




NEW YORK STATE
Unified Court System

OFFICE OF COURT ADMINISTRATION

LAWRENCE K. MARKS
CHIEF ADMINISTRATIVE JUDGE

NANCY J. BARRY, ESQ.
CHIEF OF OPERATIONS

MEMORANDUM

To: All UCS Judges and Personnel
From: Nancy J. Barry 
Date: June 14, 2021
Re: Revised Mask Policy Program

In keeping with Center for Disease Control and Prevention and New York State guidance relaxing mask and physical distancing requirements for individuals fully vaccinated against COVID-19, the Unified Court System will implement a voluntary Revised Mask Policy Program (“Program”) for fully vaccinated judges and non-judicial personnel in certain areas of our court facilities. The program will start the enrollment process today.

Eligibility

All fully vaccinated judges and non-judicial personnel are eligible to enroll in the Program. Individuals are considered fully vaccinated for COVID-19:

- Two weeks after their second dose of a two-dose series, such as the Pfizer or Moderna vaccines; or
- Two weeks after a single-dose vaccine, such as the Johnson and Johnson vaccine.

Enrollment

Enrollment in the Program is strictly voluntary. Declining to enroll or participate in the Program will have no impact on an individual’s assignment or any other employment decision.

Starting today, interested and eligible judges and non-judicial personnel may enroll from a computer connected to the UCS network using the Program's share point site (<https://nycourts.sharepoint.com/sites/COVID-19/CPV>), where they will be asked to enter the date of their last COVID-19 vaccine shot and upload an image of the front and back of their COVID-19 vaccination card or, in the alternative, a screenshot of a "COVID-19 Vaccination" Excelsior Pass from their smartphone.¹

The information submitted on the share point site will be strictly confidential; maintained separate and apart from personnel records; and used solely to authorize and issue a Program identification card. These records will be maintained and accessed only by authorized Office of Court Administration staff tasked with issuing the Program identification card, monitoring program compliance and maintaining the share point site.

Program Identification Card

Upon approval of the share point application, Department of Public Safety (DPS) staff will issue an orange Program identification card which will contain the UCS Seal, a picture of the judge or employee ("participant"), the participant's name and the Program expiration date for that participant (the last day of the month/year in which the efficacy of the vaccine is set to expire – currently one year).² No other information will be placed on the Program identification card.

DPS will send each participant's identification card to the appropriate District Executive, Chief Clerk (NYC Supreme Court), Borough Chief Clerk or Clerk of Court (NYC Citywide Courts) or Office of Court Administration Director with a signature sheet. The manager will distribute the card to the participant, obtain a signature from the participant and return the signature list to DPS.

This identification card will identify the wearer as someone who may remove their mask pursuant to the rules listed below and must be worn on the outermost garment of every participant, including all uniformed personnel, during work hours at any time when their mask has been removed.

Participants must receive, sign for and wear the identification card before they may participate in the Program.

Program

Once enrolled and wearing a Program identification card, participants will be permitted to enter and remain in non-public spaces in UCS courthouses and other facilities without wearing a mask

¹ The screenshot must show an Excelsior "COVID-19 Vaccination" pass with the judge or employee's name and vaccine expiration date. Screenshots of an Excelsior "COVID-19 Test" pass will not be accepted.

² The current picture on file for the judge's or employee's official UCS identification card will be used on the Program identification card, so there will be no need to take or submit another picture.

or other face covering when non-UCS court users are not present in those areas. These non-public spaces include:

- Back offices not accessible to court users³ (Back offices where employees interact with court users only at a window unit that has glass or plexiglass covering the entire length of the window, with only a paper slot and/or “speak-thru” talking hole, are considered “not accessible to court users”);
- Chambers;
- Robing rooms;
- Private hallways/corridors, i.e., those not normally accessible to court users;
- Private restrooms;
- Locker rooms;
- Conference rooms not accessible to court users; and
- Any other room not generally accessible to court users.

Participants will continue to be required to wear masks in public spaces in UCS courthouse and other facilities, including:

- Open courtrooms (when a courtroom is locked, e.g., before or after a session, and not accessible to court users, participants may remove their masks);
- Back offices regularly accessible to court users, including those back offices with a window unit without a full-length glass or plexiglass covering;
- Public hallways/corridors/lobbies;
- Holding areas; and
- Any room or location in which a court user is present.

In buildings shared by UCS judges and employees and other agencies, participants may remove their masks on floors or spaces normally frequented only by UCS staff. In shared locations of the building, such as a lobby, public bathroom or elevator, UCS staff must continue to wear a mask. If a court user comes into space normally frequented only by UCS staff, all UCS staff that come in contact with that court user must wear a mask for the duration the court user’s stay in that space.

Additional Information

Judges and non-judicial personnel choosing not to participate must continue to wear masks in UCS courthouses and other facilities in compliance with the May 29, 2020 Memorandum – *Additional Safety and Operational Protocols* and the March 30, 2021 Memorandum – *Coronavirus – Updated Safety and Operational Protocols*.

All non-UCS court users, regardless of vaccination status, will continue to be required to wear a mask while in a UCS courthouse or other facility

³ For the purpose of the Program, “court user” means any person other than a UCS judge or employee.

Participants must continue to follow all other safety and operational protocols.

The science and safety procedures surrounding the coronavirus continue to evolve, sometimes quite rapidly. As the Court System receives additional or modified guidance from the CDC and New York State, the rules of the Program may be modified.