

STATE OF NEW YORK
UNIFIED COURT SYSTEM
SUFFOLK COUNTY DISTRICT COURT
JOHN P. COHALAN, JR. COURT COMPLEX
400 Carleton Avenue
P.O. Box 9080
Central Islip, NY 11722-9080
(631) 208-5800 Fax (631) 853-7417

LAWRENCE K. MARKS
Chief Administrative Judge

ANDREW A. CRECCA
District Administrative Judge
Suffolk County

VITO C. CARUSO
Deputy Chief Administrative Judge
Courts Outside New York City

KAREN KERR
Supervising Judge District Court

M E M O R A N D U M

TO: Suffolk County District Attorney's Office; Legal Aid Society; Assigned Counsel Bureau; Criminal Bar Association; Suffolk County Bar Association; District Court Committee.

FROM: Hon. Karen Kerr

DATE: September 2, 2020

RE: Amended Suffolk County District Court Attorney Appearance Protocol

Throughout the COVID-19 pandemic, we have developed procedures and protocols designed to facilitate virtual and in-person appearances. As we moved from phase to phase, there has been a significant increase in the number and types of proceedings we can accommodate.

The matters that will continue to be heard in-person continue to be bench trials, preliminary hearings, evidentiary hearings, appearance ticket arraignments, pleas and sentences for defendants at liberty, motion arguments arraignments of defendants accused of a violation of any provision of article 31 of the V.T.L., treatment court matters where the Judge makes a determination the an appearance is necessary to protect the health and safety of the defendant and any other matters the court deems essential. Conferences will continue to be heard virtually. Exceptions may be made regarding the availability of in-person or virtual appearances in the court's discretion.

This memo is an updated guide for the attorney appearance protocol to be utilized in the Suffolk County District Court criminal operations. I am confident as we head towards the next phase, we will be able to return to a more robust operation in a manner that is both safe and productive.

Should you have any specific questions as to how a particular judge handles their calendar, please contact chambers directly. If you have questions concerning dates or who the assigned judge is please contact the clerk's office at 631-208-5829. If you have any concerns, questions or comments, please feel free to contact me.

I. D11 IN-CUSTODY ARRAIGNMENTS:

The *physical D11 Arraignment Courtroom is now located on the 6th floor in D66 Monday through Friday*. On weekends and holidays the D11 in-custody arraignment calendar is located in the D11 courtroom on the first floor.

The D11 in-custody arraignment court handles:

- * In-custody arraignments;
- * **In-custody warrant returns;**
- * **Out of custody warrant vacates only where the assigned part is closed;**
- * Arraignments on felony DATs;
- * Requests for ex-parte orders of protection.

All in-custody arraignments continue to be held virtually. The phone number for D11 in-custody part is 631-208-5664, 5662 or 5663. While Counsel may opt to appear in person, the procedure for handling a virtual in-custody arraignment in D11 is as follows:

1. Each day, Legal Aid, CAFA and the District Attorney's office will email to Suffarr@nycourts.gov, and kkerr@nycourts.gov, a list of attorneys who will be available to conduct arraignments remotely. Contact information should include email and cell phone contacts.
2. Legal Aid, 18b and District Attorney's Office Paperwork-
District Court Clerks will scan and send defense counsel paperwork to the Court at Suffarr@nycourts.gov, Legal Aid at Arraignments@sclas.org, the District Attorney's Office at DAarraignments@suffolkcountyny.gov, and Assigned counsel at smccall@scacp.org. In the event LAS has a conflict, Legal Aid will call D11 at 631-208-5664. D11 will then contact CAFA via the contact information provided.
3. Private Counsel-
Once retained, private counsel should send an email to D11 at Suffarr@nycourts.gov and DAarraignments@suffolkcountyny.gov, with the name of the defendant and DOB notifying D11 he or she represents the defendant. Please do not email a formal notice of appearance until you are ready to have the case called. Upon receipt of the email, D11 will email a copy of the paperwork to counsel at the email address provided.
4. Non-monetary Conditions-
The court, the ADA and defense counsel should review all files in the a.m. in the event non-monetary conditions are being contemplated as probation will need to speak to the defendant before the arraignment.
5. TOPs-
In the event the DA is requesting a TOP, the DA will email the TOP to Suffarr@nycourts.gov. The

D11 clerk will be provided with both a stay away TOP and a refrain from TOP to allow the court as much discretion as possible.

6. DA Notices-

All notices including 710.30 and Grand Jury notices will be served on defense counsel by the ADA directly.

7. Attorney/Client Telephone Conferences-

When the attorney is ready to speak to the client, he or she will call the Sheriff Attorney Liaison at 631-853-7937. The Sheriff Attorney Liaison will request a call-back number from the attorney. Once the defendant is positioned to take the call, the sheriff will contact the attorney. The attorney will be given one of two conference call numbers to call in order to speak to the client: 631-853-7980 or 631-853-7427.

8. Notice of Appearance-

Once Legal Aid/CAFA/Private counsel is ready for the arraignment, he/she will file the Notice of Appearance (NOA) with the court at Suffarr@nycourts.gov along with a completed “preferred method of contact” form, attached.

9. The Arraignment-

The attorneys should then join the meeting at <https://meet.lync.com/nycourts/suff-ci-d11/8ZUQ856C> and mute the audio until the clerk calls the case.

10. Service of TOPs-

In the event a TOP is granted, the court will inform the defendant of its content indicate the defendant is “deemed served.” When the arraignment is complete, the court officer will bring the order to the Sheriff for the defendant’s signature. The court officer will make copies for all parties. The same procedure will be utilized for any other documents, GPS, SRP, which require the defendant’s signature.

11. DC111s-

The completed DC-111 will be marked “video-arraignment.” Copies of any relevant paperwork for discharge or lodging at the Correctional Facility will be attached to the DC111.

12. Copies of Forms -

Once the arraignment is complete, copies of the paperwork, TOPs, SRP forms, etc., will be placed in room 220 in separate bins designated for the DA’s office, Legal Aid and probation. All CAFA and private counsel paperwork will be sent by regular mail. In addition, at the end of the day the D11 clerk will scan TOPs and send to DAarraignments@suffolkcountyny.gov.

II. D11 SAP/254 OUT- OF- CUSTODY ARRAIGNMENTS:

The D11 SAP/254 Arraignment part handles of all misdemeanor, desk and field appearance, out-of- custody arraignments. It is physically located in the large D11 courtroom on the first floor of District Court. While the D11SAP/254 calendars are typically conducted in person, the courtroom does have a remote set up to accommodate virtual appearances.

Requests to have a client's appearance waived must be made directly to the judge presiding over the calendar in advance of the appearance. The protocol for appearing virtually in the D11 SAP/254 Arraignment part is as follows:

1. Once the client is present in the courtroom or ready to make a pre-approved virtual appearance, Email a notice of appearance to SufD11SAP@nycourts.gov.
2. Join the meeting at D11 SAP: <https://meet.lync.com/nycourts/bblank1/NQK5W477>
3. **The phone number for SAP is 631-208-5807.**

III. DISTRICT COURT ALL PURPOSE PARTS AND TREATMENT COURTS:

Every courtroom in District Court now has virtual capabilities. All District Court courtrooms are open 5 days a week, with each judge allotted three in-person days to handle out of custody matters.

There is an 11:00 a.m. cut off time to recall scoffs and warrants. Please note: all out of custody warrant returns and scoffs will be handled in the assigned part. In the event the part is closed, the out of custody warrant recalls will be handled in the D11 in-custody part (D66). In the event the part is closed, scoffs may be recalled in the D11 SAP part. Where the defendant has both a warrant vacate and a scoff matter, both will be handled in the D11(D66) in-custody part to alleviate the necessity of the defendant and attorney from having to appear in two different parts.

Beginning Tuesday, September 8, 2020, DP1/MHC, will return to its original location in D35 Monday, Wednesday and Thursday.

FP1 is located in the D34 courtroom. The D11E (180.80/Felony Exam) calendar is called in FP1 Monday through Friday.

J. Kerr will continue to preside over "good cause" 180.80.190.80 applications in D32 until further notice.

IV. DISTRICT COURT VIRTUAL IN-CUSTODY PLEAS:

In-custody pleas should be arranged in advance with the assigned judge. If the case is an add-on, please allow 48 hours notice so the files can be pulled, necessary paperwork exchanged, the calendar created, and the jail notified as to the time of the plea. Exceptions to the 48-hour notice

requirement will be made in the event the disposition reached will result in the defendant's immediate release from jail.

Prior to the plea, the attorneys should contact Sheriff Attorney Liaison at 631-852-2247 to schedule a call with the client to go over any necessary paperwork, the terms of the pleas and waivers.

Prior to the plea, if there is paperwork requiring the Defendant's signature, the ADA will email it to Sheriff.records@suffolkcountyny.gov with courtesy copies to the courtroom email and the Defense attorney.

At the time of the plea, the sheriff will provide the Defendant with the paperwork. Afterwards, the sheriff will scan and send the paperwork back to the ADA who will email it to the Defense Counsel and the court part. Original paperwork will be delivered by the sheriff to the court the following morning in D11. In the alternative, the client should be prepared to give counsel or the court clerk permission to sign any documentation necessary to facilitate the plea on the client's behalf.

If the attorney wishes to consult with the client during the plea, the attorney will second call the case and speak to the defendant privately on the phone set up in the conference room at the jail. The Riverhead Attorney/Client Call Station # is 631-852-2698. The Yaphank Attorney/Client Call Station # is 631-852-7078. Once the attorney is ready, the attorney will sign back into the meeting and advise the clerk.

V. MOTIONS:

Motions may be filed by mail or by using the EDDS system. More detailed instructions for sending or filing documents through EDDS may be found on the [EDDS FAQ](#) page by clicking this link.

VI. SUFFOLK FELONY YOUTH PART AND YOUTH PART WEST (RTA):

The Suffolk Felony Youth Part and Youth Part West (YPW) calendar will be called in D32 Mondays and Tuesdays.

DISTRICT COURT COURTROOM CONTACT INFORMATION:

District Court Courtroom Skype Links :

SAP: <https://meet.lync.com/nycourts/bblank1/NQK5W477>

D11Arraignments:<https://meet.lync.com/nycourts/suff-ci-d11/8ZUQ856C>

D31: <https://meet.lync.com/nycourts/bblank1/47Z8Y615>

D32: <https://meet.lync.com/nycourts/suffcirollc/3ZTZZPL8>

D33/Vets: <https://meet.lync.com/nycourts/suffcirolla/T4S5DCPK>

D34 FP1: <https://meet.lync.com/nycourts/suffcirolld/R71JNK80>

D35 DP1/MHC/CARE: <https://meet.lync.com/nycourts/bblank1/6QDHKY9V>

D41 DV1/HTI: <https://meet.lync.com/nycourts/bblank1/3R40722G>

D42 DV2/Parole: <https://meet.lync.com/nycourts/bblank1/YSR0FRQY>

D43: <https://meet.lync.com/nycourts/bblank1/3RZ1S73P>

D44: <https://meet.lync.com/nycourts/bblank1/Q83P6KHL>

D45: <https://meet.lync.com/nycourts/bblank1/SD5WSKY3>

D46 ECL: <https://meet.lync.com/nycourts/bblank1/5RVQQQGC>

D51: <https://meet.lync.com/nycourts/bblank1/3M49JWF6>

D52: <https://meet.lync.com/nycourts/bblank1/9S8VYNT5>

D53: <https://meet.lync.com/nycourts/dfitzhug/TJ8J0VDB>

D54: <https://meet.lync.com/nycourts/bblank1/Q4DWNZBD>

D55: <https://meet.lync.com/nycourts/bblank1/3B4N43TP>

D56: <https://meet.lync.com/nycourts/bblank1/CYM21Z1B>

D61: <https://meet.lync.com/nycourts/bblank1/YFJPKJRC>

D63: <https://meet.lync.com/nycourts/bblank1/9MH7FP81>

D66: <https://meet.lync.com/nycourts/bblank1/JC7NZ40Z>

District Court Courtroom Emails:

SufD32@nycourts.gov

SufD33@nycourts.gov

Suffarr@nycourts.gov

SufD34@nycourts.gov

SufD35@nycourts.gov

SufD41@nycourts.gov

SufD42@nycourts.gov

SufD43@nycourts.gov

SufD44@nycourts.gov

SufD45@nycourts.gov

SufD46@nycourts.gov

SufD51@nycourts.gov

SufD52@nycourts.gov

SufD53@nycourts.gov

SufD54@nycourts.gov

SufD55@nycourts.gov

SufD56@nycourts.gov

SufD61@nycourts.gov

SufD63@nycourts.gov

SufD66@nycourts.gov

SufD11SAP@nycourts.gov

DISTRICT COURT JUDGE CONTACT INFORMATION:

CHAMBER CONTACT INFORMATION:

JUDGES

SECRETARY

HON. KAREN KERR,
SUPERVISING JUDGE

KATHY MEYER
208-5917 (fax 853-7417)

D32 - YP/RTA

Kmeyer@nycourts.gov

D33 Vets Ct

DP1 (Drug Ct, MHC, Care)

FP1

PIERCE F. COHALAN

DERRICK J. ROBINSON

RICHARD T. DUNNE

MAY BURKE

2 08-5784 (fax 853-6245)

Meburke@nycourts.gov

D43

D44

STEPHEN L. UKEILEY

PAUL E. HENNINGS

GINNY GIORLANDO

208-5867 (fax 853-5403)

Vgiorlan@nycourts.gov

D41 (DV1 & HTI)

D42 (DV2 & Parole)

PATRICIA GRANT

TONI BEAN

JACKIE MCCLEAN

FLYNN

208-5863 (fax 853-5402)

Jmcclean@nycourts.gov

D45

D46 (ECL)

JOHN KELLY

JAMES W. MALONE

KATHY LOGIUDICE

208-5880 (fax 853-5405)

Klogiudi@nycourts.gov

D51

JOHN J. ANDREWS

D52

JAMES A. SALADINO

D53

ERIC SACHS

DONNA FITZHUGH

208-5735 (fax 853-7610)

Dfitzhug@nycourts.gov

D55 (DWI)

JAMES A. McDONOUGH

D56 (DWI)

JENNIFER A. HENRY

D54

ALFRED C. GRAF

JOANNE WILSON

208-5755 (fax 853-7603)

Jewilson@nycourts.gov

D61

ROSANN O. ORLANDO

D63

EDWARD J. HENNESSEY

CAROLANN McCLAIN

208-5644 (fax 208-5637)

Cmclain@nycourts.gov**DISTRICT COURT JUDGE EMAIL LIST:**

Judge Andrews D51

Sufandrews@nycourts.gov

Judge Bean D42/DV2/PARL

Sufbean@nycourts.gov

Judge Cohalan D33/Vets

Sufcohalan@nycourts.gov

Judge Dunne D34

Sufdunne@nycourts.govJudge Flanagan 6th DCSufflanagan@nycourts.gov

Judge Flanagan/Kendra

SufKNDflanagan@nycourts.gov

Judge Graf D54

Sufgraf@nycourts.gov

Judge Grant Flynn D41/DV1/HTI

Sufflynn@nycourts.gov

Judge Hackeling 3rd & 4th DC Sufhackeling@nycourts.gov

Judge Helfer 1st & 5th DC Sufhelfer@nycourts.gov

Judge Hennessey D63 Sufhennessey@nycourts.gov

Judge Hennings D44 Sufhennings@nycourts.gov

Judge Henry D56/DWI Sufhenry@nycourts.gov

Judge Kelly D45 Sufkelly@nycourts.gov

Judge Kerr D32 Sufkerr@nycourts.gov

Judge Malone D46 Sufmalone@nycourts.gov

Judge Matthews 325D Sufmatthews@nycourts.gov

Judge McDonough D55/DWI Sufmcdonough@nycourts.gov

Judge Orlando D61 Suforlando@nycourts.gov

Judge Robinson DP1/MHC Sufrobinson@nycourts.gov

Judge Sachs D53 Sufsachs@nycourts.gov

Judge Saladino D52 Sufsaladino@nycourts.gov

Judge Schettino ADR Sufschettino@nycourts.gov

Judge Swenson 2nd DC Sufswenson@nycourts.gov

Judge Ukeiley D43/Guard Sufukeiley@nycourts.gov

DISTRICT COURT WEEKLY IN-PERSON APPEARANCE SCHEDULE

All courtrooms will be open & staffed 5 days per week, with 3 days for In-Person

Appearances as per schedule below:

Monday	Tuesday	Wednesday	Thursday	Friday
D41	D41	D41 & D42	D42	D42
D43	D43	D43 & D44	D44	D44

D45	D45	D45 & D46	D46	D46
D51	D51	D51 & D52	D52	D52
D53	D53	D53 & D54	D54	D54
D55	D55	D55 & D56	D56	D56
D61	D61	D61 & D63	D63	D63

Monday **Tuesday** **Wednesday** **Thursday** **Friday**

D32 Kerr
SFYP/YPW

D32 Kerr
SFYP/YPW

FP1 Dunne FP1 Dunne FP1 Dunne FP1 Dunne FP1 Dunne

(In Person) (In Person) (In Person)

D33 Cohalan D33 Cohalan D33 Cohalan

D35(Robinson)
Drug Court D35(Robinson)
Drug Court D35(Robinson)
Mental Health Ct.

D66 - D11 in-custody Arraignments, in-custody warrant vacates, & TOPs (Mon. - Fri)

D11 - SAP Calendar & 254 (Mon. - Fri)

Thursday	9/3/2020	D44	D61
Friday	9/4/2020	D44	D61
Saturday	9/5/2020		Orlando
Sunday	9/6/2020		Hennessey
Monday	9/7/2020	D45	D43
Tuesday	9/8/2020	D45	D43
Wednesday	9/9/2020	D45	D43
Thursday	9/10/2020	D45	D43
Friday	9/11/2020	D45	D43
Saturday	9/12/2020		Andrews
Sunday	9/13/2020		Graf

Monday	9/14/2020	D46		D44
Tuesday	9/15/2020	D46		D44
Wednesday	9/16/2020	D46		D44
Thursday	9/17/2020	D46		D44
Friday	9/18/2020	D46		D44
Saturday	9/19/2020		Malone	
Sunday	9/20/2020		Bean	
Monday	9/21/2020	D51		D45
Tuesday	9/22/2020	D51		D45
Wednesday	9/23/2020	D51		D45
Thursday	9/24/2020	D51		D45
Friday	9/25/2020	D51		D45
Saturday	9/26/2020		Saladino	
Sunday	9/27/2020		Robinson	
Monday	9/28/2020	D52		D46
Tuesday	9/29/2020	D52		D46
Wednesday	9/30/2020	D52		D46
Thursday	10/1/2020	D52		D46
Friday	10/2/2020	D52		D46
Saturday	10/3/2020		Kelly	
Sunday	10/4/2020		Robinson	
Monday	10/5/2020	D53		D51
Tuesday	10/6/2020	D53		D51
Wednesday	10/7/2020	D53		D51
Thursday	10/8/2020	D53		D51
Friday	10/9/2020	D53		D51
Saturday	10/10/2020		Henry	
Sunday	10/11/2020		Cohalan	
Monday	10/12/2020	D54		D52
Tuesday	10/13/2020	D54		D52
Wednesday	10/14/2020	D54		D52
Thursday	10/15/2020	D54		D52
Friday	10/16/2020	D54		D52
Saturday	10/17/2020		Sachs	
Sunday	10/18/2020		McDonaugh	
Monday	10/19/2020	D61		D53
Tuesday	10/20/2020	D61		D53
Wednesday	10/21/2020	D61		D53
Thursday	10/22/2020	D61		D53
Friday	10/23/2020	D61		D53
Saturday	10/24/2020		Dunne	
Sunday	10/25/2020		Graf	
Monday	10/26/2020	D63		D54

Tuesday	10/27/2020	D63		D54
Wednesday	10/28/2020	D63		D54
Thursday	10/29/2020	D63		D54
Friday	10/30/2020	D63		D54
Saturday	10/31/2020		Hennings	
Sunday	11/1/2020		Grant Flynn	
Monday	11/2/2020	D43		D61
Tuesday	11/3/2020	D43		D61
Wednesday	11/4/2020	D43		D61
Thursday	11/5/2020	D43		D61
Friday	11/6/2020	D43		D61
Saturday	11/7/2020		Orlando	
Sunday	11/8/2020		Hennessey	
Monday	11/9/2020	D44		D63
Tuesday	11/10/2020	D44		D63
Wednesday	11/11/2020	D44		D63
Thursday	11/12/2020	D44		D63
Friday	11/13/2020	D44		D63
Saturday	11/14/2020		Andrews	
Sunday	11/15/2020		Matthews	
Monday	11/16/2020	D45		D43
Tuesday	11/17/2020	D45		D43
Wednesday	11/18/2020	D45		D43
Thursday	11/19/2020	D45		D43
Friday	11/20/2020	D45		D43
Saturday	11/21/2020		Malone	
Sunday	11/22/2020		Bean	
Monday	11/23/2020	D46		D44
Tuesday	11/24/2020	D46		D44
Wednesday	11/25/2020	D46		D44
Thursday	11/26/2020	D46		D44
Friday	11/27/2020	D46		D44
Saturday	11/28/2020		Saladino	
Sunday	11/29/2020		Robinson	
Monday	11/30/2020	D51		D45
Tuesday	12/1/2020	D51		D45
Wednesday	12/2/2020	D51		D45
Thursday	12/3/2020	D51		D45
Friday	12/4/2020	D51		D45
Saturday	12/5/2020		Kelly	
Sunday	12/6/2020		McDonaugh	
Monday	12/7/2020	D52		D46
Tuesday	12/8/2020	D52		D46

Wednesday	12/9/2020	D52		D46
Thursday	12/10/2020	D52		D46
Friday	12/11/2020	D52		D46
Saturday	12/12/2020		Henry	
Sunday	12/13/2020		Cohalan	
Monday	12/14/2020	D53		D51
Tuesday	12/15/2020	D53		D51
Wednesday	12/16/2020	D53		D51
Thursday	12/17/2020	D53		D51
Friday	12/18/2020	D53		D51
Saturday	12/19/2020		Dunne	
Sunday	12/20/2020		Ukeiley	
Monday	12/21/2020	D54		D52
Tuesday	12/22/2020	D54		D52
Wednesday	12/23/2020	D54		D52
Thursday	12/24/2020	D54		D52
Friday	12/25/2020	D54		D52
Saturday	12/26/2020		Sachs	
Sunday	12/27/2020		Matthews	
Monday	12/28/2020	D61		D53
Tuesday	12/29/2020	D61		D53
Wednesday	12/30/2020	D61		D53
Thursday	12/31/2020	D61		D53
Friday	1/1/2021	D61		D53
Saturday	1/2/2021		Hennings	
Sunday	1/3/2021		Grant Flynn	
Monday	1/4/2021	D63		D54
Tuesday	1/5/2021	D63		D54
Wednesday	1/6/2021	D63		D54
Thursday	1/7/2021	D63		D54
Friday	1/8/2021	D63		D54
Saturday	1/9/2021		Orlando	
Sunday	1/10/2021		Hennessey	
Monday	1/11/2021	D43		D61
Tuesday	1/12/2021	D43		D61
Wednesday	1/13/2021	D43		D61
Thursday	1/14/2021	D43		D61
Friday	1/15/2021	D43		D61
Saturday	1/16/2021		Andrews	
Sunday	1/17/2021		Graf	
Monday	1/18/2021	D44		D63
Tuesday	1/19/2021	D44		D63
Wednesday	1/20/2021	D44		D63

Thursday	1/21/2021	D44	D63
Friday	1/22/2021	D44	D63

cc: Hon. Andrew A. Crecca;
Chief Clerk Michael Papparatto;
Deputy Chief Clerk Len Badia