

MESSAGE FROM CHIEF JUDGE JANET DIFIORE

June 28, 2021

Thank you for giving us a few minutes of your time for an update on the latest COVID developments affecting our courts and the justice system.

As we approach the Fourth of July holiday weekend, I hope that you and your families will be enjoying the warm weather and a safe return to summertime fun and outdoor activities. So, Happy Fourth of July, in advance of the holiday.

As the COVID metrics and vaccination rates continue to improve, our court system is making great progress in our return to in-person operations. With each passing week, our judges and staff are handling a growing number and range of in-person proceedings. And today, we are taking another major step forward with the resumption of in-person day arraignments in the New York City Criminal Court in Manhattan, to be followed by Kings County next Tuesday, July 6th, and by Bronx, Queens and Richmond Counties on July 12th.

And with the expiration of New York's COVID-19 State of Emergency last Thursday, we are also working with the State Magistrates' Association and criminal justice stakeholders on plans to resume in-person arraignments across the rest of the state.

The restoration of face-to-face attorney-client interaction in these critically important proceedings marks another important milestone in our return to the new normal, and we are excited about getting underway, albeit with the continued use of temperature checks, face masks and physical distancing by everyone in the courtroom, and with virtual arraignments of any defendants who are ill or have been exposed to COVID.

As you know, we have been following the CDC's guidance since the beginning of the pandemic, and while the CDC has recently lifted or eased many restrictions on indoor venues, it is important to remind everyone that the CDC is still requiring unvaccinated persons to wear masks and observe social distancing in indoor settings.

In the meantime, however, I want to commend everyone who has been so disciplined and unified in adhering to the safety protocols we have implemented in our courthouses. Since our return to 100% in-person staffing on May 24th, there have been only two reported COVID positive test result among our entire court family of nearly 1,300 judges and 15,000 court professionals. So, in this regard, we are in a very good place, and I want to thank you for doing your part to keep everyone around you safe and healthy.

And ever since we re-started in-person operations in March, our judges and court staff have shown great commitment, diligence and ingenuity in working through all of the safety, operational and logistical issues in their courthouses in order to expand in-court proceedings and jury trials for the benefit of the litigants and lawyers who are waiting for their day in court.

A case in point is the opioid class action lawsuit that is going on trial today in Suffolk County. With approximately 30 attorneys, representing multiple defendants, the presiding trial judge, Jerry Garguilo, with the support of his Administrative Judge, Andrew Crecca, devised a creative plan to ensure that this complex, in-person jury trial

will go forward as efficiently and safely as possible. The trial will take place in the auditorium of the Touro Law School, in Central Islip, a venue that is not only large enough to accommodate all of the trial participants and allow for the necessary social distancing and enforcement of other safety and security measures, but also contains a second level with segregated balcony seating for members of the media and the public attending this nationally watched jury trial.

I want to thank Judges Garguilo and Crecca, and our outstanding court staff in Suffolk County, for all of the hard work and coordination that has gone into preparing for this complex trial, including setting up all of the court equipment and technology necessary to ensure a smooth and efficient proceeding. And a very special thank you goes out, of course, to the Dean of Touro Law School, Elena B. Langan, and all of the folks at Touro, for their support and cooperation in hosting a trial that is expected to last a minimum of six to eight weeks.

And now, I would like to take a moment to recognize a truly dedicated member of our uniformed security force who retired this past week, after 40 years of excellent service to our courts -- Major Ralph Macchi. Major Macchi started his law enforcement career in

1981 as a Westchester County Deputy Sheriff, in the Westchester Supreme and County Court. He became a Senior Court Officer in 1983, and was assigned to work many of the County's high-profile criminal trials, and was designated the court's liaison to the media.

In 2001, Major Macchi was promoted to the rank of Captain, with supervisory responsibilities that included serving as the 9th JD's Districtwide Emergency Preparedness Coordinator, an assignment that took advantage of his broad experience and strong organizational skills. In March 2015, Major Macchi was again promoted, this time to the rank of Major, and he was assigned the additional responsibility of overseeing security at the Putnam County courthouse.

At each and every step of his career, Ralph Macchi has performed with great skill, competence and integrity, and I can testify to that first-hand, having interacted and worked with Ralph on many occasions over the years, going back to when I was an A.D.A. in the Westchester County District Attorney's Office; when I later served as a County Court and Supreme Court Justice; and as the elected District Attorney of Westchester County.

Whatever the issue or problem at hand, you could always depend on Ralph Macchi to handle it with the utmost competence and professionalism. He cared deeply about his duties and responsibilities, and he worked diligently to ensure the safety and well-being of every judge, court employee, lawyer and member of the public who entered our busy Westchester County courthouse. And he did it all with a beaming smile, a kind word for everyone, and with a strong, reassuring presence and demeanor that made you feel comfortable and secure.

And so, today, on behalf of our entire court system, we thank and salute Major Ralph Macchi for his undivided loyalty and dedication to our court system over the last 40 years. We wish him the very best of health and happiness in the future, and many, many years of good times in the company of his wife, Kathy, and their children and grandchildren. Thank you, Major Macchi. We will miss you.

Finally, before I close today, I want to alert everyone to a change in our schedule for future Monday Messages. With summer now in full swing and things beginning to feel much more normal in our courts all across the state, we will scale back the frequency of our Monday

Message and transition to a biweekly schedule beginning today, with our next message scheduled for Monday, July 12.

The Monday Message has proven to be an effective and well-received means of keeping our court family, the legal community and the public informed and up to date on COVID-related developments in the courts. And while it is certainly a relief to finally be in a position where the need to provide COVID-related news and information has become far less urgent, we do intend to continue our Monday Messages to keep you updated on all manner of court news – COVID and otherwise.

In the meantime, I hope you enjoy a fun-filled -- and safe -- Fourth of July weekend, and thank you again for “tuning in” and for staying disciplined in doing all that you can and should be doing to keep yourselves and those around you safe. Thank you.