

NYS LEGAL SERVICES
COMMUNITY
PANDEMIC
TECHNOLOGY
SUPPORT SERIES:
VIRTUAL COURT
HEARINGS AND
ELECTRONIC
DOCUMENT
DELIVERY SYSTEM

- MAY 27, 2020
- NYS OFFICE OF COURT ADMINISTRATION PRESENTERS:
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NEW YORK STATE
UNIFIED COURT SYSTEM
VIRTUAL COURT
TRANSITION
COVID-19 PANDEMIC

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COURT RESEARCH

MAY 27, 2020

TIMELINE OF EVENTS



MARCH 11-20: INITIAL MEASURES TO MINIMIZE CONTACT

March 11

- AO instructing no entry to New Rochelle courthouses based on COVID-19 symptoms, proximity, or travel

March 16

- Postponement of non-essential functions of the courts until further notice
- Consolidation of operations to one courthouse per county, essential matters - 1st technology impact
 - Case Management systems need quick update to create this new “location” for appearances
- No new civil or criminal trials

March 17

- Videoconference (“virtual”) arraignments begin in NYC Criminal Court – 2nd technology impact
 - All parties but the defendant appear in the courtroom – equipment for central booking, skype meetings setup
 - Two video feeds: One for attorney-defendant interview; one for court appearance
- Virtual Mental Hygiene law hearings begin in NY County Supreme Court
 - Bellevue Hospital and VA Medical Center by video; court staff, attorneys, clients, doctors witnesses at court

MARCH 25-26: NYC CRIMINAL AND FAMILY COURTS FULLY VIRTUAL

Criminal arraignments/emergency TOPs:

- Judge, prosecution, defense, defendant all from remote locations via Skype for Business
- Non-COVID-19 defendants brought to central booking
- COVID-19 defendants from either Red Hook (BKLYN, QNS, SI) or Midtown community courts (BX, NY)
- 3rd technology impact: more equipment distributed to NYPD, more coordination of Skype for Business appearance creation, distribution, tech support for participation by creation of “Skype Help” dedicated staffing

Family appearances for child-protective removals, new JDs, emergency Family Offense

- All parties participating via Skype for Business by video appearance, or by phone
- 4th technology impact: procedures developed to setup SFB with Conferencing License, applying those licenses to dedicated accounts for appearances, more tech support

MARCH 29-APRIL 6:
VIRTUAL OPERATION
ROLLOUT STATEWIDE
FOR ESSENTIAL AND
EMERGENCY HEARINGS

- Operating similarly to the initial rollout in NYC, each ONYC district developed plans for virtual operations – 5th technology impact:
 - Some create dedicated, ongoing SFB appearance appointments
 - Others send out links for a time certain SFB appearance
 - Use the “Lobby” feature of SFB for parties to wait until invited in for their appearance to begin
 - Clerk or Court Officer in courtroom centrally facilitating SFB calls, creation and distribution of documents

ADJUSTMENTS TO FULLY VIRTUAL COURT

- Judges/JHOs quickly must learn to conduct court via SFB
 - Electronically signing forms and orders
 - “Herding the cats” in a virtual appearance (muting, reminding not to record, answering questions)
- Coordination with attorneys, litigants, agencies to use SFB
- All but central courthouse-based staff needed equipment shipped quickly
 - Assistance with setup, testing
- Statewide court workforce primarily at home (15k people)
 - Emergency upgrade of VPN to unlimited access
 - Mass-creation of VPN accounts, testing

WHY SKYPE FOR BUSINESS?

- The UCS has a Microsoft enterprise licensing agreement that includes SFB. This is the videoconferencing system used by the entire court system.
- It is appropriate to use for confidential information & proceedings, unlike other commercial videoconferencing products:
 - SFB has many security controls not present in normal Skype
 - SFB is encrypted end-to-end
 - UCS SFB runs in the Microsoft Government cloud, entirely on servers in the U.S.
 - SFB is Fedramp certified
 - SFB is HIPAA compliant
- U.S. Department of Health & Human Services has announced that covered health care providers subject to the HIPAA Rules may seek to communicate with patients, and provide telehealth services, through remote communications technologies. SFB mentioned as a recommended product for this purpose.

CENTRALIZED SUPPORT AND ASSISTANCE

Two-thirds of Division of Technology and Court Research staff dedicated to assisting with:

- New COVID-19 hotline for the public (24x7)
- New “Skype Help” assistance to attorneys, litigants, judges, agencies (M-F, 8am – 6 pm)
- Additional in-house Skype technical oversight
- Additional network security attention
- Online portal of documentation, how-to guides, videos
- Ordering, shipping, inventory management for several thousand laptops delivered to staff homes

AUTOMATION ASSISTANCE TO LITIGANTS – TEMPORARY ORDERS OF PROTECTION

- March 19:
 - Automated 90-day extensions of all temporary orders of protection
 - Mass-mail notification to all parties on TOPs including language of AO
- Mid-June can extend again if needed

Description	Count
Total ToPs uploaded	35258
Total TOPs covered by letters to Against Party	32150
Total Letters to be sent	41696
Against Party Letters	29521
Applying Party Letters	12175

**NEW YORK STATE COURTS
Onondaga County Supreme Court**

Onondaga County Courthouse, 401 Montgomery Street, Syracuse, NY 13202 Phone: (315) 671-1020 Fax: (315) 671-1176

**THIS IMPORTANT INFORMATION RELATES TO A TEMPORARY ORDER OF PROTECTION
ISSUED OUT OF THE ABOVE REFERENCED COURT**

In response to the coronavirus public health emergency and by Order of the Chief Administrative Judge, the Honorable Lawrence K. Marks (Administrative Order 73/20), the Temporary Order(s) of Protection issued out of this court have been extended until further notice.

Order #	Docket/Case #(s)	Defendant/Respondent	Protected Persons	Issue Date	Original Exp Date
2019-000200	O-00034-19	XXXXXXXX XXXXX	XXXX, XXXXXXXX	10/31/2019	4/30/2020

Please contact your attorney with any questions regarding this information.

ADMINISTRATIVE ORDER OF THE CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to a delegation of authority to me by the Chief Judge of the State of New York in response to the 2020 coronavirus public health emergency in this State, I hereby direct that, effective immediately and until further order, any temporary orders of protection issued in any criminal or civil matter in any court of the Unified Court System that is due to expire on or after the date of this order shall be extended under the same terms and conditions until the date the matter is re-calendared, unless the order is sooner terminated or modified by a judge or justice of the court that issued the order.

AO/73/20

Dated: March 19, 2020

AUTOMATION ASSISTANCE TO LITIGANTS – POSTPONEMENT OF APPEARANCES

April 22

- Mass notices sent to litigants notifying that all appearances are postponed until further notice from the court to prevent litigants from showing up at court

T&V Court Letters: 22,293

T&V Court Emails: 2,200

T&V Court Text/Phone: 10,745

City Court Letters: 87,828

City Court Emails: 1,212

City Court Text/Phone: 10,198

Family Court Letters: 78,817

Civil Court Letters: 87,553

NEW YORK STATE COURTS

Kings Criminal Court

120 Schermerhorn St., Brooklyn, NY 11201
Phone: (646) 386-4500 Fax: (718) 643-7733

This is an important message on behalf of the NYS Unified Court System

Due to the ongoing COVID-19 public health crisis, your upcoming court appearance(s) at Kings Criminal Court have been postponed until further notice from the court. Once the matter has been rescheduled by the court, you will be notified of your new court date and you will be required to follow the Court's instructions. If you have an attorney, you should consult with him or her if you have any questions regarding this matter.

If the judge imposed conditions for your release, such as participation in a supervised release program or electronic monitoring, you must follow each of those conditions which were listed on a separate order. Failure to do so may result in revocation of your release.

HOUSING COURT WORDING ADDED FOR MASS-MAILING

- *“Although most court dates are postponed, the Housing Court is still accepting applications for essential matters such as emergency apartment repairs and illegal lockouts by landlords. If you have an emergency application that requires immediate attention from the court, please call (xxx) xxx-xxxx”*
- Also translated into Spanish for all mailings

LESSONS LEARNED SO FAR

- Videoconferencing features needed to fully support all parties in an appearance and to closely replicate in-court practice:
 - Need a “breakout room” feature for the videoconferencing tool
 - Ability to protect identities of witnesses/victims when needed (hide phone #/name, voice scrambling)
 - Ability to change or blur background
- Provide a secure method to transmit or provide access to court-generated documents
- Provide short how-to videos, documents online
- Consistency in practices across the board; best practices followed
- Effectively present video/audio evidence within a virtual appearance

WHAT MIGHT THE FUTURE LOOK LIKE?

- Longer term, there could be ongoing virtual appearances for specific circumstances where appropriate for all parties and meet standards of fairness
- Requires careful review, planning and consultation with multiple stakeholders