

EMERGENCY INDIVIDUAL RULES AND PRACTICES IN LIGHT OF COVID-19

Richard M. Berman, United States District Judge

Chambers Email:

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Unless otherwise ordered by the Court, these Emergency Individual Rules and Practices apply to *all* matters before Judge Berman (whether criminal or civil and whether involving a *pro se* party or all counseled parties), and they are a supplement to Judge Berman’s standard Individual Rules and Practices. If there is a conflict between these Rules and Judge Berman’s standard Individual Rules and Practices, these Rules control.

1. No Paper Submissions Absent Undue Hardship

- A. No papers, including courtesy hard copies of any filing or document, may be submitted to Chambers. All documents must be filed on ECF or, if permitted or required under the Court’s Individual Rules and Practices, emailed to BermanNYSDChambers@nysd.uscourts.gov.
- B. In the event that a party or counsel is unable to submit a document electronically — either by ECF or email — the document may be mailed to the Court. To the maximum extent possible, however, this means of delivery should be avoided, as delivery of mail to the Court is likely to be delayed.

2. Conferences and Proceedings

- A. **In Civil Cases.** Unless otherwise ordered by the Court, all conferences and proceedings in civil cases will be held by telephone. The parties should call into the Court’s dedicated conference line at (877) 336-1829, and enter Access Code 626-5989, followed by the pound (#) key. Participants for each conference will also be issued a Security Code to enter, followed by the pound (#) key. Members of the public who wish to listen in may contact Chelsea Tabolt by email at Chelsea_Tabolt@nysd.uscourts.gov for the security code.
- B. **In Criminal Cases.** To the maximum extent possible, all conferences and proceedings will be held by either telephone or video. Any objections to proceeding by telephone or video shall be filed with the Court no later than one week prior to the scheduled conference and shall include relevant legal authorities.

3. Communications with Chambers

A. Telephone Calls. Telephone calls will not be answered. There may well be significant delays in responding to any voicemail messages. Thus, parties are encouraged to make **any** requests or inquiries to the Court through ECF or, if permitted or required under the Court's Individual Rules and Practices, by email. If leaving a voicemail, a caller should (1) briefly state the nature of the issue (including, if applicable, the case name and docket number); and (2) provide a call-back telephone number.

B. Urgent Matters. For urgent matters requiring immediate attention, parties should send an email to Chambers that (1) includes the word "URGENT" in the subject line; (2) specifies the case name and docket number; (3) briefly describes the nature of the issue; and (4) provides a telephone number at which the party (and any other callers) can be reached.

C. Faxes. Faxes are not permitted for any purposes. They will not be responded to.

D. Hand Deliveries. Nothing may be delivered to Chambers at this time.

E. In New Criminal Cases. Upon assignment of a new criminal case to Judge Berman, the Assistant United States Attorney (after conferring with defense counsel) must immediately email the Court to arrange for a prompt conference/arraignment.

4. Applications for Temporary Restraining Orders ("TROs").

Parties intending to file applications for TROs or other emergency relief must send all of their papers (in text-searchable PDF format) to the Court by email. The email should (1) include the word "URGENT" in the subject line; (2) provide a telephone number at which the party (and any other relevant litigants) can be reached; and (3) provide the party's availability for a telephone conference in the succeeding few days.