

MESSAGE FROM CHIEF JUDGE DIFIORE

March 30, 2020

I would like to take a few minutes to update our court family, and the legal community, on the status of our court system, and the challenges presented by the coronavirus pandemic.

First and foremost, I sincerely hope that you and your families are safe and healthy. A significant number of our judges, court officers and other staff have fallen ill from the virus,-- and we are obviously keeping them in our thoughts and prayers, and wishing them all a full and speedy recovery.

Right now, as you are keenly aware, New York State and New York City are the epicenter of the coronavirus outbreak. While the expert consensus is that the number of infected individuals will continue to rise,-- we are committed to keeping our courts open to hear essential and emergency matters throughout this difficult period. It is important for the public to know that the courts are functioning,-- delivering justice;... upholding the rule of law;... and standing against the disruption of the moment.

In order to do this safely,-- and in compliance with public health and safety guidelines,-- last week we began virtual court operations in the New York City Criminal Court, and the New York City Family Court,-- with our reduced intake of essential and emergency proceedings conducted by Skype,-- and with most of the participants in those matters appearing from remote locations.

We have already concluded hundreds of criminal arraignments and critical Family Court proceedings,-- and the process is working well overall. There have been,-- as we expected,-- some glitches and interruptions. -- In Kings County Criminal Court, the high volume of arrests for serious offenses, combined with the growing number of court staff who have unfortunately fallen ill, has resulted in some arrest to arraignment delays. We are working internally to increase our virtual capacity in that court and communicating with the defense bar and other stakeholders about how we can work together to improve the efficiency of that virtual court operation.

In the Family Court, the complexity and large number of parties typically involved in these cases,-- particularly in our child welfare cases,-- has resulted in some delays as well. We have reached out to family justice agencies to discuss how we can work together to streamline that process,-- and with everyone's understanding and cooperation, I have no doubt that we will quickly resolve these issues. --

By the end of this week, we expect to go virtual in the remainder of our New York City courts,-- again, for essential and emergency cases.

And, starting today, we are going virtual outside New York City:

- In the Fifth Judicial District in Central New York;
- In the Seventh Judicial District in the Western part of our state;

- In Suffolk County;
- and in our state's Court of Claims.

By the end of next week, we anticipate that all of our Judicial Districts outside the City will be operating virtually to handle essential and emergency matters. --

At the same time that we have been planning and implementing our statewide virtual operation, we have begun discussing,-- with leaders of the tort, commercial, matrimonial and criminal bar,-- how we can begin, at the appropriate time, to incrementally expand court access for those cases, while still minimizing courthouse traffic, and protecting public health through virtual operations and remote appearances. --

I want to emphasize that our decision to go to a virtual court model is an extraordinary,-- and temporary,-- measure,-- implemented after several earlier operational iterations,-- and in response to a very fast moving situation. --And like all of the decisions we have made,-- the decision to go virtual was informed by sound data;... was based on the expert recommendations of public health authorities;... and reflected our deep concern for the health and safety of our judges, court officers, staff and court users. --When medical experts urged personal distancing in order to contain the virus's spread, we quickly designed and implemented a data collection system to analyze the number of people entering our courthouses, and the types of cases that were bringing them in. --

That data has guided our operational decisions on consolidating court operations, staffing levels, and adopting the virtual court model. --

Our overarching goal is to keep our courts open to provide the critical, essential and emergency justice services that only we can provide. At the same time, given the serious threat to public health created by the coronavirus, we are fulfilling our duty by implementing processes that keep the number of people in our buildings to a minimum to protect the health and safety of everyone.

As we move forward, we will continue to work and communicate with all of you and with our partners in the bar and the legal community about:

- safely expanding court filings, at the appropriate time;
- taking necessary actions, such as postponing the bar examination, and granting waivers to law schools to permit remote learning; --
- and gradually planning and preparing for what we all desire,-- a return to normalcy.

I am grateful to everyone who has made it possible for us to continue operating our courts under these very daunting circumstances:-- our Chief Administrative Judge, Lawrence Marks;... our Deputy Chief Administrative Judges;... Administrative and Supervising Judges;... the pioneering judges who volunteered to preside in our first virtual courts;... the Chief Clerks, court professionals and tech staff who have been working 18-hour days;... the District

Attorneys;... defense bar;... and many partner agencies and stakeholders whose understanding and support has enabled us to work together -- collaboratively -- to deliver justice while protecting the public's health and safety.

And I do want to express special appreciation -- and praise -- for the heroic contributions of our uniformed court officers,-- without whom we could not carry out our constitutional mission in these difficult times. True to the oath they took to serve and protect, they have been on the front lines throughout this crisis, putting themselves at risk so that we can keep our courts open and serve the public. I could not be more proud,-- or more grateful to them. --

Once again, thank you for everything you have done to keep our justice system up and running during these challenging times. We know that better days are on the way,-- and that our hard work and sacrifices today will make us all better and stronger in the end.

Thank you,-- be well, stay safe, and please stay tuned for additional updates.