



**ADMINISTRATIVE ORDER  
THIRD JUDICIAL DISTRICT**

Pursuant to the authority vested in me, 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 and the nation are now in an unprecedented public health crisis surrounding the outbreak of COVID-19; and

**WHEREAS**, COVID-19 is known to be a highly infectious disease, and there is much community concern that gatherings of people can result in greater public exposure to possible contagion or "community spread"; and

**WHEREAS**, daily courts in the Third Judicial District often experience many litigants, attorneys, stakeholders and public members in the courthouse, it is hereby

**ORDERED** that effective April 6, 2020 the attached Virtual Courtroom Protocol shall be put into effect in all Counties in the Third Judicial District which shall amend, in part, Administrative Order dated March 17, 2020 and subsequent amendments insofar as it pertains to the duty judge being physically present in the courtroom.

Dated: *April 3, 2020*  
Castleton-on-Hudson, NY

A handwritten signature in black ink that reads "Thomas A. Breslin". The signature is written in a cursive style and is positioned above a horizontal line.

Hon. Thomas A. Breslin  
Administrative Judge  
Third Judicial District

Distribution:  
Hon. Vito C. 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  
Bar Associations in Third Judicial District  
Third Judicial District Administrative Office

## **Third Judicial District Virtual Courtroom Procedures**

In response to the Executive and Judicial Branches mandates to restrict court usage to essential matters due to the COVID-19 public health emergency, effective Monday, April 6, 2020, at 9:00 a.m. all the Courts in the Third Judicial District will move to ‘virtual court proceedings’. Below are the detailed procedures for such proceedings. While courts remain open to the public, uniformed staff will strictly monitor and limit access to maintain appropriate social distancing as per current public health guidelines and the occupancy limits of the courtroom or public viewing area in each courthouse.

### **General Provisions—these are to apply to all court proceedings in the Third Judicial District:**

1. The designated Consolidated Courthouse in each county shall be open 9:00 a.m. to 5:00 p.m., Monday through Friday for essential proceedings (see Attachment A) as outlined in the Chief Administrative Judge’s Administrative Order (AO/78/20) (Attachment B) and any subsequent amendments.
2. The Consolidated Courthouse shall be staffed with the minimal, essential staff to ensure the ability to receive paperwork for designated essential matters, operate Skype equipment, process and distribute orders, maintain the court record, answer telephone and e-mail inquiries, process the mail and maintain essential court functions.
3. The entrance of each Consolidated Courthouse, and courtrooms when in session, shall be staffed by Court Security as well as any designated press/public viewing rooms.
4. Signs shall be posted at the entrance of every court facility and on the district internet page, notifying the public of the virtual court procedures and indicating that the courts remain open to the public for essential proceedings.
5. The Designated Judge and court reporter (where necessary), shall participate in court appearances via Skype from remote locations. The District IT Department shall run a test with each judge, court reporter and court during the week of March 30, 2020 and continually as judicial and staffing assignments change. IT staff will continue to assist essential staff and address any issues that may arise.
6. The court clerk shall be present in the courtroom for every essential court appearance. The court clerk is responsible for creating and distributing the Skype meeting to establish the virtual appearance and for using the FTR recorder, Record Pad Sound Recorder or any other designed recording program authorized by the Uniform Court System (UCS) where appropriate. Any defendant or self-represented litigant will appear via Skype when available, and when not available, via the telephone. Skype meetings that include a call-in number will be automatically generated when a telephone appearance is required. All parties and attorneys appearing before the Court will be strongly encouraged to attend via Skype and the clerks will work with IT staff to assist them in doing so.

7. The press/public will be permitted in the designated courtrooms in all counties in the Third District except Ulster, where they will be permitted to view all court proceedings from the Jury Assembly Room on the first floor via the same Skype meeting link as the Judge and parties. Appropriate room occupancy limits and social distancing of all present individuals will be enforced by Court Security.
8. Press inquiries regarding video equipment or cameras in a proceeding shall be directed in writing to the Administrative Judge, with a copy to the District Executive and Deputy District Executive, prior to the proceeding, by submitting such request to [3rdjdadministration@nycourts.gov](mailto:3rdjdadministration@nycourts.gov). The Designated Judge presiding over the matter shall have the ultimate determination as to whether cameras will be allowed in the virtual courtroom, applying existing law and rules.
9. If any party requires an interpreter, the interpreter will appear remotely. Each court will contact their regular interpreters to determine their ability to interpret via Skype and IT assistance will be provided where necessary. In instances where a remote interpreter is unavailable, the clerk will call Language Line at 1(866)874-3972 and use their previously assigned client ID and access code.
10. If there is a need for an exception to the virtual courtroom procedures, an application shall be made by the Chief or Deputy Chief Clerk of the Court or Designated Judge to the Administrative Judge with copy to the District Executive and Deputy District Executive.
11. All County Clerks have been advised of essential proceedings and have means to contact the Supreme and County Court Clerk's Office in the event an essential matter is filed.

**Procedures for Essential Adult Criminal Appearances During Business Hours in Designated Consolidated Court Locations for Third Judicial District:**

1. All court paperwork shall be digitally transferred by the arresting agency to the District Attorney's Office (DA). The DA shall digitally provide a copy of all papers to the Chief Clerk, or his/her designee for distribution to the Designated Judge, Public Defender, Assigned or retained Attorney.
2. The Designated Judge shall preside over the proceeding from a remote location using a pre-established Skype meeting link.
3. Jails will use Skype capabilities with pre-established Skype meeting link at a computer with in-custody defendant in front of camera with microphone.
4. The lawyers shall participate in the proceedings using the pre-established Skype meeting link.

5. At every appearance, the Designated Judge shall ensure that defendant and his or her counsel has had an opportunity to consult privately before the Skype appearance.
6. The record will be kept via a remote court reporter, Record Pad Sound Reader, FTR, a Liberty Recorder or any other designed recording program authorized by the UCS.
7. At the conclusion of the proceeding, the Designated Judge will communicate with the Court Clerk regarding the completion of necessary paperwork and will authorize him/her via e-mail to affix conformed signatures to orders where appropriate.
8. Skype contact information and cell phone numbers for necessary parties for each county are provided to the Chief Clerks in the County, Designated Judges and District Office.

**Procedures for Essential Youth Part Appearances During Business Hours in Designated Consolidated Court Locations for Third Judicial District:**

1. The above procedures for Essential Adult Criminal Proceedings shall apply to Essential Youth Part Appearances with the following additions:
  - a. If Parents/Guardians are not in physical proximity of the Adolescent or Juvenile Offender, accommodations shall be made for them to attend the proceedings remotely via Skype or telephonically.

**Procedures for Essential Family Court Matters During Business Hours in Designated Consolidated Court Locations for Third Judicial District:**

1. Counsel shall contact the Chief Clerk or his/her designee, and digitally provide any necessary paperwork to the Court. The Chief Clerk or his/her designee shall forward the necessary paperwork to the Designated Judge and attorneys as necessary. Where a self-represented litigant contacts the Court with an essential matter, the Chief Clerk or his/her designee shall collect the necessary paperwork from the litigant and provide it to the Designated Judge and attorneys.
2. The Chief Clerk (or his/her designee) shall establish a Skype meeting with a call-in telephone number.
3. The Chief Clerk (or his/her designee) shall forward the Skype invitation/link to the Designated Judge, participating lawyers, parties and agencies, if applicable.
4. If a party is in custody, the in-custody party shall appear remotely via a pre-established Skype meeting link, in front of camera with microphone.

5. Record will be kept via Record Pad Sound Reader, FTR, any other designed recording program authorized by UCS or a court reporter where appropriate who may appear remotely.
6. At every appearance, the Designated Judge shall ensure that the respondent and his/her counsel have an opportunity to consult privately prior to the proceeding.
7. At the conclusion of the proceeding, the Designated Judge will communicate with the Chief Clerk (or his/her designee) regarding the completion of necessary paperwork and will authorize him/her via e-mail to affix conformed signatures to orders where appropriate.
8. Skype contact information and cell phone numbers for necessary parties for each county are provided to the Chief Clerks in the County, Designated Judges and District Office.

**Procedures for Essential Civil Matters (Supreme Court and City Court Civil) During Business Hours in Designated Consolidated Court Locations for Third Judicial District (excluding Mental Health Proceedings discussed below):**

1. Counsel shall contact the Chief Clerk or his/her designee, and digitally provide any necessary paperwork to the Court. The Chief Clerk or his/her designee shall forward the necessary paperwork to the Designated Judge and attorneys as necessary. Where a self-represented litigant contacts the Court with an essential matter, the Chief Clerk or his/her designee shall collect the necessary paperwork from the litigant and provide it to the Designated Judge and attorneys.
2. The Chief Clerk (or his/her designee) shall establish a Skype meeting with a call-in telephone number.
3. The Chief Clerk (or his/her designee) shall forward the pre-established Skype meeting invitation/link to the Designated Judge, participating lawyers, parties and agencies, if applicable.
4. Record will be kept via Record Pad Sound Recorder, FTR, any other designed recording program authorized by UCS or where appropriate a court reporter, who may appear remotely.
5. At the conclusion of the proceeding, the Designated Judge will communicate with the Chief Clerk (or his/her designee) regarding the completion of necessary paperwork and will authorize him/her via e-mail to affix conformed signatures to orders where appropriate.

**Procedures for Essential Mental Health Proceedings, including Hospitalized Adults, During Business Hours in Designated Consolidated Court Locations for Third Judicial District**

1. Upon the filing of an Essential Proceeding pertaining to a hospitalized adult (including but not limited to a proceeding pursuant to Article 9 of the Mental Hygiene Law, Article 33 of the Mental Hygiene Law, or Article 81 of the Mental Hygiene Law), the lawyer initiating the proceeding shall provide a cell phone number and email address to the Chief Clerk, or his/her designee, for him/herself and for a representative at the hospital, and any other interested party.
2. The Chief Clerk (or his/her designee) in each county shall be responsible for sending out the Skype meeting invitation/link to the Judge, the attorney for the hospitalized party, Mental Hygiene Legal Services (MHLS), and the representatives at the healthcare facility.
3. The Chief Clerk's office shall be responsible for ensuring the video equipment is in the courtroom and establishing the Skype connection.
4. At every appearance, best efforts shall be used to obtain the respondent's consent to appearing by video, but the Designated Judge may permit the proceeding to continue via video without the respondent's consent pursuant to Administrative Order 72 issued by Chief Administrative Judge Lawrence Marks on March 20, 2020 (annexed).
5. At every appearance, the Designated Judge shall ensure that the respondent and his/her counsel have an opportunity to consult privately.
6. If a video appearance cannot be facilitated via Skype for Business, the appearance shall be telephonic.
7. At the conclusion of the proceeding, the Designated Judge will communicate with the Chief Clerk (or his/her designee) regarding the completion of necessary paperwork and will authorize him/her via e-mail to affix a conformed signature to orders where appropriate.

**Procedures for Essential Matters Not Covered Above:**

1. After obtaining permission for the matter to be heard from the Designated Judge in consultation with the Administrative Judge, the appropriate procedures outlined above shall apply to such a matter depending on whether the matter is criminal, civil or a Family Court matter.

### **Procedures for Essential Adult Criminal Off-Hour Essential Arraignments:**

1. All City Court Judges along with certain designated Town and Village Judges have been provided with laptops and other equipment to staff virtual courts for essential arraignment purposes. Town and Village Courts were selected based upon jurisdictional geography and to ensure an appropriate number of Accessible Magistrates are available for off-hour essential arraignments.
2. Police agencies will call the appropriate City, Town or Village Judge to advise them of the need for an off-hour essential arraignment. The necessary court paperwork shall be digitally transferred by the arresting agency to the Judge. The Judge will forward the necessary paperwork to and Counsel at First Appearance (CAFA) or retained Attorney.
3. The City, Town or Village Judge presiding over the essential arraignment will create and distribute a Skype meeting invitation/link for said arraignment.
4. The Judge shall preside over the proceeding from a remote location using the pre-established Skype meeting link.
5. Jails will use Skype capabilities with pre-established Skype meeting link at a computer with in-custody defendant in front of camera with microphone.
6. The lawyers shall participate in the proceedings remotely using the pre-established Skype meeting link.
7. At every appearance, the Designated Judge shall ensure that defendant and his or her counsel has had an opportunity to consult privately before the Skype appearance.
8. The record will be kept via Liberty Recorder, Record Pad Sound Recorder or any other designed recording program authorized by UCS on a court issued computer.
9. At the conclusion of the proceeding, the Judge will complete the necessary paperwork and send it to the appropriate parties. The Judge or assigned clerk will enter any issued Temporary Orders of Protection into WebDVS.
10. Skype contact information and cell phone numbers for necessary parties for each location have been provided to the Judges, police agencies and District Office.

**ATTACHMENT A**

**ALBANY COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Albany County Judicial Center 6 Lodge Street Albany, NY 12207	Supreme & County Court	<a href="mailto:AlbanySupremeCourt@nycourts.gov">AlbanySupremeCourt@nycourts.gov</a>	(518)285-8787
	Family Court	<a href="mailto:AlbanyFamilyCourt@nycourts.gov">AlbanyFamilyCourt@nycourts.gov</a>	(518)285-8600
	Surrogate's Court	<a href="mailto:AlbanySurrogateCourt@nycourts.gov">AlbanySurrogateCourt@nycourts.gov</a>	(518)285-8585
	Albany City Court	<a href="mailto:AlbanyCriminalCourt@nycourts.gov">AlbanyCriminalCourt@nycourts.gov</a>	(518)453-5520
	Cohoes City Court	<a href="mailto:CohoesCityCourt@nycourts.gov">CohoesCityCourt@nycourts.gov</a>	(518)453-5501
	Watervliet City Court	<a href="mailto:WatervlietCityCourt@nycourts.gov">WatervlietCityCourt@nycourts.gov</a>	(518)453-5550

**COLUMBIA COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Columbia County Courthouse 401 Union Street Hudson, NY 12534	Supreme & County Court	<a href="mailto:ColumbiaMultiBench@nycourts.gov">ColumbiaMultiBench@nycourts.gov</a>	(518)267-3150
	Family Court	<a href="mailto:ColumbiaMultiBench@nycourts.gov">ColumbiaMultiBench@nycourts.gov</a>	(518)267-3150
	Surrogate's Court	<a href="mailto:ColumbiaSurrogateCourt@nycourts.gov">ColumbiaSurrogateCourt@nycourts.gov</a>	(518)267-3150
	Hudson City Court	<a href="mailto:HudsonCityCourt@nycourts.gov">HudsonCityCourt@nycourts.gov</a>	(518)267-3082

**GREENE COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Greene County Courthouse 320 Main Street Catskill, NY 12414	Supreme & County Court	<a href="mailto:GreeneSupremeCourt@nycourts.gov">GreeneSupremeCourt@nycourts.gov</a>	(518)625-3160
	Family Court	<a href="mailto:GreeneFamilyCourt@nycourts.gov">GreeneFamilyCourt@nycourts.gov</a>	(518)625-3180
	Surrogate's Court	<a href="mailto:GreeneSurrogateCourt@nycourts.gov">GreeneSurrogateCourt@nycourts.gov</a>	(518)625-3150

**RENSSELAER COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Rensselaer County Courthouse 80 Second Street Troy, NY 12180	Supreme & County Court	<a href="mailto:RensselaerSupremeCourt@nycourts.gov">RensselaerSupremeCourt@nycourts.gov</a>	(518)285-5025
	Family Court	<a href="mailto:RensselaerFamilyCourt@nycourts.gov">RensselaerFamilyCourt@nycourts.gov</a>	(518)285-5515
	Surrogate's Court	<a href="mailto:RensselaerSurrogateCourt@nycourts.gov">RensselaerSurrogateCourt@nycourts.gov</a>	(518)285-6100
	Troy City Court	<a href="mailto:TroyCityCourt@nycourts.gov">TroyCityCourt@nycourts.gov</a>	(518)453-5900
	Rensselaer City Court	<a href="mailto:RensselaerCityCourt@nycourts.gov">RensselaerCityCourt@nycourts.gov</a>	(518)453-4680



**SCHOHARIE COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Schoharie County Courthouse 290 Main Street Schoharie, NY 12157	Supreme & County Court	<a href="mailto:SchoharieSupremeandCounty@nycourts.gov">SchoharieSupremeandCounty@nycourts.gov</a>	(518)453-6998
	Family Court	<a href="mailto:SchoharieFamilyCourt@nycourts.gov">SchoharieFamilyCourt@nycourts.gov</a>	(518)453-6982
	Surrogate's Court	<a href="mailto:SchoharieSurrogateCourt@nycourts.gov">SchoharieSurrogateCourt@nycourts.gov</a>	(518)453-6986

**SULLIVAN COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Sullivan County Courthouse 414 Broadway Monticello, NY 12701	Supreme & County Court	<a href="mailto:SullivanSupremeCourt@nycourts.gov">SullivanSupremeCourt@nycourts.gov</a>	(845)791-3540
	Family Court	<a href="mailto:SullivanFamilyCourt@nycourts.gov">SullivanFamilyCourt@nycourts.gov</a>	(845)791-3505
	Surrogate's Court	<a href="mailto:SullivanSurrogateCourt@nycourts.gov">SullivanSurrogateCourt@nycourts.gov</a>	(845)791-3500

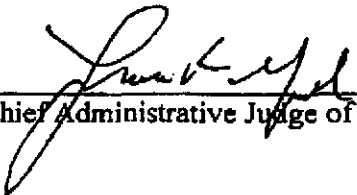
**ULSTER COUNTY CONSOLIDATED COURTHOUSE**

LOCATION	COURT	EMAIL CONTACT	PHONE #
Ulster County Courthouse 285 Wall Street Kingston, NY 12401	Supreme & County Court	<a href="mailto:UlsterSupremeCourt@nycourts.gov">UlsterSupremeCourt@nycourts.gov</a>	(845)481-9375
	Family Court	<a href="mailto:UlsterFamilyCourt@nycourts.gov">UlsterFamilyCourt@nycourts.gov</a>	(845)481-9430
	Surrogate's Court	<a href="mailto:UlsterSurrogateCourt@nycourts.gov">UlsterSurrogateCourt@nycourts.gov</a>	(845)481-9338
	Kingston City Court	<a href="mailto:KingstonCityCourt@nycourts.gov">KingstonCityCourt@nycourts.gov</a>	(845)481-9350

**ATTACHMENT B**

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

Pursuant to the authority vested in me, in light of the emergency circumstances caused by the continuing COVID-19 outbreak in New York State and the nation, and consistent with the Governor of New York's recent executive order suspending statutes of limitation in legal matters, I direct that, effective immediately and until further order, no papers shall be accepted for filing by a county clerk or a court in any matter of a type not included on the list of essential matters attached as Exh. A. This directive applies to both paper and electronic filings.

  
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Chief Administrative Judge of the Courts

Dated: March 22, 2020

AO/78/20

## Exhibit A

Essential Proceedings  
Administrative Order AO/78/20  
March 22, 2020

- A. Criminal matters
  - 1. arraignments
  - 2. bail applications, reviews and writs
  - 3. temporary orders of protection
  - 4. resentencing of retained and incarcerated defendants
  - 5. essential sex offender registration act (SORA) matters
  
- B. Family Court
  - 1. child protection intake cases involving removal applications
  - 2. newly filed juvenile delinquency intake cases involving remand placement applications, or modification thereof
  - 3. emergency family offense petitions/temporary orders of protection
  - 4. orders to show cause
  - 5. stipulations on submission
  
- C. Supreme Court
  - 1. Mental Hygiene Law (MHL) applications and hearings addressing patient retention or release
  - 2. MHL hearings addressing the involuntary administration of medication and other medical care
  - 3. newly filed MHL applications for an assisted outpatient treatment (AOT) plan
  - 4. emergency applications in guardianship matters
  - 5. temporary orders of protection (including but not limited to matters involving domestic violence)
  - 6. emergency applications related to the coronavirus
  - 7. emergency Election Law applications
  - 8. extreme risk protection orders (ERPO)
  
- D. Civil/Housing matters
  - 1. applications addressing landlord lockouts (including reductions in essential services)
  - 2. applications addressing serious code violations
  - 3. applications addressing serious repair orders
  - 4. applications for post-eviction relief
  
- E. All Courts
  - 1. any other matter that the court deems essential

This list of essential proceedings is subject to ongoing review and amendment as necessary.