

FOURTH JUDICIAL DISTRICT
Administrative Order
4JD-013-2020

Pursuant to the authority vested in me, I hereby order that effective at 5:00 PM on March 16, 2020 the following rules be put into effect in the 4th Judicial District ("District") until rescinded.

As hereinafter used, "Assigned Judge" shall refer to the judge assigned to hear the case on and before March 16, 2020. "Designated Judge" shall refer to the judge assigned to hear the case pursuant to a duty roster issued weekly by the Administrative Judge. "Essential Staff" shall refer to chambers staff of Designated Judges or non-judicial staff as designated by the District Executive.

- No eviction orders shall be signed and pending eviction orders shall be stayed for 45 days.
- No default judgments shall be granted for non-appearance.
- No foreclosure auctions shall be held.
- All Family Court and all County Court Judges are cross-assigned to the County and Family Courts in all counties of the District; and shall be designated Youth Part Judges.
- All Court proceedings will occur in the locations identified in the March 15, 2020 Memorandum of Hon. Lawrence Marks, a copy of which is attached, and will be presided over by the Designated Judges listed on the duty roster, or as otherwise approved by the Administrative Judge.
- Maximum occupancy of ALL courtrooms, waiting rooms and meeting rooms in Court Facilities shall be the lesser of 30 people or ½ the posted room occupancy per code.
- After 5:00 P.M. on March 16, 2020 only Designated Judges and Essential Staff may report to the courthouse for work unless approved by the Administrative Judge or as further restricted pursuant to subsequently issued State or Federal directives.

Supreme Civil

- All non-essential matters are administratively adjourned for a minimum of 45 days (to be determined by the Assigned or Designated Judge). Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
- All civil trials that have commenced may continue. No additional civil jury trials shall commence until further notice.
- "Essential matters" are defined as urgent applications or cases in the following categories: Mental Hygiene Law Article 81 cases where the health or safety of the alleged incapacitated person is at issue; Mental Hygiene Law applications for involuntary retention and/or medication over objection; Emergency Orders to Show Cause; Extreme Risk Protection Orders; Applications for Orders of Protection; Isolation and Quarantine matters; Habeas Corpus proceedings; Election Law matters; and any other matter determined to be essential by the Assigned Justice or Designated Justice in consultation with the Administrative Judge.
- All Temporary Orders of Protection shall be extended 90 days by the Assigned or Designated Judge, unless further emergency application is made.

Superior Court Criminal Cases

- Any trial in which jeopardy has attached will continue. No additional jury trials shall commence until further notice.
- All non-essential matters are administratively adjourned for 45 days for defendants not in custody, and for 30 days for defendants in custody. The adjourned date shall be determined by the Assigned or Designated Judge. Essential Staff shall be responsible for notifying attorneys or pro-se defendants of the adjourned date.
- "Essential Matters" include arraignments, new and/or extended Orders of Protection and any other matters determined to be essential by the Assigned Judge or Designated Judge in consultation with the Administrative Judge.
- Currently seated Grand Juries may continue until the expiration of their terms. Thereafter, a District Attorney may make application to the Administrative Judge for the impaneling of a new Grand Jury.
- The Accessible Magistrate procedure (for Adolescent Offenders) currently in place shall continue.

Treatment Courts/OSP

- Treatment courts and Opioid Stabilization Parts will be handled by the Judge who is currently assigned to the Part.
- Treatment courts will continue to the extent appearances are deemed essential in acute cases by the Assigned Judge in consultation with the Administrative Judge. All calendars and appearances shall be staggered so as to comply with room occupancy requirements as stated above.
- Essential Staff designated to work in these Courts shall be responsible for notifying attorneys or pro-se defendants of the adjourned dates.

Family Court

- All non-essential matters are administratively adjourned for 45 days. Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
- "Essential matters" include urgent Juvenile Delinquency proceedings; Child Protective Proceedings where there is an imminent risk of harm to a child; Family Offense matters; emergency support matters, extension of placement matters and any other matters determined to be essential by the Assigned Judge or the Designated Judge in consultation with the Administrative Judge.
- All Temporary Orders of Protection shall be extended 90 days by the Assigned or Designated Judge, unless further emergency application is made.

Surrogate's Court

- All non-essential matters are administratively adjourned for 45 days. Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
- Essential matters shall include urgent guardianships, urgent adoptions, and other essential matters as determined by the Surrogate in consultation with the Administrative Judge.

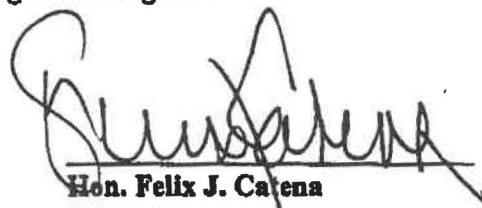
City Court

- All non-essential matters are administratively adjourned for 45 days for defendants not in custody and for civil matters; and for 30 days for defendants in custody. The adjourned date shall be determined by the Assigned or Designated Judge. Essential Staff shall be responsible for notifying attorneys or pro-se litigants of the adjourned dates.
- Essential matters shall include arraignments, applications for Orders of Protection, and any matter deemed to be essential by the Supervising Judge in consultation with the Administrative Judge.

Town and Village Courts

- All non-essential matters are administratively adjourned for 45 days for defendants not in custody and for civil matters; and for 30 days for defendants in custody. The adjourned date shall be determined by the Assigned or Designated Judge. Town and Village staff shall be responsible for notifying attorneys or pro-se litigants/defendants of the adjourned dates.
- Essential Town and Village Matters include arraignments, applications for Orders of Protection and any matter deemed to be essential by the Assigned Judges in consultation with both the Supervising Judge and the Administrative Judge.
- Immediate Arraignments that occur during the day shall occur at the County Courthouse by the designated County or Acting County Court Judge.
- After hours arraignments shall be heard by the Designated Judge in the Centralized Arraignment Part (CAP) in counties which have a CAP. In those locations where there is no CAP, after-hours arraignments will proceed in accordance with the procedure currently in place according to existing law.

Dated: March 16, 2020 at Fonda, New York



Hon. Felix J. Carena
Administrative Judge
Fourth Judicial District

cc: All Fourth District Justices and Judges
All Fourth District Town and Village Justices
All Fourth District Chief Clerks
Hon. Vito C. Caruso
Joanne Haelen, Esq.
Matthew Chivers, Esq., Special Counsel - Town and Village Courts

4th District

Clinton Co. Supreme/County/Family/Surrogate Plattsburgh City Court	Clinton County Courthouse, Clinton County Office Building, 137 Margaret Street, Plattsburgh Clinton County Courthouse, Clinton County Office Building, 137 Margaret Street, Plattsburgh
Essex Co. Supreme/County/Family/Surrogate	Essex County Courthouse, 7559 Court Street, Elizabethtown
Franklin Co. Supreme/County/Family/Surrogate	Franklin County Courthouse, 355 West Main Street, Malone
Fulton Co. Family Court Fulton Co. Supreme/County/Surrogate Gloversville City Court Johnstown City Court	Fulton County Courthouse - Family Court Building, 223 West Main Street, Johnstown Fulton County Courthouse - Family Court Building, 223 West Main Street, Johnstown Fulton County Courthouse - Family Court Building, 223 West Main Street, Johnstown Fulton County Courthouse - Family Court Building, 223 West Main Street, Johnstown
Hamilton County Courthouse Indian Lake Court Offices	Hamilton County Courthouse, 102 County View Drive, Lake Pleasant Hamilton County Courthouse, 102 County View Drive, Lake Pleasant
Montgomery Co. Supreme/County/Family/Surrogate Amsterdam City Court	Montgomery County Courthouse, 58 Broadway, Fonda Montgomery County Courthouse, 58 Broadway, Fonda
Saratoga Co. Family Court - Building #2 Saratoga Co. Supreme/County/Surrogate - Bldg. #3 Mechanicville City Court Saratoga Springs City Court	Saratoga County Courthouse, Building #2, 30 McMaster Street, Ballston Spa Saratoga County Courthouse, Building #2, 30 McMaster Street, Ballston Spa Saratoga County Courthouse, Building #2, 30 McMaster Street, Ballston Spa Saratoga County Courthouse, Building #2, 30 McMaster Street, Ballston Spa
St. Lawrence Co. Supreme/County/Family/Surrogate Ogdensburg City Court	St. Lawrence County Courthouse, 48 Court Street, Canton St. Lawrence County Courthouse, 48 Court Street, Canton
Schenectady Supreme/County/Surrogate - 612 State Schenectady Co. Family Court - 620 State Shaffer Heights Supreme Court Annex - Nott Terrace Schenectady City Court - Civil and Traffic (Jay St.) Schenectady City Criminal (Liberty St - police station)	Schenectady County Family Court - 620 State St., Schenectady Schenectady County Family Court - 620 State St., Schenectady Schenectady County Family Court - 620 State St., Schenectady Schenectady County Family Court - 620 State St., Schenectady Schenectady County Family Court - 620 State St., Schenectady
Warren Co. Supreme/County/Family/Surrogate Glens Falls City Court Warren Co. Centralized Arraignment Part (CAP)	Warren County Courthouse - Family Court wing, 1340 State Route 9, Lake George Warren County Courthouse - Family Court wing, 1340 State Route 9, Lake George CAP will remain open
Washington Co. Supreme/County/Family/Surrogate Washington Co. Centralized Arraignment Part (CAP)	Washington County Courthouse, 383 Broadway, Fort Edward CAP will remain open