

STATE OF NEW YORK
UNIFIED COURT SYSTEM
SUFFOLK COUNTY DISTRICT COURT
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LAWRENCE K. MARKS
Chief Administrative Judge

C. RANDALL HINRICHS
District Administrative Judge
Suffolk County

VITO C. CARUSO
Deputy Chief Administrative Judge
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KAREN KERR
Supervising Judge District Court

M E M O R A N D U M

TO: The Suffolk County District Attorney's Office; Legal Aid Society; Assigned Counsel Program, District and County Court Committees, Criminal Bar Association and Suffolk County Bar Association.

FROM: Hon. Karen Kerr, Supervising Judge District Court, Family Court Judge, Acting Supreme Court Judge.

DATE: June 1, 2020

RE: AMENDED Virtual District Court Operational Protocol for Adolescent, Juvenile Offenders and Juvenile Delinquents.

In light of the COVID-19 crisis and consistent with OCA's and the Judge Hinrich's directive that all criminal and juvenile delinquent proceedings be conducted remotely when possible, I have prepared the following amended protocol for handling Adolescent, Juvenile Offender and Juvenile Delinquent cases. As we move to in-person operations, the two most significant changes from the original memo dated March 30, 2020 is the opening of courtroom 18 in Riverhead to accommodate Youth Part East cases and the ability to handle pending Juvenile Delinquent and Juvenile Offender cases virtually from the Nassau County Juvenile Detention Center.

I. **ADOLESCENT/JUVENILE OFFENDER ARRESTS- YOUTH PART WEST:**

*Monday through Friday, all Adolescent and Juvenile Offender cases will be handled remotely by J. Kerr in D32.

*Saturday, Sunday and Holidays, When the Youth Part is closed, all Adolescent and Juvenile Offender cases will be handled remotely by the Accessible Magistrate assigned to D11.

* Once the AO/JO has been processed, the AO/JO will be transported to the Juvenile Holding Area in District Court.

* Court staff will also notify probation Monday through Friday at 631-853-5487 and Saturday, Sunday and Holidays at 631-487-9698.

* The defense counsel will call the Sheriff's Juvenile Holding area at 631-853-5267 to schedule a conference call with the client. The Sheriff's staff will obtain a contact number from the attorney and have the client call counsel back at the number provided.

* Once the court is ready to begin the proceeding, the Court will contact the Sheriff Juvenile Holding Area to have the AO/JO escorted to the designated video hearing area.

* Parents will be permitted to participate by appearing in County Court Part D31 Monday through Friday or D11 Saturday, Sunday or Holidays.

* Monday through Friday, all participants should join the meeting at:

D31 Link:

<https://meet.lync.com/nycourts/suffcirollb/OF1QXL1H?sl=1> .

* Saturday, Sunday and Holidays, all participants should join the meeting at:

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

* Any court paperwork (TOP's, etc.) that require the AO/JO signature will be deemed signed by the court and brought down to the Sheriff Juvenile Holding Area for the AO/JO actual signature.

* Once the hearing is complete, the Court staff will deliver the appropriate paperwork to relevant parties, as needed.

* If the AO/JO is held, the Sheriff's Office Warrant Squad will respond to the Juvenile Holding Area to transport the AO/JO to the appropriate facility.

* If the AO/JO is released, the Arresting Officer will remain with the juvenile until the parent/guardian has arrived to transfer custody.

* Desk appearance tickets issued to the Adolescent Offender will continue to be made returnable within 20 days and adjourned administratively if necessary.

II. JUVENILE OFFENDER VIRTUAL APPEARANCE PROTOCOL YOUTH PART WEST FROM THE NASSAU COUNTY JUVENILE DETENTION CENTER:

* In the event a Juvenile Offender is housed at the Nassau County Juvenile Detention Center a virtual appearance may now be arranged by the court without the need to transport the Juvenile Offender to Suffolk County.

III. ADOLESCENT/JUVENILE OFFENDER ARRESTS- YOUTH PART EAST:

*Monday through Friday, all Adolescent Offender cases will be handled remotely from the by Judge Senft in the virtual courtroom in Riverhead. .

*Saturday, Sunday and Holidays, When the Youth Part is closed, all Adolescent and Juvenile Offender cases will be handled remotely by the Accessible Magistrate assigned to D11.

* Court staff will also notify probation Monday through Friday at 631-853-5487 and Saturday, Sunday and Holidays at 631-487-9698.

*All Youth Part East Adolescent and Juvenile Offenders will be arraigned from the respective police departments.

** The defense counsel will call the appropriate Police Department at the number provided below to schedule a conference call with the client. The Sheriff's staff will obtain a contact number from the attorney and have the client call counsel back at the number provided.

- Riverhead Town PD- 631-727-4709
- South Hampton Town PD- 631-728-3514
- South Hampton Village PD - 631-283-0529
- Southold Town PD- 631-765-2730
- East Hampton Town PD- 631-537-2454
- East Hampton Village PD - 631-907-8150
- Shelter Island Town PD- 631-749-0696
- Quogue Village PD- 631-653-4791
- Sag Harbor Village PD- 631-283-0529
- Westhampton Beach Village PD- 631702-1520

*Once the court is ready to begin the proceeding, the Court will contact the appropriate PD to have the AO/JO escorted to the designated video hearing area.

* Parents will be permitted to participate by either appearing in Judge Cohen's courtroom, County Court Part 18, Monday through Friday or D11 Saturday, Sunday or Holidays or telephonically by calling in to the numbers provided by the PDs above.

* Monday through Friday, all participants should join the meeting at:

WITHOUT the lobby:

<https://meet.lync.com/nycourts/sufsuprctrm4162/FD287NKW>

WITH the lobby:

<https://meet.lync.com/nycourts/sufsuprctrm4162/QH08CMTD>

* Saturday, Sunday and Holidays, all participants should join the meeting at:

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

* Any court paperwork (TOP's, etc.) that require the AO/JO signature will be deemed signed by the court and faxed to the appropriate PD for delivery to the AO/JO.

* Once the hearing is complete, the Court will deliver the appropriate paperwork to relevant parties, as needed.

* If the AO/JO is held, the Sheriff's Office Warrant Squad will respond to the Police Department to transport the AO/JO to the appropriate facility.

* If the AO/JO is released, the Arresting Officer will remain with the juvenile until the parent/guardian has arrived to transfer custody.

* Desk appearance tickets issued to the Adolescent Offender will continue to be made returnable within 20 days.

IV. **JUVENILE OFFENDER VIRTUAL APPEARANCE PROTOCOL YOUTH PART EAST FROM THE NASSAU COUNTY JUVENILE DETENTION CENTER:**

* In the event a Juvenile Offender is housed at the Nassau County Juvenile Detention Center, a virtual appearance may be arranged by the court without the need to transport the Juvenile Offender to Suffolk County.

V. **JUVENILE DELINQUENT ARRAIGNMENTS :**

*All in-custody JDs will be transported to the Juvenile Holding Area in District Court by the arresting officer seven days a week.

* Court staff will notify the Family Court Judge on call, the ADA and counsel of the arrest.

* Counsel will call the Sheriff's Juvenile Holding area at 631-853-5267 to schedule a conference call with the juvenile. The Sheriff's staff will obtain a contact number from the attorney and have the client call counsel back at the number provided.

* Once the court is ready to begin the proceeding, the Court will contact the Sheriff Juvenile Holding Area at 631-853-5267 to have the JD escorted to the designated video hearing area.

* Monday through Friday, all participants in the hearing should join the meeting at:

Part 8: <https://meet.lync.com/nycourts/suffcpt8/TSP1M97V>

* Saturday, Sunday and Holidays, all participants in the hearing should join the meeting at:

D11: <https://meet.lync.com/nycourts/suff-ci-d11/8ZUQ856C>

* Any court paperwork (TOP's, etc.) that requires a signature by the JD will be deemed signed by the judge on the record and delivered to the JD in the Sheriff Juvenile Holding Area.

* Once the hearing is complete, the Court will deliver the appropriate paperwork to relevant parties, as needed.

* If the JD is held, the Probation Department will respond to the Sheriff Juvenile Holding Area to transport the JD to the appropriate facility.

* If the JD is released, the Sheriff or police personnel will remain with the JD until the parent/guardian has arrived to transfer custody.

VI. JUVENILE DELINQUENT OUT OF CUSTODY REMANDS:

* In the event an out of custody JD is remanded. The Court Officers will take temporary custody of the JD and utilize the holding cell in Family Court, while probation arranges a placement.

VII. JUVENILE DELINQUENT VIRTUAL APPEARANCE PROTOCOL FROM THE NASSAU COUNTY JUVENILE DETENTION CENTER

* In the event a Juvenile Delinquent is housed at the Nassau County Juvenile Detention Center, a virtual appearance may be arranged by the court without the need to transport the Juvenile Delinquent to Suffolk County.

For your convenience, I have included all the Suffolk County Virtual Courtroom links relative to this memo. Should you have any questions or concerns regarding the protocol, please do not hesitate to call.

Suffolk County Virtual Courtroom Links:

D11- <https://meet.lync.com/nycourts/suff-ci-d11/8ZUQ856C>

D31 - <https://meet.lync.com/nycourts/suffcirollb/OF1QXL1H?sl=1>

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

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

County Court East Riverhead-

WITHOUT the lobby:

<https://meet.lync.com/nycourts/sufsuprctrm4162/FD287NKW>

WITH the lobby:

<https://meet.lync.com/nycourts/sufsuprctrm4162/QH08CMTD>

Family Court-

Part 8: <https://meet.lync.com/nycourts/suffcpt8/TSP1M97V>

**cc: Hon. Mark Cohen; Hon. James Quinn;
Hon. Andrew Crecca; Hon. Anthony Senft;
Michael Papparatto; Mike Williams; Frank Tropea;
Kenneth Sasso; Len Badia**