

**MESSAGE FROM CHIEF JUDGE DIFIORE
ON CORONAVIRUS EMERGENCY**

March 23, 2020

I want to update you on the status of our efforts to keep the New York State courts up and running, as we continue to provide access for all essential and emergency matters during the coronavirus outbreak.

Before I get into the specifics of today's update, I want you to know that I sincerely hope that you and your families are staying safe and healthy. With each passing day, we hear of more members of our court family who have tested positive and fallen ill. All of you are very much in our thoughts, and we hope and pray for your well-being.

As I said on Friday, this is a time to stay positive and to focus on keeping our families safe;... supporting our communities;... and preparing for the future. --

As you may have heard, Governor Cuomo, on Friday, issued Executive Order 202.8, suspending and tolling statutes of limitations for the commencement or filing of legal actions,-- as well as the time limits governing all actions and proceedings in our criminal, family, civil, surrogate's and appellate courts.

This Executive Order is consistent with the Governor's intention to put New York State on "pause" for a period of time, and our commitment to help contain the spread of the coronavirus,-- and ensure that our hospitals and medical facilities are not overwhelmed.

We commend the Governor for his swift and decisive leadership to protect our public health. -- The Executive Order will minimize courthouse traffic and reduce the hardship faced by countless lawyers, litigants and government agencies in meeting statutory deadlines at this difficult time. --

But “pause” does not mean “stand idle.” --

We must,-- and we will,-- continue to ensure access to justice. And in order to do so in the safest possible manner, we continue to adjust and calibrate our operational plans to the latest information we receive,-- and to the ever-changing nature of this very challenging situation.

We have made the decision to temporarily move to a “virtual court” model in the New York City Criminal Court, by Wednesday,-- and in the New York City Family Court, by Thursday.

All essential business in these two courts,-- including arraignments and emergency proceedings,-- will be conducted remotely by videoconference, telephone and electronic filing.

What that means is that no judges, attorneys, litigants or agency personnel will be present in our courthouses,-- only a very small number of clerical staff will be on hand to process critical paperwork,-- along with appropriate security. This is a temporary, emergency measure — a measure designed to keep the number of people necessary to process essential and emergency applications down to a minimum.

The high volume of essential and emergency matters handled in these two very busy courts in the last several days was bringing an unacceptably large

number of lawyers and agency personnel into our courthouses and requiring too many of our judges and staff to be personally present. This was not consistent with the guidance being issued by public health authorities to engage in social distancing and avoid gatherings of people,-- in order to reduce the spread. --

Our ability to go virtual on such short notice is an extraordinary accomplishment,-- and I am immensely grateful to Administrative Judges Tamiko Amaker and Jeanette Ruiz;... their Criminal Court and Family Court Supervising Judges;... their top nonjudicial managers, especially Chief Clerk of the Criminal Court, Justin Barry;... and our amazing and tireless IT staff, led by Christine Sisario and Sheng Guo, who have been working,-- literally,-- night and day to make this happen.

And we could never make this happen without the close cooperation of all of our justice partners and stakeholders, including:-- District Attorneys;... defense providers;... criminal justice and family justice agencies; -- all of whom are working just as hard as we are,-- on everything from ensuring connectivity and document sharing on the technology side,-- to modifying their procedures and protocols on the operational side.

I could not be more grateful for their cooperation and support,-- and for their understanding that this is what needs to be done right now,-- for the health and safety of the public at large,-- and for the sake of the many different individuals and agency personnel who typically appear in court for these kinds of proceedings.

Going forward, our technology folks will be working closely with the judges and staff in those two courts to ensure successful remote appearances,-- and to provide essential equipment, including laptops and cell phones. –

This is a work in progress.-- It will, undoubtedly, experience some fits and starts,-- but with the understanding and cooperation of everyone involved, we will successfully carry out our responsibility. – It is our goal to begin expanding the virtual court model to other courts around the state which are experiencing a high volume of essential matters.

As important, we are establishing emergency phone numbers and procedures to ensure that victims of family violence can speak with judges and court personnel in order to obtain temporary orders of protection where appropriate. Public information about these and all other court issues will be disseminated through the necessary channels, and help is available on our coronavirus hotline -- 833-503-0447,-- and will soon be posted on our website.

On other fronts, we are working with the City's District Attorneys and the Corporation Counsel to reduce the population density in our jails and juvenile detention facilities by identifying those pretrial detainees and youth who can be safely and appropriately released. --

With regard to new filings, we have issued an Administrative Order directing that our courts will not accept any filings of court papers or documents that are not related to essential court matters. Inasmuch as the Governor's Executive Order has tolled all time limitations and deadlines, we believe there is no basis, at this time, to accept any court filings and papers involving non-

essential matters,-- which will only defeat the purpose of our temporarily scaled back operations at this critical time.--

As you certainly know by now, we are dealing with a fast-moving, quickly changing situation,-- and our planning and response efforts are being calibrated each and every day based on the actions taken by our state and federal leaders, and in response to the latest information and recommendations issued by public health authorities. We ask you to stay up to date by checking your email and the court's system's website throughout each day. --

While this last week has been very difficult for all of us, I have never been more proud of the judges and staff who make up our court system. Many of you have been on the front lines these past days,-- delivering justice under the most difficult of circumstances and putting yourselves at risk of exposure. I could never thank you enough for your service.

Nor can I say enough about the members of our Division of Technology, who have been working non-stop in our courthouses all around New York City to facilitate our temporary transformation to a virtual court system,-- or our uniformed court officers and outstanding public safety staff, led by Chief Michael Magliano, who continue to report to work so that we can keep our courts open.

And the same goes for all of our Administrative and Supervising Judges and our Chief Clerks. We are fortunate to have such a dedicated and knowledgeable leadership team,-- led by Chief Administrative Judge Larry Marks. He and I are constantly in touch throughout the day and we are communicating daily with our judicial and nonjudicial leaders statewide.

We are also in touch with the Governor's Office and state and local officials on a regular basis,-- and we continue to carefully monitor the information and recommendations issued by public health authorities.

Rest assured that we will keep you informed of all relevant developments.

Once again,-- I cannot exhaust this message,-- please keep us informed about your health status. Notify your district executive or chief clerk immediately if you have been requested to self-quarantine based on the latest guidance or if you have tested positive for COVID-19, so that we can take appropriate action to notify others and limit the spread. And if you are working in a court that is open for essential business and experience flu-like symptoms, please do not report to work,-- and do contact your supervisors immediately.

The challenge before all of us right now is to ensure access to justice while at the same time protecting the health and safety of our judges and staff and the public at large. We are taking it one day at a time,-- and rest assured knowing that our judges and staff, and our partners in the Bar and in the justice system, have responded magnificently to this challenge,-- all of us working together for the common good.

And we will continue to take the steps necessary to keep our courts open, to meet the essential justice needs of the public,-- and always preserving and prioritizing the health and safety of our court family.

So, again,-- stay well,-- take care of yourselves and your families,-- and stay tuned for additional news and updates during the coming days.

Thank you.