

STATE OF NEW YORK
UNIFIED COURT SYSTEM
SUFFOLK COUNTY DISTRICT COURT
JOHN P. COHALAN, JR. COURT COMPLEX
400 Carleton Avenue
P.O. Box 9080
Central Islip, NY 11722-9080
(631) 208-5800 Fax (631) 853-7417

LAWRENCE K. MARKS
Chief Administrative Judge

ANDREW A. CRECCA
District Administrative Judge
Suffolk County

VITO C. CARUSO
Deputy Chief Administrative Judge
Courts Outside New York City

KAREN KERR
Supervising Judge District Court

M E M O R A N D U M

TO: Suffolk County District Attorney's Office; Legal Aid Society; Assigned Counsel
Bureau; Criminal Bar Association; Suffolk County Bar Association; District
Court Committee.

FROM: Hon. Karen Kerr

DATE: 12/10/20

RE: Amended Suffolk County District Court Attorney Appearance Protocol

As COVID-19 cases increase throughout the state, in order to protect the health and safety of the public, attorneys and court personnel, effective immediately, per J. Crecca's memo dated 12/9/20, all courts, have been directed to significantly decrease in-person appearances and reduce non-judicial staff to 40% with the remainder of the staff working remotely. All judges will be assigned one day per week to conduct in-person proceedings. The remaining 4 days will be used for virtual appearances only. Courtrooms are limited to a maximum of 5 proceedings per hour on in-person days. Occupancy of courtrooms are limited to a maximum of 10 people, including court staff.

Matters that may be heard in person, in the court's discretion, include pleas and sentences, treatment court appearances where the court determines an appearance is necessary to protect the health and safety of a participant, certain pro-se matters, bail applications, TOP requests and SORA proceedings. All jury trials are suspended. Bench trials and pre-trial hearings may be conducted virtually.

All misdemeanor, desk appearance ticket arraignments, (i.e., SAP & 254 cases), except for misdemeanor DWI desk appearance tickets are suspended until further notice and will be administratively adjourned. Misdemeanor DWI and felony desk appearance tickets will continue to be heard in person in the D11 in-person arraignment part. (D66)

Out of custody warrant recalls will be heard before the assigned judge if judge has an in-person day. Otherwise, the warrant will be re-called in the D11 in-custody arraignment part (D66), along with all TOP requests and 180.80 applications.

Beginning, January 4, 2021, Judge Henry will preside over the Drug and Mental Health Court (DP1). Judge Sachs will be assigned to handle J. Henry's DWI cases and will remain in courtroom D53. Judge Sachs' cases will be re-assigned to the other all-purpose parts. Judge Hennessey will preside over the ECL calendar in D63. Judge Jacobs will be assigned to D46. SFYP/RTA matters will be heard in D31.

If you have questions concerning dates or who the assigned judge is, please contact the clerk's office at 631-208-5829. I will keep you apprised of any future changes as they occur.

SUFFOLK COUNTY DISTRICT COURT PROTOCOL, SCHEDULES AND CONTACT INFORMATION:

I. D11 IN-CUSTODY ARRAIGNMENTS:

The physical D11 Arraignment Courtroom is located on the 6th floor in courtroom D66 Monday through Friday. On weekends and holidays the D11 in-custody arraignment calendar is in the D11 courtroom on the first floor.

The D11 in-custody arraignment court handles:

- * In-custody arraignments;
- * **In-custody warrant returns;**
- * **Out of custody warrant vacates only where the assigned part is closed;**
- * Arraignments on felony DATs;
- * Requests for ex-parte orders of protection.

All in-custody arraignments continue to be held virtually. The phone number for D11 in-custody part is 631-208-5664, 5662 or 5663. While Counsel may opt to appear in person, the procedure for handling a virtual in-custody arraignment in D11 is as follows:

1. Each day, Legal Aid, CAFA and the District Attorney's office will email to Suffarr@nycourts.gov, and kkerr@nycourts.gov, a list of attorneys who will be available to conduct arraignments remotely. Contact information should include email and cell phone contacts.
2. Legal Aid, 18b and District Attorney's Office Paperwork-
District Court Clerks will scan and send defense counsel paperwork to the Court at Suffarr@nycourts.gov, Legal Aid at Arraignments@sclas.org, the District Attorney's Office at DAarraignments@suffolkcountyny.gov, and Assigned counsel at smccall@scaap.org. In the event LAS has a conflict, Legal Aid will call D11 at 631-208-5664. D11 will then contact CAFA via the contact information provided.
3. Private Counsel-
Once retained, private counsel should send an email to D11 at Suffarr@nycourts.gov and DAarraignments@suffolkcountyny.gov, with the name of the defendant and DOB notifying D11 he or she represents the defendant. Please do not email a formal notice of appearance until you are ready to have the case called. Upon receipt of the email, D11 will email a copy of the paperwork to counsel at the email address provided.
4. Non-monetary Conditions-
The court, the ADA and defense counsel should review all files in the a.m. in the event non-monetary conditions are being contemplated as probation will need to speak to the defendant before the arraignment.
5. TOPs-
In the event the DA is requesting a TOP, the DA will email the TOP to Suffarr@nycourts.gov. The

D11 clerk will be provided with both a stay away TOP and a refrain from TOP to allow the court as much discretion as possible.

6. DA Notices-

All notices including 710.30 and Grand Jury notices will be served on defense counsel by the ADA directly.

7. Attorney/Client Telephone Conferences-

When the attorney is ready to speak to the client, he or she will call the Sheriff Attorney Liaison at 631-853-7937. The Sheriff Attorney Liaison will request a call-back number from the attorney. Once the defendant is positioned to take the call, the sheriff will contact the attorney. The attorney will be given one of two conference call numbers to call in order to speak to the client: 631-853-7980 or 631-853-7427.

8. Notice of Appearance-

Once Legal Aid/CAFA/Private counsel is ready for the arraignment, he/she will file the Notice of Appearance (NOA) with the court at Suffarr@nycourts.gov along with a completed “preferred method of contact” form, attached.

9. The Arraignment-

The attorneys should then join the meeting at [Arraignments Teams Link](#) and mute the audio until the clerk calls the case.

10. Service of TOPs-

In the event a TOP is granted, the court will inform the defendant of its content indicate the defendant is “deemed served.” When the arraignment is complete, the court officer will bring the order to the Sheriff for the defendant’s signature. The court officer will make copies for all parties. The same procedure will be utilized for any other documents, GPS, SRP, which require the defendant’s signature.

11. DC111s-

The completed DC-111 will be marked “video-arraignment.” Copies of any relevant paperwork for discharge or lodging at the Correctional Facility will be attached to the DC111.

12. Copies of Forms -

Once the arraignment is complete, copies of the paperwork, TOPs, SRP forms, etc., will be placed in room 220 in separate bins designated for the DA’s office, Legal Aid and probation. All CAFA and private counsel paperwork will be sent by regular mail. In addition, at the end of the day the D11 clerk will scan TOPs and send to DAarraignments@suffolkcountyny.gov.

II.WARRANTS AND SCOFFS:

There is an 11:00 a.m. cut off time to recall scoffs and out of custody warrants. All out of custody warrant returns and scoffs will be handled in the assigned part unless that judge has a virtual appearance day, or the part is closed. In that event, warrant recalls will be sent to D11(D66).

Where the defendant has both an in-custody warrant vacate and a scoff matter, both will be handled in the D11(D66) in-custody part to alleviate the necessity of the defendant and attorney from having to appear in two different parts.

III. DISTRICT COURT VIRTUAL IN-CUSTODY PLEAS:

In-custody pleas should be arranged in advance with the assigned judge. If the case is an add-on, please allow 48 hours' notice so the files can be pulled, necessary paperwork exchanged, the calendar created, and the jail notified as to the time of the plea. Exceptions to the 48-hour notice requirement will be made in the event the disposition reached will result in the defendant's immediate release from jail.

Prior to the plea, the attorneys should contact Sheriff Attorney Liaison at 631-852-2247 to schedule a call with the client to go over any necessary paperwork, the terms of the pleas and waivers.

Prior to the plea, if there is paperwork requiring the Defendant's signature, the ADA will email it to Sheriff.records@suffolkcountyny.gov with courtesy copies to the courtroom email and the Defense attorney.

At the time of the plea, the sheriff will provide the Defendant with the paperwork. Afterwards, the sheriff will scan and send the paperwork back to the ADA who will email it to the Defense Counsel and the court part. Original paperwork will be delivered by the sheriff to the court the following morning in D11. In the alternative, the client should be prepared to give counsel or the court clerk permission to sign any documentation necessary to facilitate the plea on the client's behalf.

If the attorney wishes to consult with the client during the plea, the attorney will second call the case and speak to the defendant privately on the phone set up in the conference room at the jail. The Riverhead Attorney/Client Call Station # is 631-852-2698. The Yaphank Attorney/Client Call Station # is 631-852-7078. Once the attorney is ready, the attorney will sign back into the meeting and advise the clerk.

IV. MOTIONS:

Motions may be filed in person at the clerk's window on the second floor or by mail or the EDDS system. More detailed instructions for sending or filing documents through EDDS may be found on the [EDDS FAQ](#) page by clicking this link.

V. SUFFOLK FELONY YOUTH PART AND YOUTH PART WEST (RTA):

The Suffolk Felony Youth Part and Youth Part West (YPW) calendars continue to be called in D32 Mondays, Tuesdays and Wednesdays with Tuesday as the in-person day. Beginning January 2021, the calendars will be called in D31.

DISTRICT COURT COURTROOM CONTACT INFORMATION:

District Court Courtroom Teams Links Effective until December 31, 2020:

SAP:	SAP Teams Link
D11 Arraignments:	Arraignments Teams Link
D31:	D31 Teams Link
D32 SFYP/RTA:	D32 Teams Link
D33/Vets:	D33 Teams Link
D34 FP1:	D34 Teams Link
D35 DP1/MHC/CARE:	D35 Teams Link
D41 DV1/HTI:	D41 Teams Link
D42 DV2/Parole:	D42 Teams Link
D43:	D43 Teams Link
D44:	D44 Teams Link
D45:	D45 Teams Link
D46 ECL:	D46 Teams Link
D51:	D51 Teams Link
D52:	D52 Teams Link
D53:	D53 Teams Link
D54:	D54 Teams Link
D55:	D55 Teams Link
D56:	D56 Teams Link
D61:	D61 Teams Link
D63:	D63 Teams Link

District Court Courtroom Teams Links Effective January 2021:

SAP:	SAP Teams Link
D11 Arraignments:	Arraignments Teams Link
D31 SFYP/RTA:	D31 Teams Link
D33/Vets:	D33 Teams Link
D34 FP1:	D34 Teams Link
D35 DP1/MHC/CARE:	D35 Teams Link
D41 DV1/HTI:	D41 Teams Link
D42 DV2/Parole:	D42 Teams Link
D43:	D43 Teams Link
D44:	D44 Teams Link
D45:	D45 Teams Link
D46 :	D46 Teams Link
D51:	D51 Teams Link
D52:	D52 Teams Link
D53:	D53 Teams Link
D54:	D54 Teams Link
D55:	D55 Teams Link
D61:	D61 Teams Link
D63 ECL:	D63 Teams Link

District Court Courtroom Emails:

SufD31@nycourts.gov

SufD32@nycourts.gov

SufD33@nycourts.gov

Suffarr@nycourts.gov

SufD34@nycourts.gov

SufD35@nycourts.gov

SufD41@nycourts.gov

SufD42@nycourts.gov

SufD43@nycourts.gov

SufD44@nycourts.gov

SufD45@nycourts.gov

SufD46@nycourts.gov

SufD51@nycourts.gov

SufD52@nycourts.gov

SufD53@nycourts.gov

SufD54@nycourts.gov

SufD55@nycourts.gov

SufD56@nycourts.gov

SufD61@nycourts.gov

SufD63@nycourts.gov

SufD66@nycourts.gov

SufD11SAP@nycourts.gov

DISTRICT COURT JUDGE CONTACT INFORMATION: Effective until December 31, 2020

CHAMBER CONTACT INFORMATION:

JUDGES

HON. KAREN

KERR,

SUPERVISING

JUDGE **D32** -

YP/RTA

SECRETARY

KATHY MEYER

208-5917 (fax 853-7417)

Kmeyer@nycourts.gov

**D33 Vets Ct
Care)**

**DP1 (Drug Ct, MHC, FP
1**

MAY BURKE
208-5784 (fax 853-6245)

PIERCE F. COHALAN DERRICK J.
ROBINSON

RICHARD T. DUNNE

Meburke@nycourts.gov

D41 (DV1 & HTI)

**D42 (DV2 &
Parole)**

JACKIE
MCCLEAN 208-
5863 (fax 853-5402)
Jmcclean@nycourts.gov

PATRICIA GRANT
FLYNN

TONI BEAN

D44

PAUL E. HENNINGS

D45

JOHN KELLY

D46 (ECL)

JAMES W. MALONE

KATHY LOGIUDICE

208-5880 (fax 853-5405)

Klogiudi@nycourts.gov

D43

STEPHEN L. UKEILEY

D51

JOHN J. ANDREWS

D52

JAMES A. SALADINO ERIC SACHS

D53

DONNA FITZHUGH

208-5735 (fax 853-7610)

Dfitzhug@nycourts.gov

D55 (DWI)

JAMES A. McDONOUGH

D56 (DWI)

JENNIFER A. HENRY

D54

ALFRED C. GRAF

JOANNE WILSON

208-5755 (fax 853-7603)

Jewilson@nycourts.gov

D61

ROSANN O. ORLANDO

D63

EDWARD J. HENNESSEY

CAROLANN McCLAIN

208-5644(fax 208-5637)

Cmclain@nycourts.gov

DISTRICT COURT JUDGE CONTACT INFORMATION: Effective January 1, 2021

JUDGES

HON. KAREN KERR
SUPERVISING JUDGE
D31 - YP/RTA

SECRETARY

KATHY MEYER
208-5917 (fax 853-7417)
Kmeyer@nycourts.gov

D33 Vets Ct

PIERCE F. COHALAN

DP1 (Drug Ct, MHC, Care)

JENNIFER A. HENRY

FP1

RICHARD T. DUNNE

MAY BURKE

208-5784 (fax 853-6245)
Meburke@nycourts.gov

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Jmcclean@nycourts.gov

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ALONZO G. JACOBS

D43

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208-5880 (fax 853-5405)
Klogiudi@nycourts.gov

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Dfitzhug@nycourts.gov

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D61

ROSANN O. ORLANDO

D63 (ECL)

EDWARD J. HENNESSEY

CAROLANN McCLAIN

208-5644 (fax 208-5637)
Cmcclain@nycourts.gov

DISTRICT COURT JUDGE EMAIL LIST- Effective until December 31,2020:

Judge Andrews D51	Sufandrews@nycourts.gov
Judge Bean D42/DV2/PARL	Sufbean@nycourts.gov
Judge Cohalan D33/Vets	Sufcohalan@nycourts.gov
Judge Dunne D34	Sufdunne@nycourts.gov
Judge Flanagan 6 th DC	Sufflanagan@nycourts.gov
Judge Flanagan/Kendra	SufKNDflanagan@nycourts.gov
Judge Graf D54	Sufgraf@nycourts.gov
Judge Grant Flynn D41/DV1/HTI	Sufflynn@nycourts.gov
Judge Hackeling 3 rd & 4 th DC	Sufhackeling@nycourts.gov
Judge Helfer 1 st & 5 th DC	Sufhelfer@nycourts.gov
Judge Hennessey D63	Sufhennessey@nycourts.gov
Judge Hennings D44	Sufhennings@nycourts.gov
Judge Henry D56/DWI	Sufhenry@nycourts.gov
Judge Kelly D45	Sufkelly@nycourts.gov
Judge Kerr D32	Sufkerr@nycourts.gov
Judge Malone D46	Sufmalone@nycourts.gov
Judge Matthews 325D	Sufmatthews@nycourts.gov
Judge McDonough D55/DWI	Sufmcdonough@nycourts.gov
Judge Orlando D61	Suforlando@nycourts.gov
Judge Robinson DP1/MHC	Sufrobinson@nycourts.gov
Judge Sachs D53(DWI)	Sufsachs@nycourts.gov
Judge Saladino D52	Sufsaladino@nycourts.gov

Judge Schettino ADR Sufschettino@nycourts.gov

Judge Swenson 2nd DC Sufswenson@nycourts.gov

Judge Ukeiley D43/Guard Sufukeiley@nycourts.gov

DISTRICT COURT JUDGE EMAIL LIST: Effective January 1, 2021:

Judge Andrews D51	Sufandrews@nycourts.gov
Judge Bean D42/DV2/PARL	Sufbean@nycourts.gov
Judge Cohalan D33/Vets	Sufcohalan@nycourts.gov
Judge Dunne D34	Sufdunne@nycourts.gov
Judge Flanagan 6 th DC	Sufflanagan@nycourts.gov
Judge Flanagan/Kendra	SufKNDflanagan@nycourts.gov
Judge Graf D54	Sufgraf@nycourts.gov
Judge Grant Flynn D41/DV1/HTI	Sufflynn@nycourts.gov
Judge Hackeling 3 rd & 4 th DC	Sufhackeling@nycourts.gov
Judge Helfer 1 st & 5 th DC	Sufhelfer@nycourts.gov
Judge Hennessey D63 ECL	Sufhennessey@nycourts.gov
Judge Hennings D44	Sufhennings@nycourts.gov
Judge Henry DP1/MHC	Sufhenry@nycourts.gov
Judge Kelly D45	Sufkelly@nycourts.gov
Judge Kerr D31	Sufkerr@nycourts.gov
Judge Jacobs D46	Sufjacobs@nycourts.gov
Judge Matthews 325D	Sufmatthews@nycourts.gov
Judge McDonough D55/DWI	Sufmcdonough@nycourts.gov
Judge Orlando D61	Suforlando@nycourts.gov
Judge Sachs D53(DWI)	Sufsachs@nycourts.gov
Judge Saladino D52	Sufsaladino@nycourts.gov

Judge Schettino ADR Sufschettino@nycourts.gov

Judge Swenson 2nd DC Sufswenson@nycourts.gov

Judge Ukeiley D43/Guard Sufukeiley@nycourts.gov

In-Person Appearance Schedule: Effective December 14, 2020 until December 31, 2020

In Person

<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>
DP1	D32	D31	D44	D45
D51	D33	FP1	D53	D46
D55	D41	D42	D54	D52
D61	D43	D63		D56

Outlying Districts

<u>Mon</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>
Ronkonkoma	Lindenhurst Hauppauge	Patchogue	Huntington	

D66 - D11 in-custody Arraignments, Warr. vacates, & TOPs (Mon. - Fri)

D11 - NO SAP Calendar or 254

In-Person Appearance Schedule: Effective Jan. 1, 2021 until further notice:

In Person

<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>
DP1	D31	FP1	D44	D45
D51	D33	D42	D53	D46
D55	D41	D63	D54	D52
D61	D43			

Outlying Districts

<u>Mon</u>	<u>Tues.</u>	<u>Wed.</u>	<u>Thurs.</u>	<u>Fri.</u>
Ronkonkoma	Lindenhurst Hauppauge	Patchogue	Huntington	

D66 - D11 in-custody Arraignments, Warr. vacates, & TOPs (Mon. - Fri)

D11 - NO SAP Calendar or 254

