



NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE

JOHN W. MCCONNELL, ESQ.
EXECUTIVE DIRECTOR

NANCY J. BARRY, ESQ.
CHIEF OF OPERATIONS

MEMORANDUM

To: Eric Allen, *President*, ASSCR
Barbara Brown, *President*, CALA
Patrick Cullen *President*, SCOA
Glenn Damato, *President*, NYSCCA
William Dobbins, *President*, SCCEA
Selene Jackson, *President*, NJDCEA
Jeanette Mercedes, *President*, CAA
Peter Piciulo, *President*, COBANC
Dennis Quirk, *President*, NYSCOA
Susan Radosh, *Deputy Director of State Operations*, CSEA
Fausto Sabatino, *President*, DC37
Lena Solow, *Staff Representative*, CWA

From: John W. McConnell *JW*
Nancy Barry *NA*

Date: March 31, 2020

Subject: Virtual Court and Office Operations

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We are writing to notify you about important statewide operational changes that will be happening in the coming weeks as a result of the ongoing public health emergency related to COVID-19. We are currently working with court managers throughout the State to restore court operations and services through the implementation of a newly developed “Virtual Court” model. Virtual Courts allow for matters to be heard and proceedings to take place virtually, i.e. through video-conferencing technology with the necessary parties participating from their respective remote locations, and allows for the provision of open courts as required by the Constitution and the Judiciary Law, in the safest manner possible. Of utmost importance, however, Virtual Courts will allow us to further reduce the number of staff needed to physically report to work in order to perform their job duties. As you may know, Virtual Courts were successfully implemented in New York City Criminal and Family Courts last week.

By April 13, 2020, Virtual Courts and expanded remote court operations, as well as OCA “virtual” office operations, will be established throughout the State. Under this model, consolidated courts will be located in various counties in order to facilitate open courts and other

necessary in-person court business or appearances. Employees needed to work in our Virtual Courts or other UCS offices will be assigned to “home” to the fullest extent possible/practicable. Only those employees whose physical presence at a particular court/location has been determined to be essential to on-site operations will be required to report to such court/location.

Employees that are assigned to “home” and working what would otherwise be their regular workday, will receive their regular annual salary and benefits. However, given these unique circumstances, where courts will be open for business but the ongoing public health emergency necessitates that as few people as possible actually be present, the Chief Administrative Judge has authorized the granting of compensatory time (CT) to those employees required to physically report to a court/location. And, as previously promised, those employees working in “Virtual Courts” in this interim period (until the statewide rollout is complete on April 13, 2020) will receive CT regardless of their assigned work location, i.e. court or home. Finally, in an effort to prevent employees that are not directed to work in Virtual Courts or other virtual UCS offices from suffering a loss of pay or interruption in benefits, the Chief Administrative Judge has authorized that such employees continue to be granted leave with pay. Thus, all employees directed to remain at home, whether or not they are at work in a Virtual Court, will continue to receive their normal salary and benefits.

Surely, we are all still adjusting to the concept of having to maintain a safe distance in order to stop the spread of this virus. We believe that this innovative plan provides the best balance of safety, service and fairness to our court family and to the public we serve. We will be reaching out to each of you shortly to discuss the plan in more detail, and to solicit your thoughts and suggestions for implementation. In the meantime, we thank you for your ongoing cooperation in our efforts to maintain normal court operations to the fullest extent possible in this challenging time. Above all: we hope that you, your members, and their families are and remain healthy and safe.

c Hon. Lawrence K. Marks
Hon. George J. Silver
Hon. Vito C. Caruso
Carolyn Grimaldi
Linda Dunlap-Miller
Scott Murphy
Jennifer DiLallo