

## **SUFFOLK COUNTY SUPREME COURT PROTOCOLS**

### **During Phase II of In-Person Operations (updated 6-12-20)**

In response to the COVID-19 pandemic and the Executive orders issued by the Governor, and the Administrative Orders issued by Chief Administrative Judge Marks, Deputy Chief Administrative Judge Caruso and District Administrative Judge Hinrichs, the court system is operating under the following guidelines.

#### **FILING PROCEDURE**

All filings are presently governed by Administrative Order 115/20 of the Chief Administrative Judge dated May 28, 2020. During the current period of consolidated court operations attorneys who wish to file documents, including new actions, as well as applications in pending matters, must do so electronically via the *New York State Courts Electronic Filing System* (NYSCEF). Unrepresented litigants may also e-file using NYSCEF but are not required to do so. The former *Electronic Document Delivery System* (EDDS) may no longer be used to file new applications or other documents (except to file a *Stipulation and Consent to E-file* form).

To create an account with NYSCEF use the following link: <https://iapps.courts.state.ny.us/nyscef/CreateAccount>

In order to file an application or other document in a pending matter (a matter that was not previously an e-file case), the case must first be converted from a "hard copy" case to an e-file case. To convert a pending matter to an e-file case please follow these procedures: <https://www.nycourts.gov/LegacyPDFS/courts/10jd/suffolk/PDF/Efiling-Procedures-Supreme-Court.pdf>

Electronic filing is not required for people who do not have an attorney. Unrepresented litigants who wish to file an application or other documents in Supreme Court may file electronically or may file in paper form. For more information on filing in Supreme Court as an unrepresented litigant go to:

<https://www.nycourts.gov/LegacyPDFS/courts/10jd/suffolk/PDF/Filing-in-Suffolk-Supreme-Court-forUnrepresented-Litigants.pdf>

#### **ESSENTIAL OR EMERGENCY MATTERS**

Attorneys, or self-represented litigants, may still file "essential matters" as defined in the Chief Administrative Judge's Administrative Order dated March 22, 2020 (AO-78-20) and as amended May 15, 2020 (AO-99-20), following the procedures previously put in place; these filings are limited the matter specifically designated in the order or matters deemed by the Court to be "essential" or of an emergency nature that require immediate judicial intervention. Procedures for filing an "essential" matter in Suffolk Supreme are explained in the document entitled Supreme Court Protocols to File an "Essential Matter".

<https://www.nycourts.gov/LegacyPDFS/courts/10jd/suffolk/PDF/Suffolk%20Supreme%20Essential%20Protocols.pdf>

#### **APPEARANCES BY TELECONFERENCE, VIDEO CONFERENCE OR IN-PERSON**

During Phase II court operations appearances in Suffolk County Supreme Court by litigants, lawyers and judges will continue to be done primarily by teleconference or video conference (via *Skype*). Litigants' appearances may be waived, unless self-represented, however, represented litigants may appear at the direction of the Court, or at the request of counsel, via teleconference or video conference. In addition, during Phase II operations, the court may permit some matters to be heard in-person at the courthouse on a limited basis, in its discretion, as deemed necessary.