

ADMINISTRATIVE ORDER TENTH JUDICIAL DISTRICT—NASSAU COUNTY

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, it is the goal of the Unified Court System to reduce the aforesaid contacts with the Courts in order to protect and preserve the health and well-being of courts users and staff while maintaining the functioning of the Courts, it is hereby

ORDERED that the Administrative Order issued on March 31, 2020 is hereby amended to include the attached Virtual Chambers Protocol, which shall remain in effect in the Tenth Judicial District—Nassau County until it is rescinded by further Administrative Order of this Court.

Dated: April 9, 2020

Mineola, New York

Hon. Norman St. George

Administrative Judge

Tenth Judicial District—Nassau County

Distribution:

Hon. Vito C. Caruso, Deputy Chief Administrative Judge, Courts Outside New York City

OFFICE OF THE ADMINISTRATIVE JUDGE

10TH Judicial District - Nassau County



MEMORANDUM

To:

Nassau County Legal Community

From:

Hon. Norman St. George, District Administrative Judge

Date:

April 10, 2020

Re:

Virtual Chambers Protocols for Nassau County

As always during these difficult times, it is my hope that this message finds the members of Nassau County's Legal Community and your families well and healthy. The Nassau County Legal Community continues to have my sincere gratitude for the cooperation and support you have given the Nassau County Courts during the Coronavirus pandemic. As you know, the Courts have been focused on developing new and innovative ways to continue to provide efficient, effective, and expeditious justice during the pandemic while at the same time taking all necessary and prudent measures to protect the public's health and safety.

To that end, I am pleased to announce that effective Monday, April 13, 2020, all the Judges of the Nassau County Courts will be set up with Virtual Chambers in order to permit Chambers to continue working on resolving cases in their inventories. The following Virtual Chambers protocols for Nassau County will now be implemented and further adapted to sustain the minimal physical contacts with the Court system while simultaneously permitting the Courts to expand access to designated critical business. Notwithstanding the forgoing, all Essential/Emergency matters for all Courts shall continue to be heard at the Virtual Courthouse located in the Nassau County Court, 262 Old Country Road, pursuant to my Administrative Order of March 31, 2020. The procedures and protocols for same continue to be as established in my Revised Protocol Order dated April 1, 2020. In addition, as set forth in prior Administrative Orders of Chief Administrative Judge Marks, filings of new cases, as well as use of the Electronic Filing system for existing cases, remains prohibited until further notice. I am attaching yesterday's Administrative Order from Judge Marks permitting the use of the EFS by Judges regarding Judicial decisions and Orders.

General Provisions

The Virtual Chambers Protocols for each Court in Nassau County will be implemented in two (2) phases. The first phase will commence on Monday, April 13, 2020. Phase 2 will commence as soon as feasibly possible after the implementation of the Virtual Chambers. During Phase 1, each Chambers will address pending undecided fully submitted motions. Attorneys will be permitted to directly contact each Judge's Chambers to request a virtual conference regarding priority matters and/or conferences that were pending before that Judge prior to the pandemic. In addition, each Chambers will identify priority matters in their inventory to conference virtually, specifically, the oldest cases in the Court's inventory, and those matters which the Court believes can be resolved. Phase 2 will further expand Phase 1 into the conferencing of non-priority matters pending before each Court and will extend the scope of matters that the Supreme Court will handle.

All virtual appearances will be conducted via Skype for Business or telephone conference. No party shall make an audio or video recording of a virtual appearance without the express written consent of Chambers. The use of traditional mail is discouraged in favor of sending electronic mail to Chambers using the electronic mail addresses discussed below.

PHASE 1:

During the implementation of Phase 1, priority shall be given to all outstanding motions, which shall be decided in a first in/first out basis, unless Chambers determines a certain matter to be urgent. Upon completion of these matters, Chambers may consider the entry of all judgments, stipulations and Orders particularly those that have been consented to by the parties or are unopposed.

In addition, Phase 1 will involve each Chambers reviewing the oldest matters in their inventory and handling priority conferences. This shall include, but not be limited to, the management of discovery in pending cases and settlement/disposition conferences. Attorneys may request a priority conference with the Court on pending matters by sending a standardized email request form to each Judge's Chambers. The standardized form is attached hereto and will be published on the website for the Tenth Judicial District. A group email address for each Judge's Chambers has been established for this purpose. A list of the group email addresses is attached to these protocols and will be published on the Tenth Judicial District website. Attorneys will indicate the reason for the requested conference. Chambers shall then determine whether a conference is necessary or appropriate and direct the manner of the conference, i.e., by telephone or video. Chambers also will review its inventory and contact attorneys on priority matters to schedule a conference. Upon completion of the conference, the Judge may sign and file any appropriate Orders. Any Orders will be forwarded to the Chief Clerk's Office and will be filed with the County Clerk where appropriate. Phone calls to each Judge's Chambers will result in the caller being instructed to follow the above procedure.

Regarding pro-se/unrepresented litigants, they will contact the Court using the Essential/Emergency Virtual Court phone numbers for each Court and then they will be routed to

the Chambers group email and/or the Chambers phone number in order to request conferences on pending priority matters.

PHASE 2:

Phase 2 will commence upon the substantial completion of the matters identified as a priority in Phase 1. Phase 2 will involve the expansion of cases to be considered by Chambers to include non-priority matters. The procedure for requesting a conference on a non-priority matter will follow the same procedure as set forth above. In addition, Phase 2 will involve the expansion of the Supreme Court into the establishment of a Supreme Court Virtual Trial Assignment Conference Part presided over by Justice Bruce Cozzens, a Supreme Court Virtual Old Case Conference Part presided over by Justice Vito DeStefano, a Supreme Court Virtual Blockbuster Settlement Conference Part presided over by Justice Timothy Driscoll, a Supreme Court Virtual Asbestos Conference Part presided over by Justice Jack Libert, a Supreme Court Virtual Child Victims Act Conference Part presided over by Justice Steven Jaeger and a Supreme Court Virtual Alternative Dispute Resolution Part presided over by Justice Denise Sher. Accessing these Courts will follow the above protocols.

All of the above procedures will apply to the Supreme Court (Medical Malpractice, Asbestos, Tort, Commercial, Matrimonial, and Mental Health Articles 81 and 9), Family Court, County Court, District Court and in the Surrogates Court.

All other matters and Courts will continue to be governed by my Administrative Order dated March 31, 2020 and will be limited to only Essential/Emergency matters brought in the Virtual Court.

The following additional specifics will apply to the Courts set forth below:

Supreme Court

Commercial Division

In addition to the protocols set forth above, the following protocols apply to Commercial Division matters:

Conferences with the Court on non-essential priority matters on cases currently pending before the Commercial Division Justices shall be held by appointment via telephone or via Skype for Business. Non-essential matters include, but are not limited to, conferences regarding discovery, and compliance with prior Orders. Counsel wishing to have a telephone or Skype for Business conference with Commercial Division Judges must send a jointly composed email to the Chamber's group email, copying all counsel.

Such email must include the following information:

- 1. The nature of the dispute that requires a conference
- 2. Counsel's respective positions, not to exceed 250 words, on the dispute,

- 3. Confirmation that all counsel join in the request for the conference,
- 4. Three dates and times on which all counsel are available for a conference, and
- 5. Each counsel's email address and cell phone number.

The Court will endeavor to schedule conferences at the earliest possible date after receiving counsel's email. The Court will not consider any other email, unless previously requested by the Court. Ex parte requests for conferences will not be considered at any time.

Matrimonial Matters

In addition to the protocols set forth above, the following protocols apply to Matrimonial matters:

Counsel and self-represented litigants may send a request for conference to the Chamber's designated email address. The email request shall include the following:

- 1. Case name and index number.
- 2. The email addresses and phone numbers for all attorneys and any self-represented litigants.
- 3. A brief history of the case.
- 4. The reason a conference is being requested and the specific issue(s) to be addressed.
- 5. A description of the recent efforts that have been made by the attorneys and / or litigants to address the issue(s) for which a conference is requested.
- 6. The court shall be notified of any Orders of Protection, CPS investigations and unusual activities related to the parties and the children

The assigned Judge will determine whether to grant the request. If granted a conference will be scheduled. The conference may be conducted by the Judge or the Law Clerk. A Skype for Business link will be sent to the participants, or the Court may require the requesting party to set up a "call-in" conference call for a specific date and time. The Judge will determine whether the conference will be held on the record, and, if held, a court reporter will be contacted to remotely transcribe the proceeding.

Counsel or a self-represented litigant may request that a motion that was previously filed but not submitted to the Court be advanced and briefed so that it may be submitted for decision. The request shall be submitted to the assigned Judge's designated email for review. The Judge will determine if the motion warrants advancement and set forth a briefing schedule.

The parties shall, upon request of the Court, email copies of all motion papers to the designated email so that the motion can be electronically reviewed and the need to go to the Courthouse is negated. The Court will decide the motion and the assigned Judge can issue a decision via email.

Surrogate's Court

During the implementation of Phase 1, priority shall be given to all outstanding motions, which shall be decided in a first in/first out basis, unless Chambers determines a certain matter to be urgent. Phase 2 will see an expansion of the cases and proceedings to be handled by Chambers to include priority matters by the means set forth above. No further expansion of the matters handled by the Surrogate's Court is contemplated at this time.

County Court

During the implementation of Phase 1, priority shall be given to all outstanding motions, which shall be decided in a first in/first out basis, unless Chambers determines a certain matter to be urgent. Attorneys may request a priority conference with the Court on pending matters involving incarcerated defendants by sending a standardized email request form to each Judge's Chambers. Chambers shall then determine whether a conference is necessary or appropriate and direct the manner of the conference, i.e., by telephone or video. Chambers also will review its inventory and contact attorneys on priority matters involving incarcerated defendants to schedule a conference.

Phase 2 will see an expansion of the cases and proceedings to be handled by Chambers to include its old inventory and non-priority conferences. This shall include, but not be limited to the management of discovery in pending cases, and disposition conferences using the procedures set forth above.

District Court (Including City Court of Long Beach and Glen Cove)

During the implementation of Phase 1, priority shall be given to all outstanding motions, which shall be decided in a first in/first out basis, unless Chambers determines a certain matter to be urgent. Upon completion of these matters, Chambers may consider the entry of all judgments, stipulations and Orders that have been consented to by the parties or are unopposed. Regarding criminal matters, Phase 1, will involve the Court accepting requests from attorneys to conference priority cases involving incarcerated defendants. Chambers also will review its inventory and contact attorneys on priority matters involving incarcerated defendants to schedule a conference.

Phase 2 will see an expansion of the cases and proceedings to be handled by Chambers to include its old inventory and non-priority conferences. This shall include, but not be limited to the management of discovery in pending cases, and settlement/disposition conferences using the procedures set forth above.

Nassau County Supreme Court Virtual Chambers Contact List

Name	Email address	Courtroom Phone	Chambers Phone
Hon. Thomas A. Adams	judgeadamsremote@nycourts.gov	(516)493-3270	(516) 493-3267
Hon. Anna R. Anzalone	judgeanzaloneremote@nycourts.gov	(516)493-3251	(516) 493-3247
Hon. Antonio I. Brandveen	judgebrandveenremote@nycourts.gov	(516)493-3163	(516) 493-3160
Hon. Jeffrey S. Brown	judgebrownremote@nycourts.gov	(516)493-3167	(516) 493-3164
Hon. Stephen A. Bucaria	judgebucariaremote@nycourts.gov	(516)493-3171	(516) 493-3168
Hon. Julianne T. Capetola	judgecapetolaremote@nycourts.gov	(516)493-3274	(516) 493-3152
Hon. R. Bruce Cozzens	judgecozzensremote@nycourts.gov	(516)493-3175	(516) 493-3172
Hon. Edmund M. Dane	judgedaneremote@nycourts.gov	(516)493-3431	(516) 493-3428
Hon. Vito M. Destefano	judgedestefanoremote@nycourts.gov	(516)493-3179	(516) 493-3176
Hon. Arthur M. Diamond	judgediamondremote@nycourts.gov	(516)493-3183	(516) 493-3180
Hon. Timothy S.Driscoll	judgedriscollremote@nycourts.gov	(516)493-3187	(516) 493-3184
Hon. Thomas Feinman	judgefeinmanremote@nycourts.gov	(516)493-3191	(516) 493-3188
Hon. Stacy Fleisher-Bennett	judgefleisher-bennettremote@nycourts.gov	(516)493-3439	(516) 493-3436
Hon. John M. Galasso	judgegalassoremote@nycourts.gov_	(516)493-3195	(516) 493-3192
Hon. Sharon M.J. Gianelli	judgegianelliremote@nycourts.gov	(516)493-3282	(516) 493-3286
Hon. Jeffrey Goodstein	judgegoodsteinremote@nycourts.gov	(516)493-3427	(516) 493-3424
Hon. David Gugerty	judgegugertyremote@nycourts.gov	(516)493-3443	(516) 493-3440
Hon. Steven M. Jaeger	judgejaegerremote@nycourts.gov	(516)493-3230	(516) 493-3227
Hon. Jack L. Libert	judgelibertremote@nycourts.gov	(516)493-3375	(516) 493-3372
Hon. Joseph H. Lorintz	judgelorintzremote@nycourts.gov	(516)493-3435	(516) 493-3432
Hon. Roy S. Mahon	judgemahonremote@nycourts.gov	(516)493-3218	(516) 493-3215
Hon. Randy Sue Marber	judgemarberremote@nycourts.gov	(516)493-3222	(516) 493-3219
Hon. James P. McCormack	judgemccormackremote@nycourts.gov	(516)493-3266	(516) 493-3263
Hon. Jerome C. Murphy	judgemurphyremote@nycourts.gov	(516)493-3246	(516) 493-3243
Hon. Diccia Pineda-Kirwan	judgepineda-kirwanremote@nycourts.gov	(516)493-3379	(516) 493-3376
Hon. Thomas Rademaker	judgerademakerremote@nycourts.gov	(516)493-3423	(516) 493-3420
Hon. Denise L. Sher	judgesherremote@nycourts.gov	(516)493-3242	(516) 493-3239
Hon. Norman St. George	Judgestgeorgeremote@nycourts.gov	(516)493-3024	(516) 493-3020
Hon. Leonard Steinman	judgesteinmanremote@nycourts.gov	(516)493-3255	(516) 493-3252
Hon. Helen Voutsinas	judgevoutsinasremote@nycourts.gov	(516)493-3210	(516) 493-3207
Hon. Hope Zimmerman	judgezimmermanremote@nycourts.gov	(516)493-3234	(516) 493-3231

Nassau County Surrogate's Court Virtual Chambers Contact List

JUDGE	Email Address	Chambers No.	Shar
Hon. Margaret Reilly	Nassurogate@nycourts.gov	516-493-3805	

Nassau County County Court Virtual Chambers Contact List

Name	Email 1	Email 2	Email 3
Hon. Meryl Berkowitz:	Merylberkowitz@yahoo.com	JLF0858@gmail.com	
Hon. Robert Bogle:	DMarcian@NYCourts.gov	RBogle@NYCourts.gov	
Hon. Teresa K. Corrigan:	KMcelroy@NYCourts.gov	TKCorrig@NYCourts.gov	
Hon. Angello Deligatti:	ADelliga@NYcourts.gov		
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Hon. Terrence Murphy:	LDoddato@NYCourts.gov		
Hon. William O'Brien:	Majenkins@NYCourts.gov		
Hon. Christopher Quinn:	CGQuinn@NYCourts.gov	VClavin@NYCourts.gov	LGarry@NYCourts.gov
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Hon. Robert A. Schwartz:	LGibbons@NYCourts.gov		
Hon. Howard Sturim:	HSturim@NYCourts.gov	MConnolly@NYCourts.gov	
Hon. David Sullivan:	DPSulliv@NYCourts.gov		

Nassau County Family Court Virtual Chambers Contact List

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Hon. Robin M. Kent	judgekentremote@nycourts.gov	516-493-3861
Hon. Linda K. Mejias	judgemejiasremote@nycourts.gov	516-493-3951
Hon. Danielle M. Peterson	judgepetersonremote@nycourts.gov	516-493-3860
Hon. Catherine Rizzo	judgerizzoremote@nycourts.gov	516-493-3867
Hon. Conrad D. Singer	judgesingerremote@nycourts.gov	516-493-3865

Nassau County District Court Virtual Chambers Contact List

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Hon. Maxine S. Broderick	msbroder@nycourts.gov	rdamiano@nycourts.gov	516-493-4261
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Hon. Joy M. Watson	jmwatson@nycourts.gov	llezaja@nycourts.gov	516-493-4263

ADMINISTRATIVE ORDER OF THE CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and at the direction of the Chief Judge, I hereby promulgate, effective April 13, 2020, the following additional procedures and protocols to mitigate the effects of the COVID-19 outbreak upon the users, visitors, staff, and judicial officers of the Unified Court System.

- 1. In addition to essential court functions as set forth in AO/78/20, trial courts will address the following matters through remote or virtual court operations and offices:
- <u>Conferencing Pending Cases</u>: Courts will review their docket of pending cases, assess matters that can be advanced or resolved through remote court conferencing, and schedule and hold conferences in such matters upon its own initiative, and where appropriate at the request of parties.
- <u>Deciding Fully Submitted Motions</u>: Courts will decide fully submitted motions in pending cases.
- <u>Discovery and Other Ad Hoc Conferences</u>: Courts will maintain availability during normal court hours to resolve ad hoc discovery disputes and similar matters not requiring the filing of papers.
- 2. <u>Video Technology</u>: Video teleconferences conducted by the court, or with court participation, will be administered exclusively through Skype for Business.
- 3. <u>No New Filings in Nonessential Matters</u>: No new nonessential matters may be filed until further notice; nor may additional papers be filed by parties in pending nonessential matters. The court shall file such orders in essential and nonessential matters as it deems appropriate.

Provisions of prior administrative orders inconsistent with this order shall be superseded by this order.

Chief Administrative Judge of the Courts

Dated: April 8, 2020

AO/85/20