

COVID-19 and the NYS Litigation Frontier

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As we continue “to boldly go where no one has gone before,” the New York State Unified Court System announced yesterday that beginning Monday, April 13, its virtual courts will begin handling more than just essential and emergency matters. Furthermore, in an effort to advance pending litigations and possibly facilitate

resolutions, State Court Judges have been asked to review their individual caseloads and determine which cases can be conferenced and when possible, schedule conferences at the request of attorneys during normal court hours to address discovery disputes and other case-related concerns. Further guidance from the Courts is expected within the next few days.

In an attempt to utilize this time wisely, pending the influx of litigation anticipated when non-essential cases can be filed, and to help alleviate the backlog of pending cases, Judges are being asked to decide fully submitted motions. At Becker, as we continue to navigate through these unprecedented times, our litigation department is available to assist and advise you on all legal matters including issues that may arise out of the Covid-19 pandemic. These issues may include the enforceability of commercial contracts and the potential impact of force majeure clauses, the drafting of commercial/residential rent deferral and/or forbearance agreements, and any other legal needs that may arise.