

# Appellate Division of the Supreme Court First Judicial Department

## AD1 2.0 – First Department Expands Operations as a Virtual Court

In light of the continuing public health emergency in New York State and the obligations of the courts to respect the Governor's New York State on PAUSE Executive Order, the Appellate Division, First Department, is transitioning to a virtual court until further notice.

With our transition to a virtual court model nearly complete, the First Department is expanding the operations of the Court and its ancillary agencies. The Court will resume (1) calendaring appeals and motions, (2) scheduling pre-argument conferences, (3) admitting attorneys to the bar, and (4) processing of attorney grievance complaints.

### **Appeals**

The Court has issued an order setting forth two special terms: The May Special Term, which will commence on May 4, 2020, and end on May 29, 2020, and the June Special Term, which will commence on June 1, 2020, and end on June 26, 2020.

We are in the process of preparing calendars for the May Special Term. Matters will be calendared for each Wednesday and Thursday, commencing on May 6, 2020. The calendars will be published on the Court's [Calendars webpage](#).

ALL CALENDARED MATTERS SHALL BE HEARD ON SUBMISSION or ORALLY ARGUED VIA SKYPE. The remote oral arguments will be livestreamed on the Court's website. There will be no adjournments.

Inasmuch as the filing deadlines for the responding and reply briefs for the original June 2020 term have been extended by the [Governor's extension order](#), the responding briefs are now due no later than May 8, 2020, and the reply briefs no later than May 18, 2020.

By [order](#) of this Court, the perfection, filing, and other deadlines for the remaining terms of the Court continue to be suspended indefinitely and until further directive of the Court. **However, litigants may consensually perfect appeals and file motions.**

### **Hard Copy Filing**

The requirement that hard copy records, appendices, and briefs be filed continues to be suspended until further notice. Hard copy filings will not be permitted for the safety of our employees and the public.

### **Electronic Filing**

Matters Subject to Mandatory E-filing. All filings (appeals, motions and applications) relating to matters subject to mandatory e-filing must still be filed via NYSCEF in accordance with the procedural and electronic rules of the Court.

## Matters Not Subject to Mandatory E-filing

*Interim Applications.* In matters not subject to mandatory e-filing, submissions for emergency applications shall be filed via email to [AD1InterimApp@nycourts.gov](mailto:AD1InterimApp@nycourts.gov) with notice, via email, to opposing counsel or self-represented litigant. The submission shall be one bookmarked PDF. Counsel will be notified by email or telephone as to the time and manner by which the application will be heard.

*Motions.* In matters not subject to mandatory e-filing, motions shall be filed via email to [AD1-clerks-office@nycourts.gov](mailto:AD1-clerks-office@nycourts.gov) with notice, via email, to opposing counsel or self-represented litigant. The submission shall be one bookmarked PDF.

*CPL 245.70 Applications.* CPL 245.70 applications shall be filed via email to [AD1CPL245.70App@nycourts.gov](mailto:AD1CPL245.70App@nycourts.gov). The submission shall be one bookmarked PDF. Counsel will be notified by email or telephone as to the time and manner by which the application will be heard.

*Appeals Not Subject to Mandatory E-filing.* All filings made in connection with appeals that are not subject to mandatory e-filing shall be made electronically as follows:

CIVIL: email to [AD1copy-civil@nycourts.gov](mailto:AD1copy-civil@nycourts.gov) and [AD-1-clerks-office@nycourts.gov](mailto:AD-1-clerks-office@nycourts.gov);

CRIMINAL: email to [AD1copy-criminal@nycourts.gov](mailto:AD1copy-criminal@nycourts.gov) and [AD-1-clerks-office@nycourts.gov](mailto:AD-1-clerks-office@nycourts.gov);

FAMILY: email to [AD1copy-family@nycourts.gov](mailto:AD1copy-family@nycourts.gov) and [AD-1-clerks-office@nycourts.gov](mailto:AD-1-clerks-office@nycourts.gov).

## **Admission of Attorneys to the Bar**

As delineated in the [statement](#) of the Presiding Justices, the Court's Committee on Character and Fitness is actively processing attorney admission applications. Candidates for admission will be interviewed remotely and the admission ceremonies will be held remotely via Skype. The Court will also resume the issuance of certificates of good standing. Additional information will be posted on the Committee on [Character & Fitness webpage](#).

## **Attorney Grievance Complaints**

Grievance complaints will be accepted electronically and processed remotely. Additional information will be posted on the [Attorney Grievance Committee webpage](#).