

COUNTY CLERK'S NOTICE

NO. 3.1/2020

To: General Notice to the Bar & Public

Subject: Richmond County Clerk Operations During COVID-19 Control Period

Dated: March 23, 2020

In accordance with the provisions referenced in the Governor's Executive Order dated March 20, 2020 (EO No. 202.8) and the Administrative Order of the Chief Administrative Judge of the Courts dated March 22, 2020 (AO/78/20) this Directive Amends previous Directives of the Richmond County Clerk concerning the Office of the Richmond County Clerk Operations in response to the COVID-19 Coronavirus. Both the Executive Order and the Administrative Order are attached herewith.

Effective Immediately:

I. The Division of Jurors remains closed until further notice.

All Grand Jurors please check the County information website regularly to see if you are required to appear or call the number on your summons. For website access go to nyjuror.gov and click on the page for Richmond County.

All other Jurors are suspended until further notice. If you have received a summons, please do not appear at the courthouse. You will hear from us in the future with another date for service.


II. The Division of Supreme Court Operations and the Division of Business and Clerk Services are closed to the public until further notice, **except for those essential proceedings listed in the attached Administrative Order of the Chief Administrative Judge of the Courts (AO/78/20) dated March 22, 2020.**

All other County Clerk (non-court functions) and Business Service matters should be submitted to the Office by Mail until further notice.

III. The Division of the County Register is closed to the public until further notice.

All Real Property instruments for filing or recording should be submitted to the Office by mail.

This Directive Remains in Effect Until Rescinded or Amended Further



Hon. Stephen J. Fiala
EO No. 3.1/2020



No. 202.8

EXECUTIVE ORDER

Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency

WHEREAS, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, in order to facilitate the most timely and effective response to the COVID-19 emergency disaster, it is critical for New York State to be able to act quickly to gather, coordinate, and deploy goods, services, professionals, and volunteers of all kinds; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 19, 2020 the following:

- In accordance with the directive of the Chief Judge of the State to limit court operations to essential matters during the pendency of the COVID-19 health crisis, any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate's court procedure act, and the uniform court acts, or by any other statute, local law, ordinance, order, rule, or regulation, or part thereof, is hereby tolled from the date of this executive order until April 19, 2020;
- Subdivision 1 of Section 503 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a driver's license, in order to extend for the duration of this executive order the validity of driver's licenses that expire on or after March 1, 2020;
- Subdivision 1 of Section 491 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a non-driver identification card, in order to extend for the duration of this executive order the validity of non-driver identification cards that expire on or after March 1, 2020;
- Sections 401, 410, 2222, 2251, 2261, and 2282(4) of the Vehicle and Traffic law, to the extent that it provides for a period of validity and expiration of a registration certificate or number plate for a motor vehicle or trailer, a motorcycle, a snowmobile, a vessel, a limited use vehicle, and an all-terrain vehicle, respectively, in order to extend for the duration of this executive order the validity of such registration certificate or number plate that expires on or after March 1, 2020;
- Section 420-a of the vehicle and traffic law to the extent that it provides an expiration for temporary registration documents issued by auto dealers to extend the validity of such during the duration of this executive order.
- Subsection (a) of Section 602 and subsections (a) and (b) of Section 605 of the Business Corporation Law, to the extent they require meetings of shareholders to be noticed and held at a physical location.

NOW, THEREFORE, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 19, 2020:

- The provisions of Executive Order 202.6 are hereby modified to read as follows: Effective on March 22 at 8 p.m.: All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function. Any business violating the above order shall be subject to enforcement as if this were a violation of an order pursuant to section 12 of the Public Health Law.
- There shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days.
- Effective at 8 p.m. March 20, any appointment that is in-person at any state or county department of motor vehicles is cancelled; and until further notice, only on-line transactions will be permitted.
- The authority of the Commissioner of Taxation and Finance to abate late filing and payment penalties pursuant to section 1145 of the Tax Law is hereby expanded to also authorize abatement of interest, for a period of 60 days for a taxpayers who are required to file returns and remit sales and use taxes by March 20, 2020, for the sales tax quarterly period that ended February 29, 2020.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
twentieth day of March in the year
two thousand twenty.

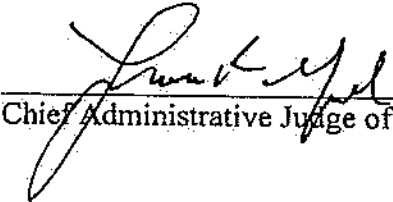
BY THE GOVERNOR

Mr. C
Secretary to the Governor

Adrian

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, in light of the emergency circumstances caused by the continuing COVID-19 outbreak in New York State and the nation, and consistent with the Governor of New York's recent executive order suspending statutes of limitation in legal matters, I direct that, effective immediately and until further order, no papers shall be accepted for filing by a county clerk or a court in any matter of a type not included on the list of essential matters attached as Exh. A. This directive applies to both paper and electronic filings.



Chief Administrative Judge of the Courts

Dated: March 22, 2020

AO/78/20

Exhibit A

Essential Proceedings
Administrative Order AO/78/20
March 22, 2020

- A. Criminal matters
 - 1. arraignments
 - 2. bail applications, reviews and writs
 - 3. temporary orders of protection
 - 4. resentencing of retained and incarcerated defendants
 - 5. essential sex offender registration act (SORA) matters
- B. Family Court
 - 1. child protection intake cases involving removal applications
 - 2. newly filed juvenile delinquency intake cases involving remand placement applications, or modification thereof
 - 3. emergency family offense petitions/temporary orders of protection
 - 4. orders to show cause
 - 5. stipulations on submission
- C. Supreme Court
 - 1. Mental Hygiene Law (MHL) applications and hearings addressing patient retention or release
 - 2. MHL hearings addressing the involuntary administration of medication and other medical care
 - 3. newly filed MHL applications for an assisted outpatient treatment (AOT) plan
 - 4. emergency applications in guardianship matters
 - 5. temporary orders of protection (including but not limited to matters involving domestic violence)
 - 6. emergency applications related to the coronavirus
 - 7. emergency Election Law applications
 - 8. extreme risk protection orders (ERPO)
- D. Civil/Housing matters
 - 1. applications addressing landlord lockouts (including reductions in essential services)
 - 2. applications addressing serious code violations
 - 3. applications addressing serious repair orders
 - 4. applications for post-eviction relief
- E. All Courts
 - 1. any other matter that the court deems essential

This list of essential proceedings is subject to ongoing review and amendment as necessary.

COUNTY CLERK'S NOTICE

COVID-19 WEEK #3 UPDATE

No. 3.2/2020

As of April 1, 2020 the Office of the Richmond County Clerk remains closed to the General Public, **EXCEPT** for:


- As relates to the **Office of the Clerk of the Supreme Court**, only those **essential court proceedings** listed in the Administrative Order of the Chief Administrative Judge dated March 22, 2020(AO/78/20). Please note by further Order, the Chief Administrative Judge of the Courts has authorized the consensual/voluntary use of electronic means for filing of those essential court proceedings referenced in AO/81A/20 dated March 26, 2020. Both Orders attached herewith.

All **County Register** matters(Deeds, Mortgages,etc.) should be submitted to the Office by US Postal Service mail, UPS, or FedEx until further notice. No in-person submissions will be accepted. These will continue to be processed in the order received.

All other **County Clerk and Business Service** matters should be submitted to the Office by Mail until further notice. Entry of these transactions has been suspended effective March 20th in accordance with the Executive Order issued by the Governor dated the same(EO No.202.8). Submissions will be logged in sequential order of receipt and will not be processed until EO No.202.8(attached) expires or is further amended. Thereafter all transactions will be processed in sequential order by date received.

Due to the high volume of phone calls please contact the Office by email at orccquestions@nycourts.gov. Please note the Office cannot offer legal advice, assistance or opinion on matters submitted to the Office in accordance with **Judiciary Law Section 484**.

Please be safe and thank you for your understanding and cooperation

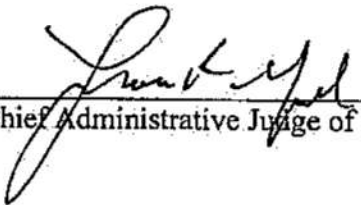


Hon. Stephen J. Fiala
CO No.3.2/2020

April 1, 2020

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to a delegation of authority vested in me, with the approval of the Administrative Board of the Courts, and following consultation and agreement with the respective County Clerks outside of the City of New York, I hereby confirm and extend programs for the consensual/voluntary use of electronic means for the filing and service of documents ("e filing") in Supreme Court as set forth in 22 NYCRR §202.5-b, for such matters set forth in Exh. A (and any other matters hereinafter deemed by the Chief Administrative Judge to be essential proceedings during the coronavirus public health emergency) that lie within the civil jurisdiction of the Supreme Court, in the counties set forth in Exh. B, effective immediately.



Chief Administrative Judge of the Courts

Dated: March 26, 2020

AO/81A/20

EXHIBIT A

Essential Proceedings
Administrative Order AO/78/20
March 22, 2020

- A. Criminal matters
 - 1. arraignments
 - 2. bail applications, reviews and writs
 - 3. temporary orders of protection
 - 4. resentencing of retained and incarcerated defendants
 - 5. essential sex offender registration act (SORA) matters
- B. Family Court
 - 1. child protection intake cases involving removal applications
 - 2. newly filed juvenile delinquency intake cases involving remand placement applications, or modification thereof
 - 3. emergency family offense petitions/temporary orders of protection
 - 4. orders to show cause
 - 5. stipulations on submission
- C. Supreme Court
 - 1. Mental Hygiene Law (MHL) applications and hearings addressing patient retention or release
 - 2. MHL hearings addressing the involuntary administration of medication and other medical care
 - 3. newly filed MHL applications for an assisted outpatient treatment (AOT) plan
 - 4. emergency applications in guardianship matters
 - 5. temporary orders of protection (including but not limited to matters involving domestic violence)
 - 6. emergency applications related to the coronavirus
 - 7. emergency Election Law applications
 - 8. extreme risk protection orders (ERPO)
- D. Civil/Housing matters
 - 1. applications addressing landlord lockouts (including reductions in essential services)
 - 2. applications addressing serious code violations
 - 3. applications addressing serious repair orders
 - 4. applications for post-eviction relief
- E. All Courts
 - 1. any other matter that the court deems essential

This list of essential proceedings is subject to ongoing review and amendment as necessary.

EXHIBIT B

**Counties Permitting E-filing of Essential Matters
in Supreme Court**
(AO/81A/20 – Exh. B)

Albany
Broome
Cattaraugus
Cayuga
Chautauqua
Chemung
Chenango
Clinton
Columbia
Cortland
Delaware
Dutchess
Erie
Essex
Franklin
Genesee
Jefferson
Lewis
Livingston
Madison
Monroe
Nassau
Niagara
Oneida
Onondaga
Ontario
Orange
Oswego
Otsego

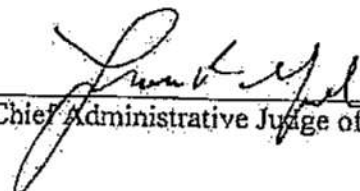
Putnam
Rensselaer
Rockland
St. Lawrence
Saratoga
Schuyler
Seneca
Steuben
Suffolk
Sullivan
Tioga
Tompkins
Ulster
Warren
Washington
Wayne
Westchester
Yates

Bronx
Kings
New York*
Queens
Richmond County

*excepting election matters

ADMINISTRATIVE ORDER OF THE
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, in light of the emergency circumstances caused by the continuing COVID-19 outbreak in New York State and the nation, and consistent with the Governor of New York's recent executive order suspending statutes of limitation in legal matters, I direct that, effective immediately and until further order, no papers shall be accepted for filing by a county clerk or a court in any matter of a type not included on the list of essential matters attached as Exh. A. This directive applies to both paper and electronic filings.



Chief Administrative Judge of the Courts.

Dated: March 22, 2020

AO/78/20

Exhibit A

Essential Proceedings
Administrative Order AO/78/20
March 22, 2020

- A. Criminal matters.
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This list of essential proceedings is subject to ongoing review and amendment as necessary.



State of New York

Executive Chamber

No. 202:8

EXECUTIVE ORDER

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WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

WHEREAS, in order to facilitate the most timely and effective response to the COVID-19 emergency disaster, it is critical for New York State to be able to act quickly to gather, coordinate, and deploy goods, services, professionals, and volunteers of all kinds; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 19, 2020 the following:

- In accordance with the directive of the Chief Judge of the State to limit court operations to essential matters during the pendency of the COVID-19 health crisis, any specific time limit for the commencement, filing, or service of any legal action, notice, motion, or other process or proceeding, as prescribed by the procedural laws of the state, including but not limited to the criminal procedure law, the family court act, the civil practice law and rules, the court of claims act, the surrogate's court procedure act, and the uniform court acts, or by any other statute, local law, ordinance, order, rule, or regulation, or part thereof, is hereby tolled from the date of this executive order until April 19, 2020;
- Subdivision 1 of Section 503 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a driver's license, in order to extend for the duration of this executive order the validity of driver's licenses that expire on or after March 1, 2020;
- Subdivision 1 of Section 491 of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a non-driver identification card, in order to extend for the duration of this executive order the validity of non-driver identification cards that expire on or after March 1, 2020;
- Sections 401, 410, 2222, 2251, 2261, and 2282(4) of the Vehicle and Traffic Law, to the extent that it provides for a period of validity and expiration of a registration certificate or number plate for a motor vehicle or trailer, a motorcycle, a snowmobile, a vessel, a limited use vehicle, and an all-terrain vehicle, respectively, in order to extend for the duration of this executive order the validity of such registration certificate or number plate that expires on or after March 1, 2020;
- Section 420-a of the vehicle and traffic law to the extent that it provides an expiration for temporary registration documents issued by auto dealers to extend the validity of such during the duration of this executive order;
- Subsection (a) of Section 602 and subsections (a) and (b) of Section 605 of the Business Corporation Law, to the extent they require meetings of shareholders to be noticed and held at a physical location.

NOW, THEREFORE, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of Executive Order through April 19, 2020:

- The provisions of Executive Order 202.6 are hereby modified to read as follows: Effective on March 22 at 8 p.m.: All businesses and not-for-profit entities in the state shall utilize, to the maximum extent possible, any telecommuting or work from home procedures that they can safely utilize. Each employer shall reduce the in-person workforce at any work locations by 100% no later than March 22 at 8 p.m. Any essential business or entity providing essential services or functions shall not be subject to the in-person restrictions. An entity providing essential services or functions whether to an essential business or a non-essential business shall not be subjected to the in-person work restriction, but may operate at the level necessary to provide such service or function. Any business violating the above order shall be subject to enforcement as if this were a violation of an order pursuant to section 12 of the Public Health Law.
- There shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days.
- Effective at 8 p.m. March 26, any appointment that is in-person at any state or county department of motor vehicles is cancelled, and until further notice, only on-line transactions will be permitted.
- The authority of the Commissioner of Taxation and Finance to abate late filing and payment penalties pursuant to section 1145 of the Tax Law is hereby expanded to also authorize abatement of interest, for a period of 60 days for a taxpayers who are required to file returns and remit sales and use taxes by March 20, 2020, for the sales tax quarterly period that ended February 29, 2020.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
twentieth day of March in the year
two thousand twenty.

BY THE GOVERNOR

Mr. C
Secretary to the Governor

[Signature]

County Clerk's Notice


COVID-19 Phase Three Update

No. 3.3/2020

Effective Thursday, July 9, 2020 the Office of the Richmond County Clerk (ORCC) will transition to **Phase Three Operations** under the COVID-19 Control Period. Outlined herein you will find the Operational impacts and guidelines relating to the various business units of the ORCC.

- The **Office of the Clerk of the Supreme Court**, and the Division of Supreme Court Operations (DSCO) continues to operate in accordance with the dictates of the Administrative Orders (AO's) of the Chief Administrative Judge. All court related matters and filings should be handled in accordance with the directives outlined in the standing AO's.
 - The ORCC Payment Center located at 26 Central Avenue will resume operations.
- The **Office of the Richmond County Register** (Real Property Matters) and the Division of the County Register (DCR) will continue to operate under a Mail-In Only system. All documents should continue to be submitted to the Office by Postal Service mail, UPS or FedEx until further notice. No in-person submissions will be accepted. The DCR continues to remain closed to on-site customer traffic. All submissions will continue to be processed in the order of date received and as staffing resources permit.
 - Original documents will not be returned until such time as the ORCC resumes outgoing mail operations of recorded documents. This activity is estimated to commence in August, subject to change.
 - Please note, however, that all Real Property documents recorded with the ORCC are available for public review on the web at www.richmondcountyclerk.com
- The **Office of the Clerk of the County** and its Division of Business and Clerk Services (DBCS) continues unchanged. All submissions must be submitted by Mail Only until further notice. All documents shall continue to be processed in sequential order by date received. As of the date of this Notice all DBCS work is current and there is no backlog.
 - Please note, the ORCC **Passports Unit** remains suspended until further notice.
 - Likewise, the ORCC **Conservation Licenses Unit** (Hunting, Fishing, Sports, etc.) remains closed.
- The **Office of the Commissioner of Jurors** and its Division of Jurors will resume limited operations. All Grand Jurors summoned should follow the instructions on their summons. You may also visit nyjuror.gov and Click Richmond County for further information.
- Due to the high volume of phone calls, please **contact the Office by email** at orccquestions@nycourts.gov. Please note the Office cannot provide legal advice, assistance or opinion in accordance with Judiciary Law Section 484.

Please stay safe and thank you for your cooperation.



Hon. Stephen J. Fiala
CO. No. 3.3/2020

July 8, 2020