



ADMINISTRATIVE ORDER  
TENTH JUDICIAL DISTRICT-NASSAU COUNTY

Pursuant to the authority vested in the undersigned as District Administrative Judge; 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 the Courts of the Tenth Judicial District-Nassau County will commence Phase Three of the Return to In-Person Operations Plan on June 26, 2020, it is hereby

ORDERED that the Return to In-Person Operations Plan (Phase Three) to be implemented on June 26, 2020 is incorporated herein; and it is further

ORDERED that all Executive Orders, Administrative Orders of the Chief Judge, the Chief Administrative Judge and the Deputy Chief Administrative Judge of the Courts outside of New York City issued in response to the COVID-19 (coronavirus) public health crisis are incorporated by reference in this Administrative Order; and it is further

ORDERED that the following matters shall be presumptively heard In-Person in the Courts of Nassau County. However, upon application by any of the parties, the Assigned Judge may agree to allow the matter to proceed virtually based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified.

1. Essential/Emergency matters (see, Chief Administrative Judge's Administrative Order 78/20; Chief Administrative Judge's Order 99/20, and Nassau County Administrative Order dated June 10, 2020).
2. Bench Trials at the discretion of the Trial Judge.
3. Family Court Article 10 evidentiary hearings.
4. Child Support proceedings filed prior to April 1, 2020.
5. Permanency Hearings.
6. Criminal Pre-Trial Evidentiary Hearings for out-of-custody defendants at the discretion of the Judge conducting the hearing.
7. Pleas and Sentences for out-of-custody defendants that do not involve incarceration at the discretion of the Judge.
8. Arraignments of defendants whose Appearance Tickets were filed prior to April 1, 2020.

9. Treatment Court or Problem-Solving Courts where the Assigned Judge determines that an appearance in an acute case is necessary to protect the health and safety of the defendant;

and it is further

ORDERED that the following matters shall be presumptively heard virtually in the Courts of Nassau County. However, upon application by any of the parties, the Assigned Judge may agree to allow the matter to proceed In-Person based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified.

1. Non-essential matters.
2. Juvenile Delinquency Proceedings.
3. Persons In Need of Supervision Proceedings.
4. Criminal Proceedings (except as noted above). Judges are encouraged to conference all criminal matters virtually/telephonically and if acceptable dispositions are reached, plea affidavits (where not prohibited by law) are strongly encouraged.
5. Evidentiary Hearings (except as noted above) are to be conducted virtually with the consent of the parties, where legally permissible and logistically possible.
6. Felony Exam Hearings.
7. Mental Hygiene Law Proceedings pertaining to a hospitalized adult (Chief Administrative Judge's Administrative Order 72/20).
8. Guardianship Proceedings (Chief Administrative Judge's Administrative Order 72/20).
9. Alternative Dispute Resolution conferences;

and it is further

ORDERED that notwithstanding the foregoing, all matters involving incarcerated defendants will remain virtual; and it is further

ORDERED that all eviction proceedings and pending eviction orders are suspended and no eviction order shall be signed or served. Reference is made to Chief Administrative Judge Marks Administrative Order 68/20 and Executive Orders 202.8, 202.14, 202.28 and 202.38; and it is further

ORDERED that all foreclosure proceedings are suspended and no foreclosure action shall be scheduled or held. Reference is made to Chief Administrative Judge Marks Administrative Order 68/20 Executive Orders 202.8, 202.14, 202.28 and 202.38; and it is further

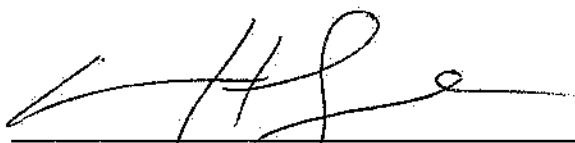
ORDERED that notwithstanding the foregoing, Housing matters (Landlord/Tenant, evictions, and foreclosures) may proceed only for purposes of Alternative Dispute Resolution (ADR) and settlements where all parties are represented by counsel; and it is further

ORDERED that Default Judgments should 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; and it is further

ORDERED that to the extent possible and feasible and applicable in each particular Village, each Village Court in Nassau County will be permitted to continue reopening during Phase Three pursuant to the Statewide Town and Village Phase Three plan approved by Chief Administrative Judge Lawrence Marks.

Dated: June 23, 2020  
Mineola, New York

A handwritten signature in black ink, appearing to read 'N. St. George', written over a horizontal line.

Hon. Norman St. George  
Administrative Judge  
Tenth Judicial District—Nassau County

**OFFICE OF THE ADMINISTRATIVE JUDGE**  
10<sup>TH</sup> Judicial District - Nassau County



**MEMORANDUM**

To: Nassau Legal Community

From: Hon. Norman St. George, District Administrative Judge

Date: June 23, 2020

Re: Return to In-Person Operations for Nassau County-Phase Three

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During this period of 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. The Nassau County Legal Community continues to have my thanks for the cooperation and support you have demonstrated during these challenging times.

As you know, Phase One of the Return to In-Person Operations, which began on May 29, 2020, allowed the individual Courthouses throughout the County to re-open with Judges and their Staff returning to Chambers. Emergency and Essential Proceedings continued to be held virtually, with the Judges appearing in the Courtroom via Skype audio conference. Phase Two of the Return to In-Person Operations, which began on June 12, 2020, allowed an increase in foot traffic in the Courthouses with Emergency and Essential Proceedings occurring In-Person in designated courtrooms throughout the County.

The Nassau County Courts have been approved to begin Phase Three of the Return to In-Person Operations on June 26, 2020. For Phase Three, all of the General Safety Protocols implemented in Phase One and Phase Two, 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 Three. Masks must be worn at all times by anyone entering any Courthouse. Public spaces in the Courthouses have all been configured to maintain appropriate social distancing. The signs and floor markings that have been placed throughout the Courthouses will remain in place. Plexiglass has been installed around all magnetometers and select security stations. Court Officers will monitor foot traffic and ensure appropriate social distancing.

Phase Three will permit a further gradual increase in foot traffic in Nassau's Courthouses by expanding the categories of cases that may be heard In-Person. The Phase Three plan will be fluid and subject to change should the volume of foot traffic exceed expectations. The Phase Three plan contemplates the opening of up to one-half of the available Courtrooms in each Courthouse to accommodate the expansion of cases that may be heard In-Person. Face Shields will be made available for use by Judges, non-judicial staff, and Court users.

In all cases herein, any proceeding involving an incarcerated individual will continue to be conducted virtually via Skype. The summoning of Petit Jurors will remain suspended. Grand Jurors will be summoned as discussed herein.

#### Expansion of In-Person Cases

- A. The following matters shall be presumptively heard In-Person. However, upon application by any of the parties, the Assigned Judge may agree to allow the matter to proceed virtually based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified.
1. Essential/Emergency matters (see, Chief Administrative Judge's Administrative Order 78/20; Chief Administrative Judge's Order 99/20, and Nassau County Administrative Order dated June 10, 2020).
  2. Bench Trials at the discretion of the Trial Judge.
  3. Family Court Article 10 Evidentiary Hearings.
  4. Child Support proceedings filed prior to April 1, 2020.
  5. Permanency Hearings.
  6. Criminal Pre-Trial Evidentiary Hearings for out-of-custody defendants at the discretion of the Judge conducting the hearing.
  7. Pleas and Sentences for out-of-custody defendants that do not involve incarceration at the discretion of the Judge.
  8. Arraignments of defendants whose Appearance Tickets were filed prior to April 1, 2020.
  9. Treatment Court or Problem-Solving Courts where the Assigned Judge determines that an appearance in an acute case is necessary to protect the health and safety of the defendant.
- B. The following matters shall be presumptively heard virtually. However, upon application by any of the parties, the Assigned Judge may agree to allow the matter to proceed in-person based on the circumstances presented. If such request is granted, the Administrative Judge shall be notified.
1. Non-essential matters (except for those set forth in section A).
  2. Juvenile Delinquency Proceedings.
  3. Persons In Need of Supervision Proceedings.
  4. Criminal Proceedings (except for those set forth in section A). Judges are encouraged to conference all criminal matters virtually/telephonically and if acceptable.

dispositions are reached, plea affidavits (where not prohibited by law) are strongly encouraged.

5. Evidentiary Hearings not noted in section A are to be conducted virtually with the consent of the parties, where legally permissible and logistically possible.
  6. Mental Hygiene Law Proceedings pertaining to a hospitalized adult (Chief Administrative Judge's Administrative Order 72/20).
  7. Guardianship Proceedings (Chief Administrative Judge's Administrative Order 72/20).
- C. Housing matters (Landlord/Tenant, evictions, and foreclosures) may proceed only for purposes of Alternative Dispute Resolution (ADR) and settlements where all parties are represented by counsel.
- D. Default Judgments shall not be granted where, pursuant to CPLR§3215, the default occurred after March 16, 2020. Furthermore, 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 (Nassau County Administrative Order dated June 10, 2020).