

## MESSAGE FROM CHIEF JUDGE JANET DIFIORE

July 6, 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.

Last Wednesday, July 1st, our courts in the 5th, 6th and 7th Judicial Districts entered Phase 4 of the State's economic reopening plan, and they are being followed today by our courts in the 4th and 8th Judicial Districts.

Phase 4 comes with a significant increase in the number and types of matters that will be heard in-person in our courthouses, including:

- Child support proceedings and permanency hearings;
- Plea and sentencing hearings for defendants at liberty;
- Preliminary hearings for defendants being held in jail on felony complaints;

- Arraignments of defendants who have been issued desk appearance tickets;
- And in Supreme Court, on the civil side, court appearances where at least one party is unrepresented, and a limited number of bench trials;
- Also, as I mentioned last week, Grand Juries will commence their service on July 13th in the Judicial Districts outside New York City.

With the opening of Phase 4, there will be a corresponding increase in nonjudicial staffing levels in order to support the expansion of in-person services, but the majority of court matters will continue to be heard virtually with judges relying on technology and electronic appearances to keep courthouse occupancy at safe and manageable levels. Our judges and clerks are, of course, coordinating their efforts and staggering court appearances to ensure that no more than half of our courtrooms are in use at any given time.

Elsewhere around the state, our courts in the 3rd and 9th Districts, and the 10th District on Long Island, are operating effectively in the midst of Phase 3, while awaiting the Governor's approval for the transition into Phase 4.

In New York City, our courts have been operating smoothly under Phase 2, and we are preparing for entry into Phase 3 by installing plexiglass barriers and retrofitting dozens of courtrooms to ensure that they can be utilized safely and efficiently as we expand our in-person operations. And I want to thank our Deputy Chief Administrative Judge for the New York City Courts -- George Silver -- who has been absolutely tireless in overseeing these efforts and guiding our safe return to in-person operations.

At the same time that we are working to safely expand our in-court operations, we are also expanding our virtual capacity in order to meet the full demand for our services and reduce our pending caseloads.

In the Housing Part of the New York City Civil Court, for example, we have created Virtual Resolution Parts in all five counties to hear pre-pandemic cases where both sides are represented by counsel. The judges and staff in these parts are deciding motions, resolving outstanding discovery issues, conducting settlement conferences and settling a significant number of matters. Starting this week, Civil Court Judges will also be conducting virtual conferences in commercial landlord-tenant cases, while our virtual Automobile No-Fault Parts

remain extremely productive, settling hundreds of cases citywide each week.

I want to thank Judge Anthony Cannataro, our Administrative Judge of the New York City Civil Court, for his leadership of that very busy court, and for his valuable contributions to our statewide planning efforts. I also want to thank our Civil and Housing Court judges and professional staff for their productivity and commitment to serving the public during these very challenging months.

And I want to assure you that as we move forward with our phased-in restoration of in-person court operations and services across the state, every one of us is committed to, and focused on, safeguarding the health of our judges, our professional workforce and everyone who visits and uses our courthouses. This means that all of the safety measures and best practices that we have implemented to prevent the spread of COVID-19: the wearing of facemasks inside the courthouse, personal distancing, the provision of sanitizing agents, regular cleaning and plexiglass barriers will simply become our “new normal.” And we will be consistent and disciplined -- and vigilant -- in following and enforcing all of these essential practices.

And starting today, another important safety measure to prevent the spread of COVID-19 has been implemented: temperature screening and questioning of all courthouse visitors before they proceed through security and enter our buildings. Temperature screening has been strongly recommended by our epidemiologist and many of the stakeholders who regularly visit and work in our courthouses. We believe that this is a responsible and useful public health practice that will minimize the risk of COVID transmission in our courthouses, and so today we have instituted that additional practice throughout the entire state.

And I want to thank Governor Cuomo, and the State's Division of Homeland Security and Emergency Services, for their responsiveness and generosity in meeting our requests for PPE and providing to us for distribution throughout the courts upwards of 175,000 masks, 50,000 pairs of nitrile gloves, well over a thousand gallons of New York State "Clean Hand" sanitizer and thousands of individual two-ounce containers of the sanitizer.

I also want to thank the Chief of our Department of Public Safety, Michael Magliano, and all of his dedicated staff, with a special mention of Chief Howard Metzdorff and Lieutenant Frank Zaloga, for the

outstanding job they have done of procuring, inventorying and promptly and efficiently distributing massive amounts of PPE to hundreds of court facilities across the State. And, of course, we are most fortunate to have a truly resourceful Budget Director in Maureen McAlary. She and her staff have worked tirelessly to procure whatever additional PPE is needed in our courts. A high priority for all of us -- and an excellent effort by our entire team.

So, another week of forward progress on our dual track of gradually and safely restoring in-person court operations while simultaneously expanding and improving our virtual courts to meet the immediate justice needs of the litigants and lawyers we serve.

Finally, I want to thank everyone who is watching and listening for your support and solidarity. There is no question in my mind that the progress we have made to keep our courts up and running in the face of the pandemic has been due to the solid unity and cooperation that we have enjoyed within our court family and with our many outside stakeholders and justice partners.

And until this virus is finally defeated, it is going to take all of working together, and remaining careful, patient and supportive of

each other, to meet the unprecedented challenge we face of providing access to justice and upholding the rule of law. We have performed and supported one another in many important and effective ways over these last dark months -- and I have no doubt that will continue.

So, thank you, 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.