary-Judge Susan Cacace	Week of 4/13
Back up- Judge Barry Warhit	
Primary- Judge Anne Minihan	Week of 4/20
Back up- Helen Blackwood	
Primary- Judge David Zuckerman	Week of 4/27

Back up-Judge Susan Capeci	
Primary-Judge George Fufidio	Week of 5/04
Back up- Melissa Loehr	
Primary- Judge Susan Cacace	Week of 5/11
Back up- Judge Barry Warhit	
Primary- Judge Anne Minihan	Week of 5/18
Back up-Judge Helen Blackwood	
Primary-Judge David Zuckerman	Week of 5/25
Back up-Judge Susan Capeci	
Primary-Judge George Fufidio	Week of 6/01
Back up-Judge Melissa Loehr	
Primary-Judge Susan Cacace	Week of 6/08
Back up-Judge Barry Warhit	
Primary-Judge David Zuckerman	Week of 6/15
Back up-Judge Susan Capeci	
Primary-Judge Anne Minihan	Week of 6/22
Back up-Judge Helen Blackwood	
Primary-Judge George Fufidio	Week of 6/29
Back up-Judge Melissa Loehr	
Primary-Judge Susan Cacace	Week of 7/06
Back up-Judge Barry Warhit	
Primary-Judge David Zuckerman	Week of 7/13
Back up-Judge Susan Capeci	
Primary-Judge Anne Minihan	Week of 7/20
Back up-Judge Helen Blackwood	
Primary-Judge George Fufidio	Week of 7/27
Back up-Judge Melissa Loehr	

Family Court

Hon Wayne Humphrey	Week of 3/16
Back Up: Hon. Adrian Armstrong	
Hon. Arlene Gordon Oliver	Week of 3/23
Back Up: Hon Nilda Morales Horowitz	
Hon. Nilda Morales Horowitz	Week of 3/30
Back Up: Hon. Mary Anne Scattaretico-Naber	
Hon. Mary Anne Scattaretico-Naber	Week of 4/06
Back Up: Arlene Katz	
Hon. Arlene Katz	Week of 4/13
Back Up: Michelle Schauer	
Hon. Michelle Schauer	Week of 4/20
Back Up: Hon. Rachel Hahn	
Hon. Rachel Hahn	Week of 4/27
Back Up: Hon. Wayne Humphrey	
Hon Wayne Humphrey	Week of 05/04
Back Up: Hon. Adrian Armstrong	

Hon. Mary Anne Scattaretico-Naber Week of 05/11
Back Up: Hon Nilda Morales Horowitz
Hon. Nilda Morales Horowitz Week of 05/18
Back Up: Hon. Mary Anne Scattaretico-Naber
Hon. Arlene Gordon Oliver Week of 05/25
Back Up: Arlene Katz
Hon. Arlene Katz Week of 06/01
Back Up: Michelle Schauer
Hon. Michelle Schauer Week of 06/08
Back Up: Hon. Rachel Hahn
Hon. Rachel Hahn Week of 06/15
Back Up: Hon. Wayne Humphrey
Hon. Wayne Humphrey Week of 06/22
Hon. Mary Anne Scattaretico-Naber Week of 06/29
Hon. Nild Morales Horowitz Week of 07/06
Hon. Arlene Gordon-Oliver Week of 07/13
Hon. Arlene Katz Week of 07/20
Hon. Michelle Schauer Week of 07/27
Hon. Rachel Hahn Week of 08/03

City Courts

Hon. Jo Ann Friia Week of 4/06
Back Up: Hon. Judge John Collins
Hon. Thomas Quinones Week of 4/13
Back Up: Hon. Elena Goldberg-Velazquez
Hon. Thomas Daly Week of 4/20
Back Up: Hon. Nichelle Johnson
Hon. Reginald Johnson Week of 4/27
Back Up: Hon. Jared Rice
Hon. Adrian Armstrong Week of 5/04
Back Up: Hon. Evan Inlaw
Hon. Susan Kettner Week of 5/11
Back Up: Hon. Eric Press
Hon. Michael Martinelli Week of 5/18
Back Up: Hon. Arthur Doran III
Hon. Jo Ann Friia Week of 5/25
Back Up: Hon. John Collins
Hon. Thomas Quinones: Week of 6/1
Back Up: Hon. Elena Goldberg-Valazquez
Judge Thomas Daly Week of 6/8
Back Up: Hon. Nichelle Johnson
Hon. Anthony Carbone Week of 6/15
Back Up: Hon. Jared Rice
Hon. Judge Reginald Johnson Week of 6/22
Back Up: Hon. Evan Inlaw

Hon. Adrian Armstrong Week of 6/29
Back Up: Hon. Susan Kettner

Dutchess

Supreme Court:

Judge Mcloughlin Week of 3/16 except 3/18 Judge Watson

Back Up: Hon. Maria Rosa

Judge Watson Week of 3/23

Back Up: Hon. Maria Rosa

Judge Rosa Week of 3/30

Back Up: Hon. Maria Rosa

Judge MacKenzie Week of 4/06

Back Up: Hon. Maria Rosa

Judge McLoughlin Week of 4/13

Back Up: Hon. Maria Rosa

Judge Greenwald Week of 4/20

Back Up: Hon. Maria Rosa

Hon. Christi Acker Week of 4/27

Back Up: Hon. Maria Rosa

Hon. Maria Rosa Week of 5/04

Back Up: Hon. Christi Acker

Hon. Hal Greenwald Week of 5/11

Back Up: Hon. Maria Rosa

Hon. Christi Acker Week of 5/18

Back Up: Hon. Maria Rosa

Hon. Maria Rosa Week of 5/25

Back Up: Hon. Hal Greenwald

Hon. Hal Greenwald - Week of 6/01

Back Up - Hon Christi Acker

Hon. Christi Acker - Week of 6/08

Back-up - Hon. Maria Rosa

Hon. Maria Rosa - Week of 6/15

Back-up - Hon. Hal Greenwald

Hon. Hal Greenwald - Week of 6/22

Back-up - Hon. Christi Acker

Hon. Christi Acker - Week of 6/29

Back-up - Hon. Maria Rosa

Hon. Maria Rosa - Week of 7/6

Back-up - Judge Greenwald

County Court:

Hon. Michael G. Hayes Week of 4/20

Back-up: Hon. Edward McLoughlin

Hon. Edward McLoughlin Week of 4/27

Back-up: Hon. Peter M. Forman

Hon. Peter M. Forman	Week of 5/4
Back-up: Hon. Timothy Pagones	
Hon. Michael G. Hayes	Week of 5/11
Back-up: Hon. Scott Volkman	
Edward McLoughlin	Week of 5/18
Back-up: Hon. Frank Mora	
Hon. Peter M. Forman	Week of 5/25
Back-up: Hon. Timothy Pagones	
Hon. Edward McLoughlin -	Week of 6/01
Back-up - Hon. Frank Mora	
Hon. Peter Forman -	Week of 6/08
Back-up - Hon. Scott Volkman	
Hon. Edward McLoughlin	Week of 6/15
Back-up - Hon. Timothy Pagones	
Hon. Peter Forman	Week of 6/22
Back-up - Hon. Scott Volkman	
Hon. Edward McLoughlin	Week of 6/28
Back-up - Hon. Frank Mora	
Hon. Peter Forman	Week of 7/6
Back-up TBD	

Family

Hon. Jeffrey C. Martin:	Week of 3/16;
Back Up: Judge Watson	
Hon. Denise M. Watson	Week of 3/23
Back Up: Judge Egitto	
Hon. Joseph A. Egitto	Week of 3/30
Back Up: Judge MacKenzie	
Hon. Tracy C. MacKenzie	Week of 4/06
Back Up: Judge Martin	
Hon. Jeffrey C. Martin:	Week of 4/13
Back Up: Judge Watson	
Hon. Denise M. Watson:	Week of 4/20
Back Up: Judge MacKenzie	
Hon. Tracey C. MacKenzie	Week of 4/27
Back Up: Judge Martin	
Hon. Jeffrey C. Martin:	Week of 5/04
Back Up: Judge Watson	
Hon. Denise M. Watson	Week of 5/11
Back Up: Judge MacKenzie	
Hon. Tracy C. MacKenzie	Week of 5/18
Back Up: Judge Martin	
Hon. Jeffrey C. Martin	Week of 5/25
Back Up: Judge Watson	
Hon. Denise M. Watson	Week of 6/01
Hon. Tracy C. MacKenzie	Week of 6/08

Hon. Jeffrey C. Martin	Week of 6/15
Hon. Denise M. Watson	Week of 6/22
Hon. Tracy C. MacKenzie	Week of 6/29
Hon. Jeffrey C. Martin	Week of 7/06
Hon. Denise M. Watson	Week of 7/13
Hon. Tracy C. MacKenzie	Week of 7/20
Hon. Jeffrey C. Martin	Week of 7/17

City

Judge Mora:	Week of 3/16
Judge Volkman:	Week of 3/23
Judge Pagonos:	Week of 3/30
Judge Mora:	Week of 4/06
Judge Pagonos:	Week of 4/13
Judge Volkman:	Week of 4/20
Judge Mora:	Week of 4/27
Judge Pagonos	Week of 5/04
Judge Volkman	Week of 5/11
Judge Mora	Week of 5/18
Judge Pagonos	Week of 5/25
Judge Mora	Week of 6/01
Judge Volkman	Week of 6/08
Judge Pagonos	Week of 6/15
Judge Volkman	Week of 6/22
Judge Mora	Week of 6/29

Orange

Supreme

Hon. Catherine Bartlett	March 9 - March 22
Back Up: Hon. Robert Onofry	
Hon. Steven Milligram	March 23 - April 5
Back Up: Hon. Robert Onofry	
Hon. Sandra Sciortino	April 6 - April 19
Back Up: Hon. Robert Onofry	
Hon. Maria Vazquez-Doles	April 20 - May 3
Back Up: Hon. Robert Onofry	
Hon. Robert Onofry	May 4 to May 17
Back Up: Hon. Sandra Sciortino	
Hon. Catherine Bartlett	May 18 to May 31
Back Up: Hon. Robert Onofry	
Hon. Robert Onofry	June 1 to June 14
Supreme Court - Judge Onofry	
Back Up: On. Sandra Sciortino	
Hon Sandra Scortino	June 15 to June 28
Back Up: Hon. Robert Onofry	

County

Judge Robert Freehill March 23 to April 5
Back-up Victoria Campbell
Judge Robert Prisco April 6 to April 19
Back-up Victoria Campbell
Judge Craig Brown April 20 to May 3
Back-up Victoria Campbell
Judge Craig Brown May 4 to May 17
Back-up Victoria Campbell
Judge Wiliam DeProsopo May 18 to May 31
Back-up Victoria Campbell
Judge Robert Freehill June 1 to June 14
Back-up Robert Prisco
Judge Robert Prisco June 15 to June 28
Back-up Robert Freehill

Family

3/16/20-3/22/20 - Campbell
Back up: Klein
3/23/20-3/29/20 - Kraulik
Back up: Klein
3/30/20-4/5/20 - Klein
Back up: Campbell
4/6/20-4/12/20 - Currier Woods
Back up: Campbell
4/13/20-4/19/20 - Kraulik
Back up: Currier Woods
4/20/20-4/26/20 - Klein
Back up: Currier Woods
4/27/20-5/3/20 - Currier Woods
Back up: Kraulik
5/4/20-5/10/20 - Campbell
Back up: Kraulik
5/11/20-5/17/20 - Kraulik
Back up: Klein
5/18/20-5/24/20 - Klein
Back up: Campbell
5/25/20-5/31/20 - Currier Woods
Back up: Kraulik
6/1/20-6/7/20 - Campbell
Back up: Kraulik
6/8/20-6/14/20 - Klein
Back up: Currier Woods
6/15/20-6/19/20 - Kraulik
Back up: Campbell
6/22/20-6/28/20 - Currier Woods

Back up: Klein
6/29/20-7/5/20 -Campbell
Back up: Krahulik

City Courts

Hon. Paul Trachte Week of March 30, 2020
 Hon. Richard Guertin Week of April 4, 2020
 Hon. Paul Trachet Week of April 13, 2020
 Hon. Stephen Brockett Week of April 20, 2020
 Hon. Paul Trachte Week of April 27, 2020
 Hon. Richard Guertin Week of May 4, 2020
 Hon. Peter Kulkin Week of May 11, 2020
 Hon. Stephen Brockett Week of May 18, 2020
 Hon. Peter Kulkin Week of May 25, 2020
 Hon. Richard Guertin Week of June 1, 2020
 Hon. E. Loren Williams Week of June 8, 2020
 Hon. Steven Brockett Week of June 15, 2020
 Hon. E. Loren Williams Week of June 22, 2020
 Hon. Richard Guertin Week of June 29, 2020

Putnam

Supreme Court Duty Schedule through May, 2020:

Judge Capone – each Tuesday and Thursday
 Back Up: Judge Grossman
 Judge Grossman- each Monday and Wednesday
 Back Up Judge Capone
 Alternating Friday- Judge Capone 5/15, Judge Grossman 5/22, Judge Capone 5/29/2020
 Judge DiBella- assigned to all Guardianship emergencies
 Back Up: Judge Grossman

Putnam County Court and Family Court Duty Schedule (including justice court arraignments) through May, 2002:

Judge Rooney – each Tuesday and Thursday
 Back Up: Judge Spofford
 Judge Spofford – each Monday and Wednesday
 Back Up: Judge Rooney
 Alternating Fridays- Judge Spofford 5/15, Judge Rooney 5/22, Judge Spofford 5/29/2020

Date	Supreme	County Family
Mon. June 1	Victor G. Grossman	Joseph J. Spofford
Tues. June 2	Gina C. Capone	James T. Rooney

Wed. June 3	Victor G. Grossman	Joseph J. Spofford
Thur. June 4	Gina C. Capone	James T. Rooney
Fri. June 5	Victor G. Grossman	James T. Rooney
Mon. June 8	Victor G. Grossman	Joseph J. Spofford
Tues. June 9	Gina C. Capone	James T. Rooney
Wed. June 10	Victor G. Grossman	Joseph J. Spofford
Thur. June 11	Gina C. Capone	James T. Rooney
Fri. June 12	Gina C. Capone	Joseph J. Spofford
Mon. June 15	Victor G. Grossman	Joseph J. Spofford
Tues. June 16	Gina C. Capone	James T. Rooney
Wed. June 17	Victor G. Grossman	Joseph J. Spofford
Thur. June 18	Gina C. Capone	James T. Rooney
Fri. June 19	Victor G. Grossman	James T. Rooney
Mon. June 22	Victor G. Grossman	Joseph J. Spofford
Tues. June 23	Gina C. Capone	James T. Rooney
Wed. June 24	Victor G. Grossman	Joseph J. Spofford
Thur. June 25	Gina C. Capone	James T. Rooney
Fri. June 26	Gina C. Capone	Joseph J. Spofford
Mon. June 29	Victor G. Grossman	Joseph J. Spofford
Tues. June 30	Gina C. Capone	James T. Rooney
Wed. July 1	Victor G. Grossman	Joseph J. Spofford
Thurs. July 2	Gina C. Capone	James T. Rooney
Fri. July 3	HOLIDAY	HOLIDAY
Mon. July 6	Victor G. Grossman	Joseph J. Spofford
Tues. July 7	Gina C. Capone	James T. Rooney
Weds. July 8	Victor G. Grossman	Joseph J. Spofford

Thurs. July 9	Gina C. Capone	James T. Rooney
Fri. July 10	Gina C. Capone	Joseph J. Spofford
Mon. July 13	Victor G. Grossman	Joseph J. Spofford
Tues. July 14	Gina C. Capone	James T. Rooney
Weds. July 15	Victor G. Grossman	Joseph J. Spofford
Thurs. July 16	Gina C. Capone	James T. Rooney
Fri. July 17	Victor G. Grossman	James T. Rooney
Mon. July 20	Victor G. Grossman	Joseph J. Spofford
Tues. July 21	Gina C. Capone	James T. Rooney
Weds. July 22	Victor G. Grossman	Joseph J. Spofford
Thurs. July 23	Gina C. Capone	James T. Rooney
Fri. July 24	Gina C. Capone	Joseph J. Spofford
Mon. July 27	Victor G. Grossman	Joseph J. Spofford
Tues. July 28	Gina C. Capone	James T. Rooney
Wed. July 29	Victor G. Grossman	Joseph J. Spofford
Thurs. July 30	Gina C. Capone	James T. Rooney
Fri. July 31	Victor G. Grossman	James T. Rooney

Rockland

Supreme

Hon. Robert A. Berliner Week of 3/16

Back Up: Hon. Paul I. Marx

Hon. Paul I Marx Week of 3/23

Back Up; Hon. Sherri Eisenpress

Hon. Sherri Eisenpress Week of 3/30

Back Up: Hon. Thomas Zugibe

Hon. Thomas Zugibe Week of 4/06

Back Up: Hon. Rolf Thorsen

Hon. Rolf Thorsen Week of 4/13

Back Up : Hon. Robert Berliner

Hon. Robert Berliner Week of 4/20

Back Up: Hon. Paul Marx
Hon. Paul Marx Week of 4/27
Back Up: Sherri Eisenpress
Hon. Sherri Eisenpress Week of 5/04
Back Up: Hon. Thomas Zugibe
Hon. Thomas Zugibe Week of 5/11
Back Up: Hon. Rolf Thorsen
Hon. Rolf Thorsen Week 5/18
Back Up: Robert Berliner
Hon. Robert Berliner Week of 5/25
Back Up: Hon. Paul Marx
Hon. Paul Marx Week of 6/1
Back Up: Hon. Sherri Eisenpress
Hon. Sherri Eisenpress Week of 6/8
Back Up: Hon. Thomas Zugibe
Hon. Thomas Zugibe Week of 6/15
Back Up: Rolf Thorsen
Hon. Rolf Thorsen Week of 6/22
Back Up: Hon. Robert Berliner
Hon. Robert Berliner Week of 6/29
Back Up: Hon. Paul Marx
Hon. Paul Marx Week of 7/6
Back Up: Sherri Eisenpress
Hon. Sherri Eisenpress Week of 7/13
Back Up: Hon. Thomas Zugibe
Hon. Thomas Zugibe Week of 7/20
Back Up: Hon. Rolf Thorsen
Hon. Rolf Thorsen Week of 7/27
Back Up: Robert Berliner

County

Hon. Kevin Russo Week of 3/16
Back Up: Hon. Larry Schwartz
Hon. Lawrence Schwartz Week of 3/23
Back Up: Hon. Kevin Russo
Hon. Kevin Russo Week of 3/30
Back Up: Hon Larry Schwartz
Hon Larry Schwartz Week of 4/06
Back Up: Hon. Kevin Russo
Hon. Kevin Russo Week of 4/13
Back Up: Hon. Larry Schwartz
Hon. Kevin Russo Week of 4/20
Back Up: Hon. Larry Schwartz
Hon Larry Schwartz Week of 4/27
Back Up: Hon. Kevin Russo
Hon Larry Schwartz Week of 5/04

Back Up: Hon. Kevin Russo
Hon. Hon. Kevin Russo Week of 5/11
Back Up: Hon. Larry Schwartz
Hon. Larry Schwartz Week of 5/18
Back Up: Kevin Russo
Hon. Kevin Russo Week of 5/25
Back Up: Larry Schwartz
Hon. Larry Schwartz Week of 6/1
Back Up: Hon. Kevin Russo
Hon. Kevin Russo Week of 6/8
Back Up: Hon. Larry Schwartz
Hon. Larry Schwartz Week of 6/15
Back Up: Hon. Kevin Russo
Hon. Kevin Russo Week of 6/22
Back Up: Hon. Larry Schwartz
Hon. Larry Schwartz Week of 6/29
Back Up: Hon. Kevin Russo
Hon. Kevin Russo Week of 7/6
Back Up: Hon Larry Schwartz
Hon. Larry Schwartz Week of 7/13
Back Up: Kevin Russo
Hon. Kevin Russo Week of 7/20
Back Up: Larry Schwartz
Hon. Larry Schwartz Week of 7/27
Bach Up: Kevin Russo

Family

Hon. Rachel Tanguay Week of 3/16
Back Up: Hon Keith Cornell
Hon Keith Cornell Week of 3/23
Back Up: Hon. Sherri Eisenpress
Hon. Sherri Eisenpress Week of 3/30
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 4/06
Back Up: Hon Keith Cornell
Hon Keith Cornell Week of 4/13
Back Up: Hon. Sherri Eisenpress
Hon. Sherri Eisenpress Week of 4/20
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 4/27
Back Up: Hon. Keith Cornell
Hon Keith J. Cornell Week of 5/04
Back Up: Hon. Sherri Eisenpress
Hon. Sherri Eisenpress Week of 5/11
Back Up: Rachel Tanguay
Hon. Rachel Tanguay Week of 5/18

Back Up: Hon. Keith Cornell
Hon. Keith Cornell Week of 5/26
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 6/01
Back Up: Hon. Keith Cornell
Hon. Keith Cornell Week of 6/08
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 6/15
Back Up: Hon. Keith Cornell
Hon. Keith Cornell Week of 6/22
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 6/29
Back Up: Hon. Keith Cornell
Hon. Keith Cornell Week of 7/06
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 7/13
Back Up: Hon. Keith Cornell
Hon. Keith Cornell Week of 7/20
Back Up: Hon. Rachel Tanguay
Hon. Rachel Tanguay Week of 7/27
Back Up: Hon. Keith Cornell



**FIFTH AMENDED ADMINISTRATIVE ORDER
NINTH JUDICIAL DISTRICT**

Pursuant to the authority vested in me, in accordance with the recent operational protocols issued by the Chief Administrative Judge for the trial courts of the Unified Court System and after consultation with the Chief Administrative Judge and the Deputy Chief Administrative Judge and

WHEREAS, New York State and the nation are now in the midst of an unprecedented public health crisis surrounding the outbreak of COVID-19 (coronavirus); and

WHEREAS, COVID-19 is known to be a highly infectious disease, and there is much community concern that large gatherings of people can result in greater public exposure to possible contagion or “community spread”; and

WHEREAS, on a daily basis, in courts across the State, hundreds if not thousands of people representing a broad cross-section of the community gather to conduct business in large groups in close proximity to one another,

WHEREAS the Courts of the Ninth Judicial have commenced Phase I of the Return to In-Person Operations Plan on May 27, 2020 (The highlights of the RIOP are included in Attachment A hereto); is hereby

ORDRED that effective immediately the following rules be put into effect in the Ninth Judicial District until rescinded.

As hereinafter used, “Assigned Judge” shall refer to the judge assigned to hear the case on and before March 16, 2020. “Designated Judge” shall refer to the judge assigned to hear the case pursuant to this Order (Attachment B). “Essential Staff” shall refer to non-judicial staff as designated by the District Executive.

A. General matters and matters applicable to more than one case type

1. Until further Administrative Order or Executive Order, pending eviction proceedings are stayed; no eviction orders shall be signed or served. Reference is made to Administrative Order AO/68/20 signed by the Chief Administrator of the Courts on March 16, 2020, Executive Order 202.8 signed by the Governor on March

20, 2020 , **Executive Order 202.14 signed by the Governor on April 7, 2020 and Executive Order 202.28 signed May 7, 2020** with regard to eviction matters.

2. Until further Administrative Order or Executive Order, no default judgments shall be granted **where, pursuant to CPLR 3215, the default occurred after March 16, 2020. Furthermore, no default judgment requiring the defendant's notice pursuant to CPLR 3215(g) shall be granted, unless the application was heard prior to March 17, 2020 and proper notice was given.**
3. All Family Court and all County Court Judges are cross-assigned to the County and Family Courts in all counties of the District. **All City Court Judges are cross-assigned to all County*, City, Town and Village Courts in County of their residence and any adjoining county. * effective March 16, 2020 nunc pro tunc.**
4. The Virtual Courtroom Protocol (attached hereto) established for the Ninth Judicial District effective April 6, 2020 remains in full force and effect and all provisions of this Fifth Amended Administrative Order shall be read in conjunction with the Virtual Courtroom Protocol **and any subsequent amendments thereto.**
5. Essential Court proceedings **shall be heard by either the Assigned Judge or the Designated Judge (as contained in Attachment B) and will occur virtually.**
6. Non-Essential proceedings shall be heard by the Assigned Judge and will occur virtually.
7. Maximum occupancy of ALL courtrooms, waiting rooms and meeting rooms in Court Facilities and other rooms where court functions occur conform to current recommendations, which is the lesser of 10 people or ½ the posted room occupancy per code. All room occupants shall remain six feet apart.
8. Naturalization Ceremonies, wherever they occur, shall comply with the room occupancy limits stated herein.
9. **Only Essential Staff may report to the courthouse for work. All judges and Chambers staff should report to the courthouse. Any requests for exemptions must be discussed with the Administrative Judge.**
10. **All deadlines established per judicial directive (including those contained in scheduling orders, service dates and "local rules") that occur on or after March 17, 2020 and during the pendency of this Administrative Order shall be extended for a period of 90 days from the date of the stated deadline, unless otherwise directed by the Assigned Judge or agreed upon by the parties (reference is made to Administrative Order AO/71/20 signed by the Chief Administrative Judge of the Courts on March 19, 2020 as it relates to civil litigation). Further reference is made to Executive Order 202.8 signed by the Governor on March 20, 2020 and Executive Order 202.14 signed by the Governor on April 7, 2020 with regard to statutory deadlines and time frames.**
11. All Temporary Orders of Protection issued in any criminal or civil matter that has expired or is due to expire on or after March 19, 2020 "shall be extended under the same terms and conditions until the date the matter is re-calendared, unless the order is sooner terminated or modified by a judge or justice of the court that issued the order" pursuant to Administrative Order AO/73/20 signed by the Chief Administrative Judge of the Courts on March 19, 2020.

12. All vouchers submitted pursuant to County Laws § 722-b(4); 722(c), and **Judiciary Law § 35(8)** are deemed approved pursuant to the Amended Orders signed by the Administrative Judge of the Ninth Judicial District dated March 20, 2020, April 1, 2020 and April 21, 2020.
13. “All individuals seeking legal representation pursuant to Article 18-B of the County Law shall be deemed eligible, regardless of financial ability to obtain counsel” pursuant to the Order signed by the Administrative Judge of the Ninth Judicial District March 20, 2020.
14. **Initial requests to schedule a virtual hearing on an application to postpone a Felony Hearing for “good cause” shall be made to the Hon. Barry E. Warhit, Supervising Judge of the Criminal Parts Ninth Judicial District by e-mail to VirtualWestchesterCountyCityCourt@nycourts.gov, with copy to bwarhit@nycourts.gov and mberjam@nycourts.gov**
15. **All filings shall be pursuant to AO/111/2020 and any amendments thereto signed by the Chief Administrative Judge of the Courts on May 15, 2020.**

B. Supreme Civil

1. All non-essential matters **shall be addressed by the Assigned Judge and appropriately scheduled.**
2. “Essential matters” includes those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the Courts on March 22, 2020 and as amended hereafter and any other matter determined to be essential after application by the Assigned Justice or Designated Justice to the Administrative Judge.
3. All Mental Hygiene Law proceedings in which a party is confined to a hospital or other facility shall be conducted with appearances by means of remote audiovisual technology or telephone pursuant to Administrative Order AO/72/20 signed by the Chief Administrative Judge of the Courts on March 22, 2020.
4. All foreclosure proceedings are stayed; no foreclosure auctions shall be scheduled or held. Reference is made to Executive Order 202.8 signed by the Governor on March 20, 2020, as extended by Executive Order 202.14 signed by the Governor on April 7, 2020 and Executive Order 202.28 signed by the Governor on May 7, 2020.

C. Superior Court Criminal Cases

1. **All pending criminal cases shall be addressed by the Assigned Judge and appropriately scheduled consistent with applicable Executive Orders and Administrative Orders. The issuance of the new return date shall occur on or before the currently scheduled adjourned date or within 7 days of the signing of this order, whichever is later. For Defendants not in custody, there shall be no adjournment of a matter that is greater than 60 days. For defendants in custody, there shall be no adjournment of a matter greater than 30 days.**
2. “Essential matters” includes those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the

Courts on March 22, 2020 and as amended hereafter and any other matters determined to be essential after application by the Assigned Judge or Designated Judge to the Supervising Judge. The Supervising Judge, in consultation with the Administrative Judge, shall permit a matter to proceed if warranted.

3. "Grand juries set to be impaneled within term six of the courts for the year 2020 shall be postponed." Currently seated grand juries "may continue, upon application of the appropriate district attorney to the administrative judge" pursuant to Administrative Order AO/113/20 signed by Deputy Chief Administrative Judge Vito Caruso on May 16, 2020.
4. The Accessible Magistrate procedure (for Adolescent Offenders) currently in place shall continue.

D. Treatment Courts/OSP

1. Treatment courts and Opioid Stabilization Parts will be handled by the **Assigned Judge**.
2. **Pursuant to the memorandum of Chief Administrative Judge Lawrence Marks dated April 30, 2020, "Problem-solving courts may conduct virtual court conferences with counsel, court staff, service providers, and where practicable clients via Skype for Business."**
3. **The Assigned Judge may make application to the Coordinating Judge of Treatment Courts to have a matter deemed essential. The Coordinating Judge of Treatment Courts, after consultation with the Administrative Judge, shall permit a matter to proceed if warranted.**

E. Family Court

1. **All non-essential matters shall be addressed by the Assigned Judge and appropriately scheduled.**
2. "Essential matters" includes those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the Courts on March 22, 2020 and as amended hereafter, and any other matters determined to be essential after application by the Designated Judge to the Supervising Judge. The Supervising Judge, in consultation with the Administrative Judge, shall permit a matter to proceed if warranted.
3. Judges are required to immediately bring to his/her Supervising Judge's attention any Permanency Planning Hearings that pursuant to existing Federal or State Law require a determination that the matter be deemed essential so as to provide a timely calendar date.
4. All remand/removal/placement orders issued in the Ninth Judicial District under Family Court Act Articles 3, 6, 7, 8 and 10 that are due to expire while this Administrative Order is in effect, shall be deemed extended under the same terms and conditions for a period of 90 days from the date the order is scheduled to expire, unless the order is terminated or modified by the Designated Judge or

Assigned Judge. To the extent practicable, the Designated Judge or Assigned Judge shall issue an amended order and the lawyers and pro-se litigants notified.

5. **All cases involving a youth that is currently in detention shall be reviewed by the Assigned Judge or Designated Judge, at a minimum, at least once every fourteen days.**

F. Surrogate's Court

1. **All non-essential matters shall be addressed by the Assigned Judge and appropriately scheduled.**
2. "Essential matters" includes those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the Courts on March 22, 2020 and as contained in Administrative Order AO/99/20 signed by the Chief Administrative Judge of the Courts on May 15, 2020 and other matters as determined to be essential after application by the Surrogate to the Administrative Judge.

G. City Court

1. **All pending criminal cases shall be addressed by the Assigned Judge and appropriately scheduled consistent with applicable Executive Orders and Administrative Orders. The issuance of the new return date shall occur on or before the currently scheduled adjourned date or within 7 days of the signing of this order, whichever is later. For Defendants not in custody, there shall be no adjournment of a matter that is greater than 60 days. For defendants in custody, there shall be no adjournment of a matter that greater than 30 days.**
2. **All non-essential Civil matters shall be addressed by the Assigned Judge and appropriately scheduled.**
3. "Essential matters" includes those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the Courts on March 22, 2020 and as amended hereafter and any matter deemed to be essential after application by the Designated Judge to the Supervising Judge. The Supervising Judge, in consultation with the Administrative Judge, shall permit a matter to proceed if warranted.

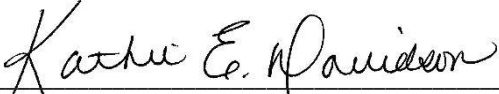
H. Town and Village Courts

1. All non-essential matters are administratively adjourned until a date on or after June 15, 2020 for defendants not in custody and for civil matters. **With regard to defendants in custody, misdemeanor cases shall be reviewed by the Assigned Judge and, if necessary, the Assigned Judge may have a conference with counsel on the matter. If after that conference, counsel is requesting that a matter be heard, such request to be heard shall be brought by counsel to the Designated Judge in the Centralized Part. All matters involving a defendant in custody shall be adjourned to a date no later than June 5, 2020.**
2. "Essential matters" include those matters as listed in Exhibit A attached to Administrative Order AO/78/20 signed by the Chief Administrative Judge of the

Courts on March 22, 2020 and as amended hereafter and any matter deemed to be essential after application by the Designated Judge to Special Counsel. Special Counsel, in consultation with the Administrative Judge, shall permit a matter to proceed if warranted.

3. **All arraignments shall be heard in the Centralized Arraignment Part. After hour arraignments will be done virtually in accordance with the approved distributed plans. All requests to amend virtual arraignment plans shall be brought to Special Counsel who shall review and request approval and notification to proceed, notification of approval will come from Special Counsel.**
4. **Town and Village Judges may virtually hear after-hour requests for search warrants, arrest warrants and administrative warrants and Judges shall maintain a log as previously directed.**

Dated: May 28, 2020
White Plains, New York



Hon. Kathie E. Davidson
Administrative Judge
Ninth Judicial District

Distribution:
HON. VITO CARUSO