

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: June 8, 2020

Re: Return to In Person Operations for Nassau County—Phase Two

In this time of continued transition into the new normal during the Covid-19 pandemic, I sincerely hope this message finds each and every one of you and your families well and healthy. As always, you have my sincere thanks for the cooperation and support you have given our Court community during these challenging times.

Throughout this public health crisis, our goal has been to keep the Courts open and accessible to litigants and court users for Emergency and Essential Proceedings. This was achieved through the use of the County Court's Main Building, located at 262 Old Country Road in Mineola, as the County's Consolidated Courthouse. While foot traffic in the Consolidated Courthouse was extremely limited, Emergency and Essential Proceedings were conducted virtually.

With the beginning of Phase One of the Return to In-Person Operations, on May 29, 2020, the individual Courthouses throughout the County were permitted to re-open with Judges and their Staff returning to their Chambers. Emergency and Essential Proceedings continued to be held virtually, with the Judges appearing in the Courtroom via Skype audio conference.

The Nassau County Courts have been approved to begin Phase Two of the Return to In-Person Operations on June 12, 2020. For Phase Two, all of the General Safety Protocols, including the Cleaning and Sanitizing regimens, that were designed to help protect the health and safety of all individuals coming into the Courthouses in Nassau County will remain in effect and be enhanced during the implementation of Phase Two. It is intended that Phase Two will bring a limited increase in the number of individuals entering the Courthouses, both for the general

public and Court staff. In addition to the safety measures in Phase One, the Phase II Plan will make available face shields for all Court employees and Judges consistent with OCA policy.

General Court Procedures

Masks must be worn at all times by anyone entering a courthouse in Nassau County. Public spaces in the Courthouses have all been configured to maintain appropriate social distancing. All signs and floor markings for proper distancing shall remain in place. Plexiglass will be installed around all magnetometers and select security stations.

Essential/Emergency Matters will now be conducted in-person in the Essential/Emergency Courtrooms in each Courthouse. However, upon application by any of the parties, the Assigned Judge may agree to allow an Essential/Emergency Proceeding to proceed virtually based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified.

Non-Essential Matters will continue to proceed virtually. However, upon application by any of the parties, the Assigned Judge may agree to allow a Non-Essential Matter to proceed In-Person based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified. In addition to Non-Essential Matters, all Criminal Matters, all Guardianship Matters and all Mental Hygiene Law Proceedings will remain virtual. All Alternative Dispute Resolution conferences shall also be conducted virtually.

Certain matters continue to be unable to proceed based on the prior Administrative Orders of the Chief Administrative Judge and of this Court. All eviction proceedings remain stayed. Foreclosure proceedings remain suspended. In addition, Default Judgments will not be granted where, pursuant to CPLR§3215, the default occurred after March 16, 2020. No default judgment requiring the defendant's notice pursuant to CPLR§3215(g) shall be granted, unless the application was heard prior to March 17, 2020 and proper notice was given (see, Nassau County Administrative Order dated June 8, 2020 implementing Phase 2 Return to In-Person Operations).

Supreme Court

In Supreme Court, the Calendar Control Part ("CCP") Court Room, which currently serves as the Virtual Courtroom for Essential/Emergency Matters in Phase One, will serve as the in-person Essential/Emergency Courtroom in Phase Two. The CCP Courtroom has sufficient space so that physical distancing will not be an issue for litigants and the attorneys. Court Officers will be present in the Courtroom to ensure the proper physical distancing is maintained. Judges will be physically present in the Courtroom on a rotating basis. Plexiglass will be installed on three (3) sides of the Judge's bench. A rotation of Court Reporters and Interpreters will be established to ensure a sufficient number of court reporters and interpreters report to the courthouse to be present in the Courtroom.

Supreme Court-Matrimonial Center

The Supreme Court Matrimonial Center will remain closed during Phase Two of the Return to In-Person Operations. Designated Essential/Emergency matters will be heard, in-person, in the CCP Courtroom in the Supreme Court Building by the rotating Judge assigned to handle Essential/Emergency Matters.

Surrogate's Court

The Surrogate's Court Courtroom, located on the third floor of the County Court building, is currently serving as the Virtual Courtroom during Phase One and is presently configured to become the Essential/Emergency Courtroom for Essential/Emergency Matters in Surrogate's Court for Phase Two. The Surrogate Judge will be physically present in the Courtroom each day to hear Essential/Emergency Matters. Plexiglass will be installed on three (3) sides of the Judge's bench. A rotation of Court Reporters and Interpreters will be established to ensure a sufficient number of court reporters and interpreters report to the courthouse to be present in the Courtroom.

County Court

The County Court will remain open for Essential/Emergency Proceedings to be conducted virtually. Essential/Emergency Superior Court Criminal Proceedings will remain virtual during Phase Two. These proceedings will continue to be held as specified in the Phase One memo. Court Reporters and Interpreters will continue to appear virtually.

The Commissioner of Jurors will return with a limited staff during Phase Two to prepare and issue Grand Jury Summons for the return of Grand Jurors during Phase Three of the Return to In-Person Operations.

Family Court

In Family Court, Judge Daly-Sapraicone's Courtroom, which currently serves as the Virtual Courtroom for Essential/Emergency Matters in Phase One, will serve as the In-Person Essential/Emergency Courtroom in Phase Two. Judges will be physically present in the Courtroom on a rotating basis. Plexiglass will be installed on three (3) sides of the Judge's bench. Until the plexiglass is installed, immediate Family Offense Petitioners will continue to appear via Skype in Room 110. Court Officers will be present in the Courtroom to ensure that proper physical distancing is maintained. A rotation of Court Reporters and Interpreters will be established to ensure a sufficient number of court reporters and interpreters report to the courthouse to be present in the Courtroom for Essential/Emergency Matters.

District Court

The District Court will remain open for Essential/Emergency Proceedings to be conducted virtually. Essential/Emergency District Court Criminal Proceedings will remain virtual during Phase Two. These proceedings will continue to be held as specified in the Phase

One memo. Regarding Essential/Emergency Civil Matters, a Judge will be physically present in the Essential/Emergency Courtroom on a rotating basis. Plexiglass will be installed on three (3) sides of the Judge's bench.

Court Reporters and Interpreters will continue to appear virtually in Criminal Matters. For Essential/Emergency Civil Matters, a rotation of Court Reporters and Interpreters will be established to ensure a sufficient number of court reporters and interpreters report to the courthouse to be present in the Courtroom for Essential/Emergency Matters.

City Courts—Glen Cove and Long Beach

Courtroom activity in both the City Courts of Glen Cove and Long Beach will remain restricted during Phase Two of the Return to In-Person Operations, with arraignments continued to be conducted virtually at the District Court.

Village Courts

To the extent possible and feasible in each particular Village, each Village Court in Nassau County will be permitted to open during Phase Two pursuant to the Statewide Town and Village Statewide Phase Two plan set forth by Director of the Office of Town and Justice Court Support Nancy Sunukjian, which has been provided to the Village Courts in Nassau County.