

Appellate Division of the Supreme Court First Judicial Department

AD1 2.0 – First Department Expands Operations as a Virtual Court

Updated 4/21/20

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 2020 Special Term, which will commence on May 4, 2020, and end on May 29, 2020, and the June 2020 Special Term, which will commence on June 1, 2020, and end on June 26, 2020.

In the May 2020 Special Term, matters have been calendared for each Wednesday and Thursday, commencing on May 6, 2020. The calendar has been published on the Court's [Calendars webpage](#).

ALL CALENDARED MATTERS SHALL BE HEARD ON SUBMISSION or REMOTELY ARGUED VIA SKYPE. There will be no adjournments. If a party wants to argue remotely, a request for remote argument must be made, regardless of whether oral argument was previously requested.

Requests for remote argument via Skype on all matters scheduled for the May and June Special Terms shall be made in advance, no later than one week prior to the calendar date, by emailing the Court at AD1InterimApp@nycourts.gov, with an e-mailed copy to opposing counsel or self-represented litigant. A completed [notice of appearance](#) with the contact information for the attorney who will appear remotely shall be attached to the request. When making requests, please indicate the **time needed for oral argument, not the time desired**. Parties will be advised as to whether the Court has granted oral argument. The remote oral arguments will be livestreamed on the Court's website.

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 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 AD-1-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. 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 and AD-1-clerks-office@nycourts.gov;

CRIMINAL: email to AD1copy-criminal@nycourts.gov and AD-1-clerks-office@nycourts.gov;

FAMILY: email to AD1copy-family@nycourts.gov and 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](#).