



5TH JUDICIAL DISTRICT

SUMMARY OF PLAN TO RESUME IN-PERSON COURT OPERATIONS (“RIPCO”)

PHASE II

Commencing June 3, 2020, in the 5th District

On May 18, 2020, in Oneida and Herkimer Counties (May 20, 2020, for Onondaga, Oswego, Jefferson and Lewis Counties), the 5th Judicial District implemented Phase I of the RIPCO. All measures included in Phase I of the RIPCO to protect the health and safety of the employees, judges, litigants, lawyers and members of the public who enter the courthouses pursuant to the Plan to Resume In-Person Court Operations Plan dated May 14, 2020, will continue and be enhanced during Phase II.

The goal of Phase II is to increase foot traffic in the Courthouse in a gradual, measured manner so that the Court can begin to address certain matters that require an in-person appearance. The success of Phase II depends upon the Court’s ability to prioritize those matters that require an in-person appearances while continuing to maximize the use of virtual appearances. The highlights of Phase II are as follows:

- Phase II operates with certain presumptions:
 1. “Essential” Matters (except as follows in Number 2 below) will be conducted in-person and heard by the Assigned Judge.
 2. Criminal, Juvenile Delinquency and Mental Hygiene Law Proceedings pertaining to a hospitalized adult shall be conducted virtually and heard by the Assigned Judge.
 3. Non-Essential matters shall be conducted virtually and heard by the Assigned Judge.
 4. In all case types, a request to deviate from the presumption may be made to the Assigned Judge. If such request is granted, the Administrative Judge shall be notified.
- Alternate Dispute Resolution processes shall be conducted virtually.
- Steps shall be taken by staggering case types, court calendars and courtroom use, to minimize the number of court users entering the building at the same time and to limit the number of court users congregating on any floor/at any courtroom.

- Non-judicial staffing levels may again be minimally increased to support necessary administrative functions such as adjournments/calendaring/chambers/additional courtroom use as well as to provide necessary support for the increased foot traffic entering the Courthouse. In-person court staff will rotate with non-reporting staff to work virtually.

Town and Village Courts will also be permitted to conduct some limited court proceedings (small claims matters, civil proceedings, dangerous dog hearings). The judges may continue to work virtually to conduct conferences, accept pleas and impose sentences if in receipt of a guilty plea by mail. The Virtual arraignment procedures, including temporary CAPs, shall continue.

All "in-person" foot traffic within town and village courts shall be conducted by the established social distancing rules (i.e., 6-foot distance maintained, facial coverings worn at all times by anyone entering the courthouse/room, etc.) and provided that the court has obtained proper PPE. Hearings shall be staggered to avoid overcrowding.