



**ADMINISTRATIVE ORDER**  
**4JD-092-2020**  
**FOURTH JUDICIAL DISTRICT**

Pursuant to the authority vested in me, and in accordance with the Governor's Executive Orders and the Administrative Orders issued by the Chief Administrative Judge in response to the COVID-19 pandemic, it is hereby

**ORDERED** that Fourth District Administrative Order 4JD-044-2020 remains in full force and effect, except as specifically modified, extended, or superseded herein; and it is further

**ORDERED** that the following directives are established:

*Default Judgments:*

- a. *Default by a party against whom relief is sought (e.g. defendant, respondent, non-movant):* A judge presiding over a matter wherein a party has defaulted may grant a default judgment where, after inquiry, the judge determines that: (i) the defaulting party has received actual notice of the action or proceeding; (ii) the failure of the defaulting party to respond to the action or proceeding is not due to the COVID-19 pandemic; and (iii) the grant of a default judgment is not contrary to any statute, Executive Order or Administrative Order.
- b. *Default by a party seeking relief (e.g. plaintiff, petitioner, movant):* A judge presiding over a matter may grant a default judgment against the party seeking relief if such party fails to proceed with the action or fails to appear in court.

Dated:

*Oct 16, 2020*

HON. FELIX J. CATENA  
Administrative Judge, Fourth Judicial District

Distribution:

Hon. Vito C. Caruso, JSC, Deputy Chief Administrative Judge (outside NYC)  
All Fourth District Judges  
All Fourth District Chief Clerks  
All Fourth District Town and Village Justices  
Joanne B. Haelen, Esq., District Executive, Fourth Judicial District