



**AMENDED  
ADMINISTRATIVE ORDER  
THIRD JUDICIAL DISTRICT**

Pursuant to the authority vested in me, I hereby order that effective at 5:00 PM on March 16, 2020 the following rules be put into effect in the 3rd Judicial District ("District") until rescinded: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 (Schedule A and B). "Essential Staff" shall refer to chambers staff of Designated Judges or non-judicial staff as designated by the District Executive.

- Pending eviction proceedings are stayed; no eviction orders shall be signed or served.
- No default judgments shall be granted.
- All foreclosure proceedings are stayed; no foreclosure auctions shall be held.
- All Family Court and all County Court Judges are cross-assigned to the County and Family Courts in all counties of the District; and shall be designated Youth Part Judges.
- All Court proceedings will occur in the locations described in Schedule A and presided over by the judges listed therein unless otherwise approved by the Administrative Judge.
- Maximum occupancy of ALL courtrooms, waiting rooms and meeting rooms in Court Facilities shall be the lesser of 30 people or half ( $\frac{1}{2}$ ) the posted room occupancy per code.
- Naturalization Ceremonies, wherever they occur, shall comply with the room occupancy limits stated herein and only those being naturalized will be allowed to attend.
- All deadlines established per judicial directive (including those contained in scheduling orders, service dates and "local rules") that occur during the pendency of this Administrative Order shall be extended for a period of 90 days from the date of the stated deadline, unless further application is made.
- After 5:00 p.m. on March 16, 2020 only Designated Judges and Essential Staff may report to the courthouse for work unless approved by the Administrative Judge.

**Supreme Civil**

- All non-essential matters are administratively adjourned until a date on or after April 30, 2020 (to be determined by the Assigned or Designated Judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates).
- All civil trials that have commenced may continue.
- "Essential matters" is defined as urgent applications or cases in the following categories: Article 81 cases, Mental Hygiene Law applications (Retention Cases/Medication Over Objection cases), certain urgent Orders to Show Cause, Extreme

Risk Protection Orders, Applications for Orders of Protection, Isolation and Quarantine matters and any other matter determined to be essential by the Assigned Justice or Designated Justice in consultation with the Administrative Judge.

- All Temporary Orders of Protection shall be extended 90 days by the designated Supreme Court Justice, unless further emergency application is made.

#### **Superior Court Criminal Cases**

- Any trial in which jeopardy has attached will continue.
- All non-essential matters are administratively adjourned until on or adjourn until a date on or after April 30, 2020 (for defendants not in custody) or on or after April 15, 2020 (for defendants in custody). The adjourned date shall be determined by the Assigned or Designated Judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned date.
- "Essential Matters" includes arraignments, new and/or extended Orders of Protection and any other matters determined to be essential by the Assigned Judge or Designated Judge in consultation with the Administrative Judge.
- Currently seated Grand Juries may continue until the expiration of their terms. Thereafter, a District Attorney may make application to the Administrative Judge for the impaneling of a new Grand Jury.
- The Accessible Magistrate procedure (for Adolescent Offenders) currently in place shall continue.

#### **Treatment Courts/OSP**

- Treatment Courts and Opioid Stabilization Parts will be handled by the designated City Court Judge or the designated County Court Judge in counties with no City Court.
- Treatment courts will continue to the extent appearances are deemed essential in acute cases by the Designated Judge in consultation with the Coordinating Judge of Treatment Courts and the Administrative Judge. All calendars and appearances shall be staggered so as to comply with room occupancy requirements as stated above.
- Essential Staff designated to work in these Courts shall be responsible for notifying attorneys or pro-se defendants of the adjourned dates.

#### **Family Court**

- All non-essential matters are administratively adjourned until a date on or after April 30, 2020 (to be determined by the Assigned or Designated Judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates).
- "Essential matters" shall be defined as urgent Juvenile Delinquency proceedings, Child Protective Proceedings where there is an imminent risk of harm to a child, Family Offense matters, emergency support matters, 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.
- All Temporary Orders of Protection, and all Remand/Removal Orders under Family Court Act Articles 3, 7 and 10, issued in all of the Family Courts of the Third Judicial District that are due to expire on a date on which the matter may not be heard due to extraordinary circumstances, including, but not limited to, the current COVID-19 or other public health emergency, are hereby extended under the same terms and

conditions until the date the matter is re-calendared and heard, unless the order is terminated or modified by a Judge or by a Referee assigned to the case.

#### **Surrogate's Court**

- All non-essential matters are administratively adjourned until a date on or after April 30, 2020 (to be determined by the assigned or designated judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates).
- Essential matters shall include urgent guardianships, urgent adoptions, and other essential matters as determined by the Surrogate in consultation with the Administrative Judge.

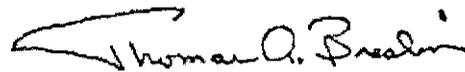
#### **City Court**

- All non-essential matters are administratively adjourned until a date on or after April 30, 2020 (for defendants not in custody and for civil matters) or on or after April 15, 2020 (for defendants in custody). The adjourned date shall be determined by the Assigned or Designated judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned date.
- Staff designated to work shall be responsible for notifying attorneys or pro-se litigants/defendants of the adjourned dates.
- Essential matters shall include including arraignments, applications for Orders of Protection, and any matter deemed to be essential by the Supervising Judge in consultation with the Administrative Judge.

#### **Town and Village Courts**

- All non-essential matters are administratively adjourned until a date on or after April 30, 2020 (for defendants not in custody and for civil matters) or on or after April 15, 2020 (for defendants in custody). The adjourned date shall be determined by the Assigned or Designated Judge - Town and Village staff shall be responsible for notifying attorneys or pro-se litigants/defendants of the adjourned dates.
- Essential Town and Village matters include arraignments, applications for Orders of Protection and any matter deemed to be essential by the Administrative Judge.
- Since cases pending in Town and Village Courts have been administratively adjourned, the Assigned or Designated County Court Judge shall be authorized to preside over all preliminary hearings scheduled by the Town and Village Courts which conducted an after-hour arraignment.
- Immediate arraignments that occur during the day shall occur at the County Courthouse by the designated County Court Judge.
- After hours arraignments shall be heard by the respective Town, Village or City Court Judges at their individual court facilities.

Dated: *March 13, 2020*  
Castleton-on-Hudson, NY



Hon. Thomas A. Breslin  
Administrative Judge  
Third Judicial District

Distribution:

Hon. Vito C. Caruso

3/D Justices and Judges

3/D Chief Clerks

3/D District Attorneys

3/D Public Defenders

3/D Sheriff's Departments

3/D Police Departments

Mental Hygiene Legal Service

Third Judicial District Administrative Office

## SCHEDULE A

The following are the designated Courthouses and Designated Judges for each county in the Third Judicial District from March 16, 2020 through March 20, 2020:

### Albany County

Albany County Judicial Center, 6 Lodge Street, Albany, New York  
Hon. Michael Mackey, Supreme Court  
Hon. Kimberly O'Connor, Acting Supreme Court  
Hon. Andra Ackerman, County Court  
Hon. Richard Rivera, Family Court  
Hon. John Reilly, City Courts

### Columbia County

Columbia County Courthouse, 401 Union Street, Hudson, New York  
Hon. Richard Mott, Supreme Court  
Hon. Richard Koweek, Supreme Court (Acting), County and Family Courts  
Hon. John Connor, Jr., City Court

### Greene County

Greene County Courthouse, 320 Main Street, Catskill, New York  
Hon. Lisa M. Fisher, Supreme Court  
Hon. Charles Tailleux, County and Family Courts

### Rensselaer County

Rensselaer County Courthouse, 80 Second Street, Troy, New York  
Hon. Andrew Ceresia, Supreme Court  
Hon. Catherine Cholakis, Family Court  
Hon. Jennifer Sober, County Court  
Hon. Christopher Maier, City Courts

### Schoharie County

Schoharie County Courthouse, 290 Main Street, Schoharie, New York  
Hon. George R. Bartlett, III, Supreme Court (Acting), County and Family Courts

### Sullivan County

Sullivan County Courthouse, 414 Broadway, Monticello, New York  
Hon. Mark M. Meddaugh, Supreme Court (Acting), Family Court  
Hon. James R. Farrell, County Court

### Ulster County

Ulster County Courthouse, 285 Wall Street, Kingston, New York  
Hon. Julian Schreiber, Supreme Court  
Hon. Anthony McGinty, Supreme Court (Acting), County Court (Acting), Family Court  
Hon. Philip W. Kirschner, City Court

## SCHEDULE B

The following are the designated Courthouses and Designated Judges for each county in the Third Judicial District from March 23, 2020 through March 27, 2020:

### Albany County

Albany County Judicial Center, 6 Lodge Street, Albany, New York  
Hon. Denise A. Hartman, Acting Supreme Court  
Hon. Peter A. Lynch, Supreme Court - for criminal matters  
Hon. Richard Rivera, Family Court  
Hon. Joshua Farrell, City Courts - March 23, 24 (p.m.), 25 and 27 (p.m.)  
Hon. Eric Galarneau, City Courts - March 24 (a.m.), 26, 27 (a.m.)

### Columbia County

Columbia County Courthouse, 401 Union Street, Hudson, New York  
Hon. Richard Mott, Supreme Court  
Hon. Richard Koweeck, Supreme Court (Acting), County and Family Courts  
Hon. Brian Herman, City Court

### Greene County

Greene County Courthouse, 320 Main Street, Catskill, New York  
Hon. Lisa M. Fisher, Supreme Court  
Hon. Terry Wilhelm, County and Family Courts

### Rensselaer County

Rensselaer County Courthouse, 80 Second Street, Troy, New York  
Hon. Henry Zwack, Supreme Court  
Hon. Elizabeth Walsh, Family Court  
Hon. Jennifer Sober, County Court  
Hon. Jill Kehn, City Courts

### Schoharie County

Schoharie County Courthouse, 290 Main Street, Schoharie, New York  
Hon. George R. Bartlett, III, Supreme Court (Acting), County and Family Courts

### Sullivan County

Sullivan County Courthouse, 414 Broadway, Monticello, New York  
Hon. Mark M. Meddaugh, Supreme Court (Acting), Family Court  
Hon. James R. Farrell, County Court

### Ulster County

Ulster County Courthouse, 285 Wall Street, Kingston, New York  
Hon. Christopher Cahill, Supreme Court  
Hon. Anthony McGinty, Supreme Court (Acting), County Court (Acting), Family Court  
Hon. Lawrence Ball, City Court