

# **SUFFOLK COUNTY SUPREME COURT PROTOCOLS**

## **During Phase III of In-Person Operations (effective 6-26-20)**

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 currently 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 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 *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 unrepresented 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 to those matters specifically designated in the order or matters deemed by the Court to be “essential” that are of an emergency nature requiring 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 AT THE COURTHOUSE**

During Phase III court operations there will be an increase of in-person court appearances in Suffolk County Supreme Court. While many proceedings will continue to be conducted virtually by teleconference or video conference (via *Skype*), the Court may require litigants and lawyers to appear in-person at the courthouse for hearings, non-jury trials, and other proceedings as deemed necessary by the Court. In any case where the Court has directed in-person courthouse appearances, a party or an attorney may make application to the Court to have his or her appearance made by other means (i.e., by telephone or video) for health related reasons or for any other good reason.