

## **MESSAGE FROM CHIEF JUDGE JANET DIFIORE**

**July 13, 2020**

Thank you for giving us a few minutes of your time for an update on the latest COVID developments affecting our courts and the justice system.

As of this past Friday, July 10th, all of our courts outside New York City have entered into Phase 4, tracking the State's economic reopening plan. Phase 4 is progressing well. Our judges and staff are hearing an increased number of in-person matters in our courthouses; Court Officers are doing an outstanding job of implementing COVID screening and temperature checking; judges and court clerks are working together to stagger the scheduling of court appearances in order to limit courthouse and courtroom occupancy to safe and manageable levels; and, starting today, Grand Jurors are reporting for service and being empaneled in every Judicial District outside the City, a significant milestone not only for our court system but for the entire criminal justice system.

Exactly eight weeks ago, our courts in the 5th, 6th and 7th Judicial Districts entered into Phase 1 of our gradual restoration of in-court operations. Ever since then, the courts in those three Judicial Districts have been leading the way for us, working through all of the different safety and operational issues for the rest of our court system to follow.

I want to take a moment to thank our Administrative Judges in those three Districts -- James P. Murphy in the 5th, Eugene D. Faughnan in the 6th, and Craig J. Doran in the 7th -- along with their trial judges and professional staff for setting the tone and the model for our entire court system.

And, in particular, I want to thank Judge Craig Doran for the leading role he has played in our statewide planning efforts to create a reliable roadmap for the safe and steady restoration of in-person operations. His positive energy and constructive, common-sense approach to every challenge has made him a valuable member of our leadership team. So, thank you Judge Doran -- and your staff.

Turning now to New York City. On Wednesday, July 8th, our courts in the City entered Phase 3, marked by a modest increase in

courthouse staffing in order to support the expanded number of matters that may be heard in-person, including:

- Conferencing of felony cases where the defendant is at liberty;
- Selected plea and sentencing proceedings for defendants at liberty;
- Arraignments of defendants who have been issued desk appearance tickets;
- A limited number of preliminary hearings in cases involving defendants being held in jail on felony complaints;
- A limited number of essential Family Court proceedings; and
- A limited number of bench trials.

In addition, this week in New York County Supreme Court we will be resuming a criminal jury trial that was suspended with the onset of COVID-19 in March. We view this not only as part of our ongoing responsibilities to the parties involved in that litigation, but as an excellent opportunity to help us responsibly prepare for the resumption of in-court proceedings, including new jury trials.

Also, this week, as part of Phase 3, we are mailing summonses to prospective Grand Jurors across New York City in preparation for the commencement of grand jury proceedings in all five boroughs, beginning August 10th. As I mentioned last week, we have been carefully planning for the safe return of grand juries. We have retrofitted dozens of courtrooms and installed plexiglass barriers in strategic locations to ensure safe personal distancing, and we will continue to work with the District Attorneys' offices, the defense bar and our own epidemiologist to continuously assess, and minimize, any public health risks that could be presented.

At the same time that we are expanding our in-court operations, we are increasing our virtual capacity in order to reduce pending caseloads and meet the full demand for our services. In the last two messages, I highlighted the progress we have made in the New York City Family Court and the New York City Civil and Housing Courts.

Today, I want to highlight the work of our high-volume New York City Criminal Court, which since mid-March has conducted:

- Nearly 19,000 arraignments;
- Over 34,000 additional criminal proceedings; and

- Over 600 preliminary hearings.

I want to thank Judge Tamiko Amaker, the Administrative Judge of the New York City Criminal Court, and all of the Supervising Judges, trial judges and professional staff, including Chief Clerk Justin Barry, who have kept this very busy court up and running to safely meet the demands for its services throughout the pandemic.

I also want to recognize the hard work of our Judges and staff in the Supreme Court, Criminal Term, where another 11,360 virtual proceedings have been conducted citywide since mid-March.

Our judges and staff understood, from the start, that our response to this public health crisis could not and would not allow for the closing of our courts, and everyone involved has honored their responsibilities with professionalism and grace. And we thank our judges and staff for their demonstrated strength and commitment.

Now, as I'm sure you know, the number of COVID-19 cases is increasing in many areas of the country. In order to safeguard the health and safety of our court family and all court users, we will be extending our COVID screening protocol to all judges and nonjudicial

personnel, effective this Wednesday, July 15th. Judges and nonjudicial staff will undergo temperature screening upon their arrival at the workplace and conduct a daily COVID self-assessment by answering a series of questions on their computer or on a hard copy form.

Temperature screening and COVID self-assessment protocols have been strongly encouraged by public health authorities, including our own epidemiologist, and they are being widely adopted in the private sector. Together with COVID screening of all courthouse visitors, and our recent memo providing detailed guidance about quarantines and out-of-state travel, we are putting our court system in the best position to protect the health and safety of our judges, our professional workforce and the public we serve.

Now, candidly, I understand that some may find these measures inconvenient, but they are necessary given the “new normal” that we are all living in, and it is critically important that we remain consistent and disciplined in following these practices in order to achieve our goal of restoring in-person justice services without contributing to a resurgence of COVID-19.

So, as we move into the middle of Summer, a Summer unlike any we've ever experienced, I think we can look back over the last four months, and without in any way diminishing the awful impact of this pandemic, take satisfaction in the careful work we have done, and the progress we have made, to keep our courts up and running to meet the justice needs of the public.

At the same time, we all know that there is a long road ahead of us, with twists and turns and detours we can't foresee. But if we stay patient with each other, united in our approach, nimble in our preparations and laser-focused on the latest public health guidance, I have every confidence that we will meet whatever challenges lie ahead and continue to safely discharge our mission in the context of the "new normal" in which we all now work and live.

So, thank you for giving us a few minutes of your time. Stay well, continue to take the necessary precautions to keep yourselves, your families and those around you safe -- and stay tuned for additional updates. Thank you.