UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

_____x

In re Coronavirus/COVID 19 Pandemic M-10-468 (CM)

_____x

This matter relates to:

Suspension of In-Person Operations
Effective December 1, 2020

_____x

STANDING ORDER

McMahon, C.J.:

Effective Tuesday, December 1, 2020, in-person operations in the Southern District of New York will be suspended until January 15, 2021. This temporary curtailment of operations is required to preserve public health and safety in light of the recent spike in coronavirus cases, both nationally and within the Southern District of New York.

This order outlines the procedures that will be in place during the period December 1, 2020 through January 15, 2021.

NO IN-PERSON APPEARANCES

All courthouses will be open.

Except as provided below, there will be no trials or other in-person proceedings conducted at any of the courthouses in the District.

All jury trials scheduled for the period beginning December 1, 2020 and ending January 15, 2021 are adjourned. Parties will be notified of a new date.

All civil proceedings, including bench trials and hearings with witnesses, will be conducted remotely. Consult with the presiding judge about adjournments.

All criminal matters, including presentments, arraignments, criminal conferences, pleas and sentencings, will be conducted remotely, unless (1) the defendants declines to waive the right to be physically present, and (2) the court concludes that the matter cannot be postponed, in conformity with the CARES Act. If a matter cannot be conducted remotely and must be heard in person, please contact Thomas Mixon of the District Executive's Office at Thomas.Mixon@nysd.uscourts.gov. Consult with the presiding judge about adjournments.

No jurors will be summoned to the courthouses of the District during the period beginning December 1, 2020 and ending January 15, 2021. No new grand juries will be selected until

January 19, 2021. Sitting grand juries will continue operating during this period.

OFFICE OF THE CLERK OF COURT

The Clerk's Offices in both Foley Square and White Plains will be open during normal business hours (8:30 AM until 4:00 PM). However, the public counters in the Clerk's Office will be staffed only from 11:00 AM until 2:00 PM.

New cases, motions and other applications should be filed via ECF. Instructions on how to file on ECF can be found on the court's website (www.nysd.uscourts.gov). A drop box will be available during hours when the public counters are closed if papers cannot be filed on ECF. Drop boxes may not be used when public counters are open. Drop boxes will be emptied regularly but there may be delays in getting papers to the assigned judge.

Matters that require the immediate attention of a judge, including applications for temporary restraining orders, should be filed on ECF. However, any party seeking immediate judicial attention must also take steps to alert the judge to the pendency of an emergency application. If the case is already assigned to a district judge, consult the judge's individual rules on the court's website (www.nysd.uscourts.gov) for information on how to reach the judge. If the case is not already assigned to a district judge, or if you do not hear from the judge within two hours after trying to make contract, call the Clerk of Court at 212-805-0140 to alert someone that immediate judicial assistance is required. Emergency applications can also be directed to the Part I judge; the Part I Duty Roster is posted on the court's website, together with the necessary contact information.

OFFICE OF THE DISTRICT EXECUTIVE

Members of the staff of the District Executive's Office will be on site from 8:00 AM until 5:00 PM every weekday. However, the office can be reached *only* by phone (212-805-0500) or by email. If you leave a message, calls will be returned during normal business hours.

Please email Covid_response@nysd.uscourts.gov for all COVID-19 related questions or concerns.

Further information about the District Executive's Office operations during the COVID-19 pandemic can be found on the court's website at the following dedicated address: http://www.nysd.uscourts.gov/covid-19-coronavirus.

PRETRIAL SERVICES/PROBATION

Consult the Southern District website for any changes to the operations of Pretrial and Probation during this period.

IT IS SO ORDERED

Dated: November 30, 2020

Chief Judge