



Coronavirus (COVID-19) - Update On New York Court System

To our clients and friends,

We write to provide an update regarding the status of the New York State court system during the novel coronavirus (COVID-19) public health emergency. Since our most recent update on March 18, 2020, access to the court system has been further restricted.

New York's Supreme Courts: Closed to Non-Essential Matters

On March 22, 2020, Hon. Lawrence K. Marks, the Chief Administrative Judge of the Courts of New York, issued an order (still in effect) barring courts from accepting paper or electronic filings in matters not deemed to be "essential." Essential matters in New York's Supreme Courts (where our clients' civil cases are typically filed) do not include negligence or medical malpractice litigation. Chief Administrative Judge Marks' order, including a complete list of "essential" matters, can be found [here](#).

Appellate and Local Courts: Closed to Non-Essential Matters

The Appellate Division has indefinitely postponed all current filing deadlines for cases where an appeal has not been "perfected" – that is to say, fully briefed with a complete record by the appellant.

In addition, certain districts, and in some cases, individual counties within districts, have issued their own administrative orders postponing non-essential matters to April 30, 2020 – though it seems likely that most matters will be further delayed.

Reopening of Courts for Non-Essential Matters

On April 6, 2020 and April 7, 2020, respectively, Hon. Janet DiFiore, the Chief Judge of New York, and Chief Administrative Judge Marks stated that plans are being made to reopen certain operations concerning "non-essential" matters (including negligence and medical malpractice litigation). Preliminary steps, which can be implemented as soon as Monday, April 13, 2020, include holding certain conferences for "non-essential" matters by telephone or video conference. In furtherance of these preliminary steps, courts are reviewing their calendars to determine which cases may be assigned to telephone or video conference.

New and Pending Motions

The Chief Judge and the Chief Administrative Judge have also urged courts to render decisions on their "backlog" of motions, but it appears that the current prohibition on paper and electronic filings will remain in effect until further notice. As a result, new motions cannot be filed and pending motions that have not been "fully submitted" will remain adjourned.

Finz & Finz, P.C. is Fully Operational

Our office remains fully operational, with attorneys, paralegals, nurses and other staff working remotely and in close coordination with the firm's Senior Partner, Stuart L. Finz. Although the courts have temporarily prohibited paper and electronic filings, we at Finz & Finz, P.C. are continuing to prepare court documents for filing, so that when the moratorium on filing has been lifted, we can quickly and aggressively move our clients' cases forward. We are also conducting depositions and mediations by video conference so as to limit any delay in the litigation process caused by COVID-19.

We call upon the administrators of the court system to continue employing video conferencing and other technological solutions to help streamline pending and future litigation, which will

benefit all litigants, including our deserving clients, once courts reopen their doors. We will continue to monitor the status of the New York State court system closely and provide additional updates as they become available.

You can learn more about COVID-19 at the [Centers for Disease Control and Prevention \(CDC\)'s website](#).

Please feel free to contact our office by telephone or e-mail to address any concerns. We sincerely wish that you and your families remain safe and healthy during this most difficult time.

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