

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: October 16, 2020

Re: Return to In-Person Operations for Nassau County-Phase 4.1
Updates Effective October 19, 2020

As the Nassau County Courts' Return to In-Person Operations Plan evolves, I will continue to provide periodic updates detailing how In-Person Operations will expand in a manner that strives to ensure the health and safety of all individuals who enter our Courthouses. Nassau County's Legal Community has my sincere thanks for their patience with the Return to In-Person Operations process and for their tremendous cooperation throughout the process.

The Nassau County Courts are updating Phase 4.1 of the Return to In-Person Operations. The updated Phase 4.1 of the Return to In-Person Operations commences on Monday October 19, 2020. All of the General Safety Protocols previously implemented, including 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 Phase 4.1 update. 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 posts. Plexiglass has now also been installed at all public counters, central jury counter and essential courtrooms. Content specific social distancing signage provided by OCA has been posted in both English and Spanish in elevators, restrooms and by water coolers. Court Officers will continue to monitor foot traffic and ensure social distancing.

Courthouse and Courtroom occupancy will remain limited in the Phase 4.1 update. In most cases, no more than 50% of the Courtrooms will be in use in a Courthouse throughout the District at any one time, and occupancy of those Courtrooms will remain capped at the lesser of

25 people of ½ the stated occupancy of the Courtroom. Exceptions may be made in rare circumstances where it can be demonstrated that the capacity of a courtroom can exceed those limits and social distancing guidelines can still be maintained.

As can be seen from the Tenth Judicial District's Administrative Order dated October 16, 2020, most of Phase 4.1 is unchanged. The matters designated as In-Person and Virtual matters remain the same, as does the schedule for resumption of jury trials in Nassau County.

Certain changes, however, should be noted by the Nassau County Legal Community. Specifically, for virtual matters, the Courts have transitioned from Skype for Business to Microsoft Teams effective October 1, 2020. Procedurally, some matters that were previously restricted may now proceed under the guidelines set forth by the Office of Court Administration.

Two key areas where restrictions have been lifted are Housing Matters and Default Judgments. Housing Matters may proceed pursuant to the protocol established in the Memorandum from Chief Administrative Judge Lawrence Marks dated October 9, 2020 and pursuant to Administrative Order AO/231/20.

In the case of Default Judgments, generally speaking, they are not to be granted where, pursuant to CPLR § 3215, the default occurred after March 16, 2020. However, a Judge presiding over a matter wherein a party has defaulted may grant a Default Judgment where, after inquiry, the Judge determines that (a) the defaulting party has received actual notice of the action or proceeding; (b) the failure of the defaulting party to respond to the action or proceeding is not due to the Covid-19 pandemic; and (c) the granting of the Default Judgment is not contrary to any statute, Executive Order or Administrative Order. It should be noted that Executive Order 202.67 extends the toll on statutes of limitations (first set forth in EO 202.8 on March 20, 2020 and later extended) through November 3, 2020. Default Judgments may be governed by the suspension of "any specific time limit for the commencement, filing or service of any legal action, notice, motion or other process or proceeding, as described by the procedural laws of the state." A judgment adverse to the party seeking relief (plaintiff, petitioner, moving party, etc.) may be granted in the event that party fails to proceed with the action or appear in court.

Stay safe and healthy.



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 an updated Phase 4.1 of the Return to In-Person Operations Plan on October 19, 2020; it is hereby

ORDERED that the updated Return to In-Person Operations Plan (Phase 4.1) implemented on October 19, 2020 is incorporated by reference 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. In-person Matters

- a. Supreme Court
 - i. Trials
 - ii. Evidentiary Hearings
 - iii. Inquests
 - iv. All appearances and conferences where at least one party is self-represented
 - v. Essential Matters
- b. County Court (Incarcerated Defendants shall appear virtually, unless otherwise ordered)
 - i. Trials
 - ii. Evidentiary Hearings

- iii. Non-custodial arraignments
 - iv. Waivers of Indictment, Pleas and Sentences for non-custodial defendants
 - v. Motion arguments
 - vi. Treatment Court and Judicial Diversion where the Judge determines that an appearance is necessary to protect the health and safety of a defendant or where there is a concern that the defendant is not compliant.
 - vii. Grand Jury proceedings (commencing on or after July 13, 2020)
 - viii. Essential Matters
- c. Family Court
- i. All Evidentiary Hearings (priority given to matters filed first)
 - ii. Child Support proceedings
 - iii. Permanency Hearings
 - iv. Article 10 Consents, Admissions and Surrenders
 - v. Essential Matters
- d. Surrogate's Court
- i. Citations and Show Cause orders
 - ii. Bench Trials
 - iii. Evidentiary Hearings
 - iv. All appearances and conferences where at least one party is self-represented
 - v. Essential Matters
- e. District Court Civil
- i. Bench Trials
 - ii. Evidentiary Hearings
 - iii. Small claims matters, including the small claims arbitration program.
 - iv. Essential Matters
- f. District Court Criminal (Incarcerated Defendants shall appear virtually, unless otherwise ordered).
- i. Bench Trials
 - ii. Evidentiary Hearings
 - iii. Desk Appearance Tickets Arraignments
 - iv. Vehicle & Traffic Appearances
 - v. Pleas and Sentences for non-custodial defendants
 - vi. Motion arguments
 - vii. Treatment Court where the Judge determines that an appearance is necessary to protect the health and safety of a defendant or where there is a concern the defendant is not compliant.
 - viii. Essential Matters;

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.

2. Virtual Matters

a. Supreme Court

- i. All conferences, including foreclosures, where all parties are represented by counsel
- ii. Motion arguments where all parties are represented by counsel
- iii. Mental Hygiene Law Proceedings pertaining to a hospitalized adult (Chief Administrative Judge Lawrence Marks' Administrative Order AO/72/20)
- iv. All other proceedings not listed in (1)(a) above

b. County Court

- i. Conferences
- ii. Waivers of Indictment, pleas and sentences where the defendant is incarcerated
- iii. Felony Exams/Preliminary Hearings
- iv. All other proceedings not listed in 1(b) above.

c. Family Court

- i. Conferences
- ii. Juvenile Delinquency Proceedings
- iii. Person In Need of Supervision Proceedings
- iv. Adoptions
- v. Appearances calendars
- vi. All other proceedings not listed in (1)(c) above

d. Surrogate's Court

- i. Conferences where all parties are represented by counsel
- ii. Motion Arguments where all parties are represented by counsel
- iii. Adoptions
- iv. All other proceedings not listed in (1)(d) above.

e. District Court Civil

- i. Conferences
- ii. Motion arguments
- iii. Eviction proceedings
- iv. All other proceedings not listed in (1)(e) above

f. District Court Criminal

- i. Conferences
- ii. Pleas and sentences where the defendant is incarcerated
- iii. All other proceedings not listed in (1)(f) above;

and it is further

ORDERED that Jury Trials shall recommence in Nassau County pursuant to the following schedule:

1. Jury Trials

- a. Petit Civil Jury Trials in Supreme Court will be conducted in October according to the written protocols developed by the Administrative Judge in consultation with the Deputy Chief Administrative Judge for the Courts Outside New York City.
- b. In light of the success and positive feedback regarding the impaneling of Grand Juries in Nassau County during Phase Three of the Return to In-Person Operations, Petit Criminal Jury trials in the County Court will commence in November.
 - i. Civil Jury Trials
 1. Summonses for Civil Jury Trials may be mailed in Term 10.
 2. Civil Jury Trials shall commence in Term 11.
 3. Following the completion of a Civil Jury Trial, the District shall review the jury trial protocols with the presiding Judge, lawyers, and to the extent possible, the jurors, to determine if any part of the protocols should be modified.
 - ii. Criminal Jury Trials
 1. Summons for Criminal Jury Trials may be mailed in Term 11
 2. Criminal Jury Trials shall commence in Term 12.
 3. Following the completion of a Criminal Jury Trial, the District shall review the jury trial protocols with the presiding Judge, lawyers, and to the extent possible, jurors, to determine if any part of the protocols should be modified.
- c. Prior to the scheduling of any case for trial and again immediately prior to jury selection, there shall be a robust effort to resolve the case through settlement or plea;

and it is further

ORDERED that effective October 1, 2020 all virtual matters shall be scheduled and held held via Microsoft Teams. Included in the Microsoft Teams invitation is a call-in number for lawyers and litigants that do not have access to video. In the event that a self-represented litigant is unable to access Microsoft Teams, arrangements shall be made at the Courthouse for the litigant to appear virtually; and it is further

ORDERED that Housing matters may proceed pursuant to the protocol established in the Memorandum from Chief Administrative Judge Lawrence Marks dated October 9, 2020 and pursuant to Administrative Order AO/231/20; and it is further

ORDERED Commercial and Residential Eviction matters may proceed pursuant to the protocols established in the Memorandum from Chief Administrative Judge Lawrence Marks dated August 12, 2020 and pursuant to Administrative Order AO/160/20; and it is further

ORDERED that Foreclosure matters may proceed pursuant to the protocol established in the Memorandum from Chief Administrative Judge Lawrence Marks dated July 24, 2020 and pursuant to Administrative Order AO/157/20 dated July 23, 2020; and it is further

ORDERED that Default Judgments shall not be granted where, pursuant to CPLR § 3215, the default occurred after March 16, 2020. Notwithstanding the foregoing, a Judge presiding over a matter wherein a party has defaulted may grant a Default Judgment where, after inquiry, the Judge determines that (a) the defaulting party has received actual notice of the action or proceeding; (b) the failure of the defaulting party to respond to the action or proceeding is not due to the Covid-19 pandemic; and (c) the granting of the Default Judgment is not contrary to any statute, Executive Order or Administrative Order. It should be noted that Executive Order 202.67 extends the toll on statutes of limitations (first set forth in EO 202.8 on March 20, 2020 and later extended) through November 3, 2020. Default Judgments may be governed by the suspension of "any specific time limit for the commencement, filing or service of any legal action, notice, motion or other process or proceeding, as described by the procedural laws of the state." A judgment adverse to the party seeking relief (plaintiff, petitioner, moving party, etc.) may be granted in the event that party fails to proceed with the action or appear in court; and it is further

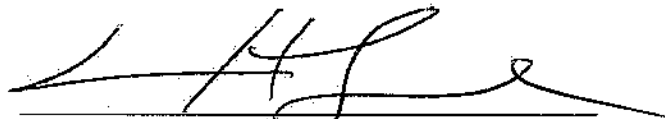
ORDERED that ADR shall be conducted virtually (Chief Administrative Judge Lawrence Marks' AO/87/20); and it is further

ORDERED that Arbitrations pursuant to the Part 137 Attorney-Client Fee Dispute Resolution Program will occur virtually; and it is further

ORDERED that Small Claims Assessment Review ("SCAR") proceedings shall be conducted virtually; 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 the updated Phase 4.1 pursuant to the Statewide Town and Village plans approved by Chief Administrative Judge Lawrence Marks.

Dated: October 16, 2020
Mineola, New York



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

EXECUTIVE AND
ADMINISTRATIVE
ORDERS



State of New York

Executive Chamber

No. 202.67

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

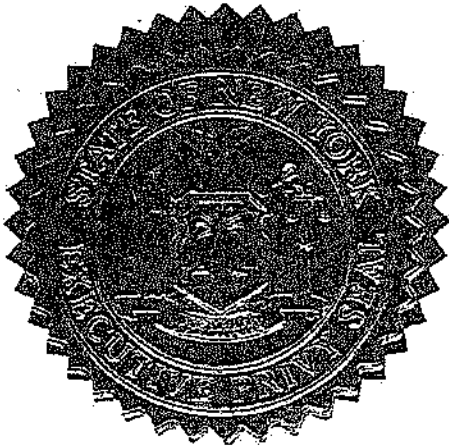
NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, do hereby find that a disaster continues to exist for which affected state agencies and local governments are unable to respond adequately. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Section 28 of Article 2-B of the Executive Law, I hereby continue the declaration of the State Disaster Emergency effective March 7, 2020, as set forth in Executive Order 202. This Executive order shall remain in effect until November 3, 2020.

IN ADDITION, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, or to provide any directive necessary to respond to the disaster, do hereby continue the suspensions and modifications of law, and any directives not superseded by a subsequent directive contained in Executive Orders 202 up to and including 202.21, and 202.27, 202.28, 202.29, 202.30, 202.38, 202.39, 202.40, 202.48, 202.49, 202.50, 202.55 and 202.55.1, as extended, and Executive Order 202.60 for another thirty days through November 3, 2020, except:

- Subdivision 1 of Section 491 of the Vehicle and Traffic law, to the extent that it provides for a period of validity and expiration of a non-driver identification card, shall no longer be suspended or modified as of November 3, 2020;
- Sections 401, 410, 2222, 2251, 2251, and 2282(4) of the Vehicle and Traffic law, to the

or regulation, or part thereof, is hereby continued, as modified by prior executive orders, provided however, for any civil case, such suspension is only effective until November 3, 2020, and after such date any such time limit will no longer be tolled, and provided further:

- o The suspension and modification of Section 30.30 of the criminal procedure law, as continued and modified in EO 202.60, is hereby no longer in effect, except for felony charges entered in the counties of New York, Kings, Queens, Bronx, and Richmond, where such suspension and modification continues to be effective through October 19, 2020; thereafter for these named counties the suspension is no longer effective on such date or upon the defendant's arraignment on an indictment, whichever is later, for indicted felony matters, otherwise for these named counties the suspension and modification of Section 30.30 of the criminal procedure law for all criminal actions proceeding on the basis of a felony complaint shall no longer be effective, irrespective, 90 days from the signing of this Executive order on January 2, 2021.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this fourth
day of October in the year two
thousand twenty.

BY THE GOVERNOR

A handwritten signature in black ink, appearing to be "Mr. C.", written over a horizontal line.

Secretary to the Governor

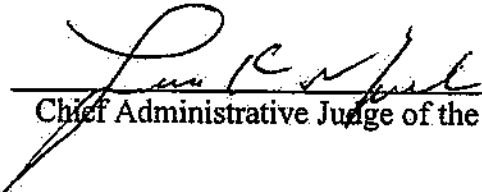
A handwritten signature in black ink, appearing to be "Andrew Cuomo", written in a cursive style.

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**

Pursuant to the authority vested in me, at the direction of the Chief Judge, and consistent with the Governor's determination approving the easing of restrictions on commerce imposed due to the COVID-19 health emergency, I hereby direct that, effective October 12, 2020:

1. Resumption of Residential Eviction Matters: All residential eviction matters, both nonpayment and holdover, may proceed in the normal course, subject to (1) current or future federal and state emergency relief provisions governing time limits for the commencement and prosecution of matters, limitation of eviction-related remedies, and similar issues, and (2) individual court scheduling requirements occasioned by health and safety concerns arising from the coronavirus health emergency.
2. Residential Eviction Matters Commenced Prior to March 17, 2020: The conference requirement applicable to residential eviction matters commenced prior to March 17, 2020, set forth in AO/160A/20, shall continue for those matters.
3. Filing and Service: Filing and service of process in eviction proceedings shall continue as set forth in Administrative Order AO/121/20.
4. Notice to Respondent Tenant: Petitions in eviction proceedings pursuant to Article 7 of the Real Property Actions and Proceedings Law shall include a Notice to Respondent Tenant in the form attached as Exh. 1a (if filing within the City of New York) or Exh. 1b (if filing outside the City of New York).
5. Remote Proceedings: Eviction proceedings should be conducted remotely whenever appropriate.
6. Alternative Dispute Resolution: Mediation and other forms of alternative dispute resolution are encouraged, particularly in matters where (1) all parties are represented by counsel, or (2) all parties are unrepresented by counsel.

This order supersedes the provisions of any other Administrative Order inconsistent with its terms.



Chief Administrative Judge of the Courts

Dated: October 9, 2020

AO/231/20

**ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS**
[corrected 8/13/20]

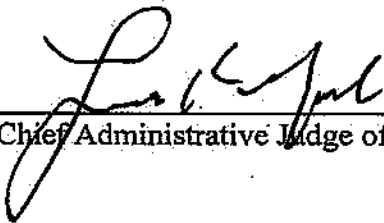
Pursuant to the authority vested in me, at the direction of the Chief Judge, and consistent with the Governor's determination approving the easing of restrictions on commerce imposed due to the COVID-19 health emergency, I hereby direct that, effective August 13, 2020, notwithstanding the terms of any prior administrative order, the following procedures and protocols shall apply to the conduct of residential and commercial eviction matters before the New York State courts:

1. Commercial Eviction Matters Commenced Prior to March 17, 2020: Commercial eviction matters commenced prior to March 17, 2020 may proceed in the normal course, subject to the following:
 - a. Consistent with Executive Order 202.28, as modified by Executive Order 202.48, "[t]here shall be no initiation of a proceeding or enforcement of ... an eviction of any ... commercial tenant, for nonpayment of rent ... rented by someone that is eligible for unemployment insurance or benefits under state or federal law or otherwise facing financial hardship due to the COVID-19 pandemic" for a period of sixty days beginning on June 20, 2020.
 - b. Further proceedings in commercial eviction matters may be governed by the suspension of "any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as described by the procedural laws of the state," set forth in Executive Orders 202.8, 202.14, 202.28, 202.38, 202.48, and 202.55.
2. Residential Eviction Matters Commenced Prior to March 17, 2020: Effective August 13, 2020, residential eviction matters commenced prior to March 17, 2020 may proceed as follows:
 - a. Prior to conducting any further proceedings in any pending residential eviction matter filed prior to March 17, 2020, the court must initiate a status or settlement conference. This requirement shall apply in all matters at any stage of the eviction process, including any matter where a warrant of eviction has issued and been delivered to an enforcement agent but has not been executed.
 - b. At the conference, the court shall review the procedural history of the matter; confirm compliance with notice requirements; inquire into the effects, if any, that the COVID-19 pandemic has had upon the parties; review any special relief under state or federal law to which the parties may be entitled in light of the pandemic, including the New York Tenant Safe Harbor Act (L. 2020, c. 127); refer unrepresented parties to local

civil legal service providers and housing counseling agencies; assess any pending and anticipated motions; approve briefing schedules proposed by stipulation of the parties; and use best efforts (including referral to alternative dispute resolution) to resolve any outstanding issues.

- c. Following the conference, the court may take such further steps as it deems appropriate, including allowing the matter to proceed. If the court directs an eviction to proceed following the conference, the eviction shall be scheduled or rescheduled to take place no sooner than October 1, 2020.
 - d. Further proceedings in residential eviction matters may be governed by the suspension of “any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as described by the procedural laws of the state,” set forth in Executive Orders 202.8, 202.14, 202.28, 202.38, 202.48, and 202.55.
 - e. In ordering relief in any residential eviction matter, the court should remain particularly mindful of additional prohibitions on evictions that may be commanded by executive order, state statute, or federal law.
3. Continued Suspension of Eviction Matters Commenced After March 16, 2020: Eviction proceedings commenced after March 16, 2020 shall, upon the filing of a petition (if no answer is filed thereafter) or the filing of an answer, be suspended until further order. Notwithstanding the foregoing, eviction matters in which all parties are represented by counsel shall be eligible for calendaring for virtual settlement conferences.
 4. Filing and Service: Filing and service of process in eviction proceedings shall continue as set forth in Administrative Order AO/121/20.
 5. Notice to Respondent Tenant: Petitions in eviction proceedings pursuant to Article 7 of the Real Property Actions and Proceedings Law shall continue to include a Notice to Respondent Tenant in the form attached as Exh. 1a (if filing within the City of New York) or Exh. 1b (if filing outside the City of New York).
 6. Remote Proceedings: Eviction proceedings should be conducted remotely whenever appropriate.
 7. Essential Matters: This order shall not affect procedures for the filing and service of essential matters.
 8. New York City: In addition to the applicable provisions of this Administrative Order, eviction matters before the New York City Housing Court shall also be governed by DRP 213 of the Civil Court of the City of New York.

9. This order supersedes Administrative Order AO/127/20, and further supersedes the provisions of any other Administrative Order inconsistent with its terms.



Chief Administrative Judge of the Courts

Dated: August 13, 2020

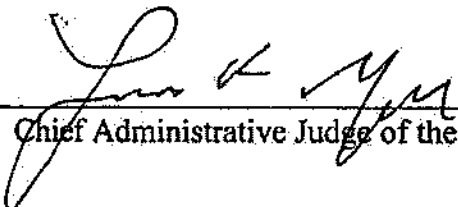
AO/160A/20

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, at the direction of the Chief Judge, and consistent with the Governor's determination approving the easing of restrictions on commerce imposed due to the COVID-19 health emergency, I hereby direct that, effective July 27, 2020, notwithstanding the terms of any prior administrative order, the following procedures and protocols shall apply to the conduct of residential and commercial foreclosure matters before the New York State courts:

1. Stay of Commencement and Enforcement of Commercial Foreclosure Matters:
Consistent with Executive Order 202.28, "[t]here shall be no initiation of a proceeding or enforcement of ... a foreclosure of any ... commercial mortgage, for nonpayment of such mortgage, owned ... by someone that is eligible for unemployment insurance or benefits under state or federal law or otherwise facing financial hardship due to the COVID-19 pandemic" for a period ending on August 19, 2020.
2. Filing and Service: Filing and service of process in residential and commercial foreclosure proceedings shall continue as set forth in Administrative Order AO/121/20 (Exh. A), as amended.
3. Procedures in Pending and Newly-Filed Matters: Except insofar as a matter may be stayed or otherwise governed by Governor Cuomo's Executive Orders 202.8, 202.14, 202.28, 202.38, and 202.48, residential and commercial foreclosure matters may proceed as set forth below.
4. Conferences:
 - a. Prior to conducting any further proceedings in any foreclosure matter, the court must initiate a status or settlement conference (including, where applicable, a settlement conference pursuant to CPLR Rule 3408). If any party does not appear at the conference, the court shall reschedule and make a second attempt to hold the conference before undertaking further proceedings.
 - b. At the conference, the court shall review the procedural history of the matter; confirm compliance with notice requirements; inquire into the effects, if any, that the COVID-19 pandemic has had upon the parties; review any special relief under state or federal law to which the parties may be entitled in light of the pandemic; refer unrepresented parties to local civil legal service providers and housing counseling agencies; assess any pending and anticipated motions; approve briefing schedules proposed by stipulation of the parties; and use best efforts (including referral to alternative dispute resolution) to resolve any outstanding issues.

5. **Remote Proceedings:** Any foreclosure conference or proceeding will be conducted remotely to the fullest extent practicable.
6. **Motions:** Following the conference in a foreclosure matter, the court may (1) direct further briefing of any motion as needed, and (2) issue a decision on any motion, including a motion for foreclosure and sale. Pending and newly-filed motions may be considered and decided in all foreclosure matters -- including residential and commercial matters, matters in which one or both parties are self-represented, and matters commenced prior to and during the COVID-19 pandemic. In ordering relief in a commercial foreclosure matter, the court shall stay enforcement if and as required under Executive Orders 202.28, 202.48, and related Executive Orders.
7. **Auctions:**
 - a. **Continued Suspension of Auctions:** No auction or sale of property in any residential or commercial foreclosure matter shall be scheduled to occur prior to October 15, 2020.
 - b. **Assessment of Auction Practices:** Prior to September 1, 2020, the appropriate administrative judge for civil matters in each judicial district shall develop appropriate procedures and protocols for the safe and healthful conduct of such auctions within their districts in light of the COVID-19 pandemic.
8. **Other Applications and Hearings:** Courts may entertain other applications in foreclosure matters, including but not limited to post-judgment applications. Where necessary, courts may also conduct hearings, including but not limited to good-faith hearings pursuant to CPLR 3408(f). All such hearings will be conducted remotely to the fullest extent practicable.
9. This order shall not affect procedures for the filing and service of essential matters, and otherwise supersedes the provisions of any Administrative Order inconsistent with its terms.



Chief Administrative Judge of the Courts

Dated: July 23, 2020

AO/157/20

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 May 4, 2020 and until further order, the following additional procedures and protocols to mitigate the effects of the COVID-19 outbreak upon the judicial officers, staff, and users of the Unified Court System.

A. In pending matters, digital copies of (1) motions, cross-motions, responses, replies and applications (including post-judgment applications), (2) notices of appeal and cross-appeal, (3) stipulations of discontinuance, stipulations of adjournment, and other stipulations; (4) notes of issue, and (5) such other papers as the Chief Administrative Judge may direct, shall be accepted for filing purposes by all courts and clerical officers of the Unified Court System (including County Clerks acting as clerks of court) when presented for filing through (1) the UCS New York State Courts Electronic Filing (NYSCEF) system; (2) the UCS Electronic Document Delivery System (EDDS); or (3) such other document delivery method as the Chief Administrative Judge shall approve.

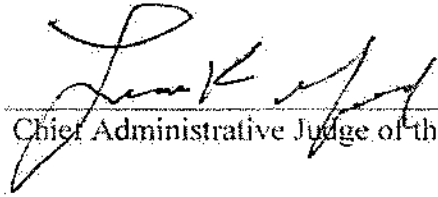
B. Documents filed through the EDDS system shall be served by electronic means, including electronic mail or facsimile. Filing fees required for documents filed through the EDDS system shall be paid by credit card or, where credit card payment is unavailable, by check delivered to the appropriate clerk's office by U.S. Mail or overnight mail service.

C. The provisions of paragraphs A and B above are authorized on a temporary basis, and will be reviewed and circumscribed promptly at the conclusion of the COVID-19 public health emergency.

D. Problem-solving courts may conduct virtual court conferences with counsel, court staff, service providers, and, where practicable, clients.

E. Judges may refer matters for virtual alternative dispute resolution, including to neutrals on court-established panels, community dispute resolution centers, and ADR-dedicated court staff.

F. The court shall not request working copies of documents in paper format.



Chief Administrative Judge of the Courts

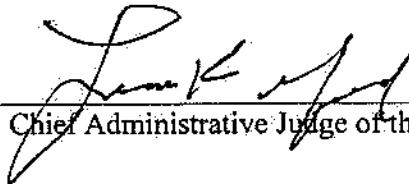
Dated: May 1, 2020

AO/87/20

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, I hereby promulgate the following protocols designed to mitigate the adverse effects of the COVID-19 outbreak upon attorneys, parties, other members of the public, and court staff while conducting civil litigation before the courts of the Unified Court System, effective immediately:

To the fullest extent possible, Mental Hygiene Law proceedings in which a petitioner or other necessary party is confined to a hospital or other medical facility – including but not limited to hearings pursuant to Mental Hygiene Law §§ 9.31 and 9.39 addressing patient retention or release, and the involuntary administration of medication – shall be conducted with appearances by means of remote audiovisual technology or telephone. In no event will participants be penalized if compliance with the usual timetables for such proceeding is delayed for reasons relating to the coronavirus health emergency.



Chief Administrative Judge of the Courts

Dated: March 20, 2020.

AO/72/20