

7th Judicial District Virtual Chambers Protocol

Phase II

Start Date: Monday May 4, 2020

The following applies to Supreme Courts, County Courts, Family Courts, Surrogate's Courts and City Courts in the 7th Judicial District. The guidelines for operations as stated in the Phase I protocols for each individual court are incorporated into this protocol except where changes are noted below.

CHANGES FROM PHASE I:

- Courts will now be permitted to hear applications on "pending matters" as addressed in Chief Administrative Judge Lawrence Marks' Memorandum "Additional Steps" dated April 30, 2020 (Exhibit A).
- Filings deemed "Essential" pursuant to Chief Administrative Judge Marks' AO 78/20 and the 7th Judicial District Third Amended Administrative Order shall be addressed by the Judge previously assigned to the case, with chambers staff to arrange for any appearances and initiate Skype invitations. If no judge has been assigned or the Assigned Judge is unavailable, the matter shall be addressed by the Designated Judge. If a court in a county wishes to continue to have the Designated Judge hear Essential Matters, that court shall so notify the Supervising Judge and Administrative Judge.
- In Courts where e-filing is available, appropriate documents shall be e-filed. If e-filing is not available, documents shall be sent to the Court using the Electronic Document Delivery System (EDDS) (Exhibit B). Finally, if a lawyer/litigant is unable to use EDDS, then the lawyer/litigant shall mail the papers to the Chief Clerk.

The following guidelines are specific to each case type.

Civil:

- "Pending matters" shall be defined as those cases (other than foreclosure, default judgments and evictions) in which issue was joined prior to March 17, 2020.

Criminal:

- "Pending matters" shall be defined as any criminal proceeding that was commenced prior to March 17, 2020.

Family Court:

- "Pending matters" shall be defined as any case in which a petition was filed prior to March 17, 2020 including those newly filed matters that are related to or filed in response to pending matters.

Surrogate's Court

- In addition to Essential Matters, all uncontested matters (in which waivers and consents have been fully executed, and for which no citation need be issued), shall be accepted for filing.
- Filers should contact the Chief Clerk or Deputy Chief Clerk by e-mail or by phone to request that a proceeding be prioritized as essential.
- Full relief (decree or order) will be considered where the court has jurisdiction over all interested parties. Temporary relief may be considered in cases where the court lacks jurisdiction over all interested parties