



STATE OF NEW YORK
UNIFIED COURT SYSTEM
NINTH JUDICIAL DISTRICT
WESTCHESTER COUNTY SURROGATE'S COURT
RICHARD J. DARONCO WESTCHESTER COUNTY COURTHOUSE
111 DR. MARTIN LUTHER KING JR. BOULEVARD
WHITE PLAINS, NEW YORK 10601
TEL: (914) 824-5656 FAX: (914) 358-8042

HON. KATHIE E. DAVIDSON
District Administrative Judge
Ninth Judicial District

JAMES M. MCALLISTER
District Executive

HON. BRANDON R. SALL
Surrogate

JOHANNA K. O'BRIEN
Chief Clerk

EUGENE G. YATES
Deputy Chief Clerk

Dear Members of the Bar:

Westchester County Surrogate's Court-Updated Protocol-April 20, 2020

Please allow this to serve as an update on the status of Westchester County Surrogate's Court to develop virtual chambers and increase access to our Court.

Presently, we are still operating with a prohibition on having any staff come to the courthouse. As such, we are working with the Administrative Office to allow a staff person access to the Court to open and distribute mail. All original wills and death certificates should still be sent to our Court by an overnight carrier or sent by certified mail.

We are also working on a protocol to process credit card payments from the NYSCEF system, so that new probate/administration petitions can be reviewed and a fiduciary be appointed in order to protect estate assets, this would include preliminary/temporary appointments. You are still able to e-file on the NYSCEF system for new and pending Surrogate's Court matters.

E-filing on matters that commenced prior to March 16, 2020 will be entertained and are being reviewed remotely. Decree and Letters of appointment are being uploaded to NYSCEF and will be mailed out as able. No citations to appear in Court will be issued.

Essential matters, as determined by the Surrogate and approved by the Administrative Judge, continue to be heard virtually. (See Schedule A, attached).

Our court attorneys have begun to schedule non-essential matters for conferences remotely using Skype for Business. We are giving priority to pending fully submitted motions. If you would like to schedule a conference on an existing matter, please e-mail the assigned court attorney, or Joanne Forbes, Supervising Court Attorney at jforbes@nycourts.gov.

As we move forward into the next phases of virtual court operation, I am hopeful we will be able to bring in staff to process mail and revenue. Should you have any other questions or concerns, please direct them to Johanna O'Brien, Chief Clerk at jkobrien@nycourts.com, Eugene Yates, Deputy Chief Clerk at eyates@nycourts.gov.

Please stay well, and we will notify you when conditions change to modify our protocol.

Hon. Brandon R. Sall
Surrogate
Westchester County

Essential Surrogate's Court Proceedings

March 23, 2020

1. Article 17 and 17-A Guardianships
 - Grant authority to act where it is essential for health, safety or well-being of the minor or adult under disability including the authority for the virtual co-signing of acceptable banking instruments.
2. Adoptions
 - Proceedings necessary for surrender of parental rights to the prospective adoptive child. And for health insurance purposes.
3. Probate, Administration, or Voluntary Administration Proceedings
 - Issuance of Letters in matters determined as essential by the assigned judge, including funeral arrangements.
4. Proceedings brought by the Public Administrator or the Chief Fiscal Officer of the County involving a matter of health, safety or well-being of the involved parties, and matters involving burials, funerals and direct cremations.
5. Any other matter that the Surrogate Judge or Chief Clerk deems essential.