



NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE

TAMIKO A. AMAKER
DEPUTY CHIEF ADMINISTRATIVE JUDGE
FOR MANAGEMENT SUPPORT



NANCY J. BARRY, ESQ.
CHIEF OF OPERATIONS

JUSTIN A. BARRY, ESQ.
CHIEF OF ADMINISTRATION

MEMORANDUM

June 15, 2022

To: All UCS Judges and Non-Judicial Staff

From: Nancy J. Barry 
Justin Barry 

Re: Modifications to COVID-19 Protocols

Giving consideration to the lifting of New York State's indoor mask mandate and other modifications to COVID-19 mitigation guidance, the continuing decline in COVID-19 cases, and the high rate of vaccination for New York State residents, the Unified Court System will make the following changes to its COVID-19 protocols, effective June 16, 2022.

Masks

Returning to the procedure first promulgated in July 2021, the UCS will reimplement, in large part, the full Revised Mask Policy Program. The new policy is outlined below.

Orange Cards for Judges and UCS Employees

Judges and UCS employees displaying a valid, unexpired "orange card" on the outermost portion of their clothing may once again enter and work in all areas of our court facilities without wearing a mask or face covering.

Judges and employees may enroll in, or submit proof of a booster or third dose to, the UCS Revised Mask Policy Program through the program's share point site - <https://nycourts.sharepoint.com/sites/COVID-19/CPV>.

Green Passes for Attorneys and Agency Staff

Attorneys or staff of public or private agencies who regularly conduct business inside a court facility may submit one of the following items and receive a green Attorney/Agency pass that will permit them to by-pass the daily health safety screening (subject to the direction below) and conduct their business in all areas of the courthouse without wearing a mask or face covering:

- proof of full vaccination (defined as two weeks after the second of two doses of Pfizer or Moderna or the single dose of Johnson & Johnson COVID-19 vaccine) **within the last year**; or
- proof of booster or additional dose(s) (subsequent to the initial full vaccination) **within the last year**.

To obtain this pass, attorneys and agency personnel must show a valid secure pass or valid office/agency identification card, along with proof of vaccination as defined above, in the name of the person matching the identification card to a court officer at the court facility entrance. Acceptable proofs of COVID-19 vaccination include:

- COVID-19 vaccination card;
- Photograph of a COVID-19 vaccination card contained on a mobile device; or
- COVID-19 Vaccination New York State Excelsior Pass Plus

Participating attorneys and agency personnel will be issued a green Attorney/Agency pass valid for six months from the date of issuance or one year from the date of their last vaccination or booster dose, **whichever is shorter**. The green pass must be displayed on the outermost portion of clothing at all times when inside a court facility.

The court officer issuing the green pass will advise the holder that they must follow all UCS COVID-19 protocols; they will not be screened by court officers but they must self-assess their health condition before entering a UCS facility and not enter if they would have answered “yes” to one or more of the COVID health safety screening questions listed on the courthouse entry signs; and must wear a well-fitting mask when returning from isolation or quarantine, per Centers for Disease Control and Prevention (CDC) guidelines outlined below.

White Passes for Jurors and Court Visitors

Jurors and other court visitors may submit one of the following items and receive a white Visitor lapel sticker pass that permits them to bypass the health safety screening and enter the court facility for a limited time without a mask or face covering:

- proof of full vaccination (defined as two weeks after the second of two doses of Pfizer or Moderna or the single dose of Johnson & Johnson COVID-19 vaccine) **within the last year**; or
- proof of booster or additional dose(s) (subsequent to the initial full vaccination) **within the last year**.

The juror or court visitor must possess a valid government identification card which matches the name on a proof of vaccination, as defined above. These items should be shown to the court officer upon entry into the court facility. Acceptable proofs of COVID-19 vaccination include:

- COVID-19 vaccination card;
- Photograph of a COVID-19 vaccination card contained on a mobile device; or
- COVID-19 Vaccination Excelsior Pass Plus

The white lapel sticker pass will be valid for one day (for jurors the white pass will be valid for the term of their jury service) and must be worn at all times on the outermost portion of clothing.

The court officer issuing the white pass will advise the holder that they must follow all UCS COVID-19 protocols; they will not be screened by court officers but they must self-assess their health condition before entering a UCS facility and not enter if they would have answered “yes” to one or more of the COVID health safety screening questions listed on the courthouse entry signs; and must wear a well-fitting mask when returning from isolation or quarantine, per CDC guidelines outlined below.

Courtroom Exceptions to Masking Requirement

All persons without a valid orange card or green/white pass must continue to wear masks in UCS facilities with the following exceptions for individuals inside of a courtroom at the discretion of the presiding judge:

- Judges, while actively speaking from the bench;
- Court personnel, while actively speaking on the record;
- Attorneys, while actively speaking on the record;
- Witnesses, while testifying; and
- Litigants, when actively speaking on the record and/or directed to do so by a judge; and
- Jurors, when directed to do so by a judge.

Persons Returning from Isolation or Quarantine

All persons leaving isolation or quarantine, regardless of vaccination status or card/pass eligibility, must wear a well-fitting mask for the period recommended by the CDC, i.e.,

persons who have tested positive, experienced symptoms, or had close contact with someone who had COVID-19 within the previous 10 days.

Voluntary Masking

Please keep in mind, that anyone may continue to wear a mask in a court facility, if they choose. Those individuals who have weakened or compromised immune systems, are at increased risk for severe disease because of age or medical condition or live in the same household as someone with those risk factors, may want to wear a mask in a UCS facility regardless of their eligibility for one of the cards/passes listed above.

Masks and Mandatory Weekly Testing for Unvaccinated Judges and Employees

Judges and employees who have been granted an exemption from the UCS vaccination mandate must continue to wear masks in both public and private areas of the courthouse, subject to the “*Courtroom Exceptions to Masking Requirement*” section above and must continue to submit proof of weekly COVID-19 tests.

Distancing

Three feet physical distancing is no longer required in any area or for any operation within a UCS facility.

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These protocols are subject to modification based on additional guidance from the CDC and New York State Department of Health and changes in COVID-19 metrics.

We continue to extend our appreciation to judges and staff for their cooperation and flexibility as we respond to these improving conditions.