



SEVENTH AMENDED ADMINISTRATIVE ORDER THIRD JUDICIAL DISTRICT

Pursuant to the authority vested in me, and in accordance with the recent operational protocols issued by the Chief Administrative Judge for the trial courts of the Unified Court System, I hereby order that effective immediately the following rules be put into effect in the Third Judicial District until rescinded.

Hereinafter, "Assigned Judge" refers to the judge assigned to hear the case on and before March 16, 2020. "Designated Judge" refers to the judge assigned to hear the case pursuant to this Order (Amended Schedule F). "Essential Staff" refers to chambers staff of Designated Judges, chambers staff of additional judges as designated by the Administrative Judge and non-judicial staff as designated by the District Executive. "Essential Proceedings" refers to those matters listed in Exhibit A attached to Administrative Order 78-20 signed by the Chief Administrative Judge of the Courts on March 22, 2020 and any subsequent amendments.

A. General matters and matters applicable to more than one case type

1. Pending eviction proceedings are stayed; no eviction orders shall be signed or served (see Governor's Executive Order 202.8 dated 3-20-2020).
2. No default judgments shall be granted.
3. All Family Court and all County Court Judges are cross-assigned to the County and Family Courts in all counties of the District.
4. The Virtual Courtroom Protocol (see AO/3JD-2020-52, attached) remains effect and all provisions of this Seventh Amended Administrative Order shall be read in conjunction with the Virtual Courtroom Protocol.
5. All Essential Proceedings will occur virtually and be presided over by the judges listed in Amended Exhibit E (attached) unless otherwise approved by the Administrative Judge.
6. Maximum occupancy of ALL courtrooms, waiting rooms and meeting rooms in Court Facilities and other rooms where court functions occur conform to current Executive Orders and recommendations, including, but not limited to, occupancy limits, social distancing standards and the use of face masks.
7. Naturalization Ceremonies are postponed until further notice.
8. After 9:00 AM on April 13, 2020, only approved Essential Staff may report to the consolidated courthouse in each county unless approval is given by the Administrative Judge or his designee. On this same date and time, entrance to any court facility by Chambers Staff and Judges shall be by permission of the Administrative Judge or his designee.

9. All deadlines established per judicial directive (including those contained in scheduling orders, service dates and "local rules") that occur during the pendency of this Administrative Order shall be extended for a period of 90 days from the date of the stated deadline, unless further application is made or the parties agree otherwise (see Administrative Order of the Chief Administrative Judge 71-20 dated 3-19-2020; Governor's Executive Order 202.8 dated 3-20-2020).
10. All Temporary Orders of Protection issued in any criminal or civil matter that have expired or are due to expire on or after March 19, 2020 "shall be extended under the same terms and conditions until the date the matter is re-calendared, unless the order is sooner terminated or modified by a judge or justice of the court that issued the order" (Administrative Order 73-20 of the Chief Administrative Judge dated 3-19-2020).

B. Supreme Civil

1. All non-essential matters, except conferences being scheduled by and held in the virtual chambers, are administratively adjourned until a date on or after May 30, 2020 or a date determined by the Assigned or Designated Judge. Essential Staff or Chambers Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned date.
2. No civil trials will be held until further order.
3. All Mental Hygiene Law proceedings in which a party is confined to a hospital or other facility shall be conducted with appearances by means of remote audiovisual technology or telephone (see Administrative Order 72-20 of the Chief Administrative Judge dated 3-22-2020).
5. All foreclosure proceedings are stayed; no foreclosure auctions shall be scheduled or held (see Governor's Executive Order 202.8 dated 3-20-2020 as extended Executive Order 202.14 dated 4-7-2020).

C. Superior Court Criminal Cases

1. No criminal jury trials will be held until further order.
2. For Defendants not in custody, all non-essential matters, except conferences being scheduled by and held in virtual chambers, are administratively adjourned to a date on or after May 30, 2020 or to another date selected by the Assigned Judge in consultation with the District Attorney and Defense Attorney.
3. For defendants in custody, all matters except conferences being scheduled by and held in virtual chambers, are administratively adjourned to May 7, 2020 or to another date selected by the Assigned Judge in consultation with the District Attorney and Defense Attorney. Prior to May 7, 2020 each Assigned Judge shall review each case in which a defendant is in custody. In no event shall the matter be adjourned to a date that is more than 30 days from the date the matter is reviewed by the Judge. Essential Staff or Chambers Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned date.
4. "Grand juries set to be impaneled within terms four and five of the courts for the year 2020 shall be postponed." Currently seated grand juries "may continue, upon application of the appropriate district attorney to the administrative judge" (Deputy Chief Administrative Judge for Courts Outside NYC Administrative Order 77/20 dated 3-21-2020).

5. The Accessible Magistrate procedures currently in place shall continue.

D. Treatment Courts/OSP

1. Treatment courts and Opioid Stabilization Parts will be handled by the designated City Court Judge or the designated County Court Judge in counties with no City Court.
2. Treatment courts will continue to the extent appearances are deemed essential in acute cases by the designated judge after application to the Administrative Judge.
3. Conferencing by Virtual Chambers and Drug Court Team meetings may take place virtually to the extent each court is capable.
4. Essential Staff designated to work in these Courts shall be responsible for notifying attorneys or pro-se defendants of the adjourned dates.

E. Family Court

1. All non-essential matters, except conferences being scheduled by and held in the virtual chambers, are administratively adjourned until a date on or after May 30, 2020 to be determined by the Assigned or Designated Judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
2. Judges are required to immediately bring to his/her Supervising Judge's attention any Permanency Planning Hearings that pursuant to existing Federal or State Law require a determination that the matter be deemed essential so as to provide a timely calendar date.
3. All temporary orders of protection and all remand/removal/placement orders issued in the Third Judicial District under Family Court Act Articles 3, 6, 7, 8 and 10 that are due to expire while this Administrative Order is in effect, shall be deemed extended under the same terms and conditions for a period of 90 days from the date the order is scheduled to expire, unless the order is terminated or modified by the Designated Judge or Assigned Judge. To the extent practicable, the Designated Judge or Assigned Judge shall issue an amended order and the lawyers and pro-se litigants notified.

F. Surrogate's Court

1. All non-essential matters, except conferences being scheduled by and held in the virtual chambers, are administratively adjourned until a date on or after May 30, 2020 to be determined by the assigned or designated judge - Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
2. Guardianships, adoptions, issuance of temporary letters, and settlement of estates that are deemed urgent by the Surrogate and other matters also deemed urgent by the Surrogate may proceed with permission of the Administrative Judge.

G. City Court

1. For Defendants not in custody, all non-essential matters, except conferences being scheduled by and held in virtual chambers, are administratively adjourned to a date on or after May 30, 2020 or to another date selected by the Assigned Judge in consultation with the District Attorney and Defense Attorney.
2. For defendants in custody all matters, except conferences being scheduled by and held in virtual chambers, are administratively adjourned to May 7, 2020 or to

another date selected by the Assigned Judge in consultation with the District Attorney and Defense Attorney. Prior to May 7, 2020 each Assigned Judge shall review each case in which a defendant is in custody. In no event shall the matter be adjourned to a date that is more than 30 days from the date the matter is reviewed by the Judge. Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned date.

3. For arraignments occurring after 5 PM on a weekday or during the weekends or holidays, such shall take place virtually by the appropriate City Court Judge as listed on Exhibit A attached to this order or as may be designated to be on call for a given City Court.

H. Town and Village Courts

1. All matters have been designated nonessential for Town and Village Courts except for after-hour and weekend arraignments for qualifying offenses or requests for orders of protection.
2. Any matter scheduled prior to 5:00 PM on March 16, 2020 shall be adjourned to a date on or after May 30, 2020 using the Court notification system. Town and Village personnel should post a sign indicating that defendants should check back with the Court after May 30, 2020.
4. For any arraignments that must occur during the hours of 9AM to 5PM Monday through Friday shall take place before a Designated Superior Court Judge or Acting Superior Court Judge, pursuant to the Virtual Courtroom protocol.
5. For arraignments occurring after 5 PM on a weekday or during the weekends or holidays, such shall take place virtually by the appropriate Town or Village Justices Court as listed on Exhibit A attached to this order.

Dated: *April 17, 2020*



Thomas A. Breslin
Administrative Judge
Third Judicial District

Distribution:

Hon. Vito Caruso
3JD Justices and Judges
3JD Chief Clerks
3JD District Attorneys
3JD Public Defenders
3JD Sheriff's Departments
3JD Police Departments
Mental Hygiene Legal Service
Third Judicial District Administrative Office

AMENDED SCHEDULE F

The following are the designated Courthouses and Designated Judges for each county in the Third Judicial District from April 20, 2020 through April 24, 2020:

Albany County

Albany County Judicial Center, 6 Lodge Street, Albany, New York

Hon. Margaret Walsh, Supreme Court

Hon. Andra Ackerman, County Court

Hon. Richard Rivera, Youth Part, County Court and Family Court

Hon. Joshua Farrell, City Courts - April 20, and April 21

Hon. Holly Trexler, City Courts - April 22, and April 23

Hon. Thomas Marcelle, City Courts – April 24

Columbia County

Columbia County Courthouse, 401 Union Street, Hudson, New York

Hon. Richard Mott, Supreme Court

Hon. Richard Koweek, Supreme Court (Acting), County and Family Courts

Hon. John Connor, Jr., City Court

Greene County

Greene County Courthouse, 320 Main Street, Catskill, New York

Hon. Lisa M. Fisher, Supreme Court

Hon. Terry Wilhelm, County and Family Courts

Rensselaer County

Rensselaer County Courthouse, 80 Second Street, Troy, New York

Hon. Henry Zwack, Supreme Court

Hon. Jill Kehn, Family Court

Hon. Jennifer Sober, County Court

Hon. Kathleen Robichaud, City Courts

Schoharie County

Schoharie County Courthouse, 290 Main Street, Schoharie, New York

Hon. George R. Bartlett, III, Supreme Court (Acting), County and Family Courts

Sullivan County

Sullivan County Courthouse, 414 Broadway, Monticello, New York

Hon. Mark M. Meddaugh, Supreme Court (Acting), Family Court

Hon. James R. Farrell, County Court

Ulster County

Ulster County Courthouse, 285 Wall Street, Kingston, New York

Hon. Julian Schreibman, Supreme Court

Hon. Bryan Rounds, County Court

Hon. Marianne Mizel, Family Court

Hon. Lawrence Ball, City Court

EXHIBIT A

**TOWN AND VILLAGE AND CITY COURT DESIGNATED JUDGES TO HEAR AFTER HOUR/WEEKEND
ARRAIGNMENTS AND ESSENTIAL MATTERS**

Albany County by Town/Village/City	Judge
Bethlehem	Andrew Kirby
Bethlehem	Ryan Donovan
New Scotland	David Wukitsch
Westerlo	Kenneth Mackey
Colonie	Andrew Sommers
Colonie	Peter Crummey
Colonie	Norman Massry
Menands	Christopher Flint
Albany	Holly Trexler
Albany	Josh Farrell
Albany	John Reilly
Albany	Helena Heath
Albany	William Kelly
Cohoes	Thomas Marcelle
Cohoes	Eric Galarneau
Watervliet	Thomas Lamb
Watervliet	Susan Reinfurt
Columbia County by Town/Village/City	
Kinderhook	David Dellehunt
Chatham	James Borgia-Forster
Taghkanic	Jeffrey S Tallackson
Livingston	Angela Marie Guzzi
Greenport	Barry Sack
Hudson	John Connor
Hudson	Brian Herman
Greene County by Town/Village	
Catskill	William Jacobs
Prattsville	David Rikard
Coxsackie	Wanda Dorpfeld
Hunter	Kimberly Prince Walsh
Durham	Raymond J. Kennedy
Rensselaer County by Town/Village/City	
Brunswick	Terrance Buchanan
East Greenbush	Jessica Mocerine
Hoosick	Harold McClellan
North Greenbush	George Burke
Sand Lake	David Fryer
Rensselaer	Kathleen Robichaud

Troy	Christopher Maier
Troy	Jill Kehn
Troy	Matthew Turner
Schoharie County by Town/Village	
Jefferson	Lynn Hait
Cobleskill	Dawn Fiorillo
Gilboa	David Lapinel
Carlisle	Richard Smith
Wright	F. Christian Spies
Sullivan County by Town/Village	
Cochecton	Craig Fine
Highland	Anthony LaRuffa
Rockland	Peter Feinberg
Thompson	Sharon Jankiewicz
Ulster County by Town/Village/City	
Ulster	Susan Kesick
Olive	Tim Cox
Woodstock	Jason Lesko
Marbletown	Claudia Davenport
Marlborough	Michael Krazia
Gardiner	Bruce Blatchly
New Paltz	Rhett Weires
Kingston	Lawrence Ball
Kingston	Phil Kirschner