



State of New York  
**UNIFIED COURT SYSTEM**  
**SUFFOLK COUNTY**  
**DISTRICT ADMINISTRATIVE JUDGE'S OFFICE**  
**JOHN P. COHALAN, JR. COURT COMPLEX**  
400 Carleton Avenue  
P.O. Box 9080  
Central Islip, NY 11722-9080  
(631) 208-5610 Fax (631) 853-7741

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

WARREN G. CLARK, ESQ.  
District Executive

## MEMORANDUM

TO: Suffolk County Legal Community

FROM: Hon. Andrew A. Crecca, District Administrative Judge 

DATE: February 18, 2021

RE: **10<sup>th</sup> Judicial District, Suffolk County Updated Operating Protocols**  
Effective February 22, 2021

---

Throughout the COVID-19 pandemic, Suffolk County courts have remained open although there have been periods of time that have required modifications to court operations based upon virus metrics. Early on, the courts dramatically reduced in-person proceedings, limiting those proceedings to essential matters. In the late Spring and into the Fall of 2020, the Unified Court System progressed to permitting in-person proceedings in accordance with the Governor's un-PAUSE New York plan. Foot traffic in the courthouses was gradually increased to correspond with an improvement in the metrics measuring the spread of the Coronavirus. In November of 2020, the metrics indicated the need to once again, reduce foot traffic. Courts decreased in-person proceedings beginning on November 23, 2020 and again on December 9, 2020, in order to protect the health and safety of all court users, court staff and judges and to further reduce the community spread of the Coronavirus. Recently, the metrics once again indicate an opportunity to increase in-person proceedings in the courthouses and while the "norm" remains a virtual appearance, in-person proceedings are now permitted where access to justice and court operations require an in-person proceeding. The metrics will continue to be monitored, and the court system remains nimble and ready to quickly adapt operations as conditions warrant.

In any district, the Administrative Judge may, based upon local conditions, enact more restrictive operational protocols deemed appropriate by the Administrative Judge.

This Plan supersedes the Updated Operating Protocols Effective December 9, 2020. Commencing February 22, 2021 all court operations in New York State's 10th Judicial District, Suffolk County, shall be conducted pursuant to this Plan. To the extent the provisions of these Updated Operating Protocols are inconsistent with any previously issued memoranda relating to court operating protocols, the provisions of these operating protocols should be relied upon to guide operations.

## I. Courthouse Operations

### A. Scheduling

1. Calendar times and the scheduling of individual cases shall be staggered in each court building so as to minimize foot traffic.
  2. Each Judge may hold in-person proceedings on two days each week, subject to clerk staff, courtroom space and time availability, unless an exception is requested and granted by the Administrative Judge. A judge presiding over any hearing or trial that continues to an additional day or days shall be granted additional courtroom time. The scheduling shall be as coordinated by Supervising Judges and Chief Clerks or Deputy Chief Clerks to assure appropriate limiting of foot traffic.
  3. In each court, there shall be a maximum of 10 proceedings scheduled in-person per hour, except as stated in Sections (II)(B)(9) and (II)(B)(11).
- B. Occupancy of all courtrooms shall be limited to the lesser of 20 people or ½ the posted room occupancy per code. An exception shall be granted for jury trials or grand juries (in those instances, occupancy shall be limited to the lesser of 30 people or ½ the posted room occupancy per code). The Administrative Judge may grant an exception for a specific courtroom or court proceeding.
- C. The number of non-judicial staff reporting to the courthouse shall be reduced in the discretion of the Administrative Judge to the minimum number necessary to ensure safe operation. In-person staffing at these reduced levels should be scheduled in a manner that limits the likelihood and adverse consequence of a positive COVID transmission in the workplace. All staff not reporting to the courthouse shall work remotely. In all circumstances, non-judicial staff reporting to the courthouse shall be between 40% to 60% of normal pre-COVID staffing.
- D. All current safety measures and protocols will continue. Court managers and PPE Compliance Coordinators shall take steps to enhance monitoring and compliance with all safety measures including social distancing at all time.
- E. Each court facility shall have a space (kiosk or separate room) available for use by litigants who are unable to appear virtually.

## II. Court Proceedings

- A. Notwithstanding any other provision herein and except in the case of a criminal jury trial or criminal evidentiary hearing, no incarcerated adult shall be produced to any Court (Supreme, County, Family, City, Town or Village), unless permitted by the Administrative Judge upon a request from the presiding judge.
- B. Matters that may be heard in-person (or a hybrid of in-person and virtual) PROVIDED THAT THE PRESIDING JUDGE FIRST FINDS THAT THE MATTER CANNOT PROCEED VIRTUALLY (LEGALLY IMPERMISSIBLE OR LOGISTICALLY IMPRACTICAL):
1. Matters as designated in Exhibit A
  2. Family Court Act Article 10 proceedings
  3. Adoptions
  4. Civil and Criminal Evidentiary Hearings and Bench Trials