



NINTH AMENDED ADMINISTRATIVE ORDER THIRD JUDICIAL DISTRICT

Pursuant to the authority vested in me, and in accordance with the 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I hereby order that effective immediately the following rules be put into effect in the Third Judicial District until rescinded.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 (Schedule N). "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 as amended by Administrative Order 99/20 signed by the Chief Administrative Judge of the Courts on May 15, 2020.

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

1. Until further Administrative Order or Executive Order, eviction proceedings are stayed; no eviction orders shall be signed or served. Reference is made to the Administrative Order AO/68/20 signed by the Chief Administrative Judge of the Courts on March 16, 2020; Executive Order 202.8 signed by the Governor on March 20, 2020, Executive Order 202.14 signed by the Governor on April 7, 2020, Executive Order 202.28 signed by the Governor on May 7, 2020, and Executive Order 202.38 signed by the Governor on June 6, 2020, with regard to eviction matters.
2. Until further Administrative Order or Executive Order, no default judgments shall be granted where, pursuant to CPLR 3215, the default occurred after March 16, 2020. Furthermore, no default judgment requiring the defendant's notice pursuant to CPLR 3215(g) shall be granted, unless the application was heard prior to March 17, 2020 and proper notice was given.
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 Return to In-Person Operations Plan ("RIOP") (Phase I) implemented on May 18, 2020 in Schoharie County, on May 26, 2020 in Albany, Greene, Columbia and Rensselaer Counties and on May 28, 2020 in Ulster and Sullivan Counties, the RIOP (Phase II) to be implemented on June 11, 2020 and any RIOP plans for any subsequent phase are incorporated herein and all provisions of this Administrative Order shall be read in conjunction with the RIOP.
5. The Virtual Courtroom Protocol enacted by Third Judicial District Administrative Order No. AO-3JD-20-52 signed on April 3, 2020 to the extent not inconsistent with the RIOP, remains in full force and effect and all provisions of this Administrative Order shall be read in conjunction with the Virtual Courtroom Protocol and any subsequent amendments thereto.
6. All courtrooms, public spaces, waiting areas, hallways and conference rooms have been marked with decals at 6' intervals to ensure social distancing. Occupancy will be limited by space and facility by the maximum capacity to safely social distance.
7. Naturalization Ceremonies, wherever they occur, shall comply with the room occupancy limits stated herein.
8. All Staff shall report to the courthouse as determined by his/her supervisor. All Judges and Chambers' staff should report to the courthouse. Any requests for exemptions must be discussed with the Administrative Judge.
9. All deadlines established per judicial directive (including those contained in scheduling orders, service dates and "local rules") that occur on or after June 11, 2020 and during the pendency of this Administrative Order shall be extended for a period of 60 days from the date of the stated deadline, unless otherwise directed by the Assigned Judge or agreed upon by the parties (reference is made to Administrative Order AO/71/20 signed by the Chief Administrative Judge of the Courts on March 19, 2020 as it relates to civil litigation). Further reference is made to Executive Order 202.8 signed by the Governor on March 20, 2020, Executive Order 202.14 signed by the Governor on April 7, 2020 and Executive Order 202.28 signed by the Governor on May 7, 2020, and Executive Order 202.38 signed by the Governor on June 6, 2020, with regard to statutory deadlines and time frames.
10. All Temporary Orders of Protection issued in any criminal or civil matter that has expired or is 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" pursuant to Administrative Order AO/73/20 signed by the Chief Administrative Judge of the Courts on March 19, 2020.