



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

C. RANDALL HINRICHS
District Administrative Judge
Suffolk County

VITO C. CARUSO
Deputy Chief Administrative Judge
Courts Outside New York City

WARREN G. CLARK, Esq.
District Executive

July 8, 2020

Re: Return to In-Person Operations in the 10th Judicial District, Suffolk

Dear Suffolk County Legal Community,

On May 29, 2020 the Courts in Suffolk County entered into Phase I of the return to in-person operations, on June 12, 2020 the Courts in Suffolk County entered into Phase II of return to in-person operations and on June 26, 2020 the Courts in Suffolk County entered into Phase III of the return to in-person operations. We are very pleased to announce that we will be entering into Phase IV of the return to in-person operations in Suffolk County this Friday, July 10, 2020.

The goal of Phase IV is to further increase foot traffic in the courthouses in a measured manner, expand the categories of proceedings that are currently heard in-person and continue the robust use of virtual technology whenever possible.

In Phase IV, no more than 50% of the courtrooms in a courthouse will be in use at the same time. Every courtroom in the district will be assessed for maximum capacity, which will be below 25% of actual capacity. In addition to the other safety measures, face shields will be available for use by Judges, non-judicial employees and court users.

Notwithstanding any other provision herein, where an in-person proceeding involves an incarcerated individual, that individual shall appear virtually utilizing electronic means unless the presiding Judge orders otherwise after appropriate application is made.

Listed below are matters that will be presumptively heard in-person as well as those that will be presumptively held virtually. Please keep in mind, however, that the ultimate decision on how a matter is heard is at the discretion of the presiding Judge.

The following matters will presumptively be heard in person and virtually:

1. Matters that shall presumptively be heard in-person
 - a. Supreme Civil
 - i. Bench trials
 - ii. Evidentiary hearings and inquests

- iii. All appearances and conferences where at least one party is self-represented
- iv. Essential Matters
- b. Superior Criminal (Incarcerated Defendants shall appear virtually, unless otherwise ordered)
 - i. Bench trials
 - ii. Evidentiary hearings, including Suppression Hearings
 - iii. Non-custodial arraignments
 - iv. Waivers of Indictment, Pleas and Sentences for defendants at liberty
 - v. Motion argument
 - vi. Treatment court and Judicial Diversion where the Judge determines that an appearance is necessary to protect the health and safety of a defendant
 - vii. Grand Jury proceedings (commencing on or after July 13, 2020)
 - viii. Essential Matters
- c. Family Court
 - i. All evidentiary hearings (priority given to matters filed first)
 - ii. Child Support proceedings filed prior to June 1, 2020
 - iii. Permanency Hearings
 - iv. Article 10 Consents, Admissions and Surrenders
 - v. Essential Matters
- d. Surrogates' Court
 - i. Bench trials
 - ii. Evidentiary hearings
 - iii. All appearances and conferences where at least one party is self-represented
 - iv. Essential Matters
- e. District Court Civil
 - i. Bench trials
 - ii. Evidentiary hearings
 - iii. Small claims matters, including the small claims arbitration program, for matters that were filed prior to April 1, 2020
 - iv. Essential Matters
- f. District Court Criminal
 - i. Bench trials
 - ii. Preliminary Hearings
 - iii. Evidentiary hearings
 - iv. Appearance Ticket arraignments for Appearance Tickets filed prior to June 1, 2020
 - v. Pleas and Sentences for defendants at liberty
 - vi. Motion arguments
 - vii. Arraignments of defendants accused of a violation of any provision of Article 31 of the Vehicle and Traffic Law (VTL 1190 et seq.)
 - viii. Treatment court where the Judge determines that an appearance is necessary to protect the health and safety of a defendant.
 - ix. Essential Matters