

April 8, 2020

**Re: COVID-19 Court Procedures for New York,**

Disclaimer: Below is an update of the court procedures currently in place due to the Coronavirus. The Courts are regularly amending these procedures. Please consult with London Fischer LLP regarding any specific case and/or questions you may have regarding these policies.

---

**❖ New York State Court Procedures**

- Governor's April 7, 2020 Executive Order Continuing Suspension and Modification of Laws

Relating to the Disaster Emergency:

- **Any specific time limit prescribed by the procedural laws of the state is hereby tolled from the previous executive order issued on March 7, 2020 until May 7, 2020;**
- For the purposes of Estates Powers and Trusts Law (EPTL) 3-2.1(a)(2), EPTL 3-2.1(a)(4), Public Health Law 2981(2)(a), Public Health Law 4201(3), Article 9 of the Real Property Law, General Obligations Law 5-1514(9)(b), and EPTL 7-1.17, the act of witnessing that is required under the aforementioned New York State laws is authorized to be performed utilizing audio-video technology provided that the following conditions are met:
  - The person requesting that their signature be witnessed, if not personally known to the witness(es), must present valid photo ID to the witness(es) during the video conference, not merely transmit it prior to or after;
  - The video conference must allow for direct interaction between the person and the witness(es), and the supervising attorney, if applicable (e.g. no pre-recorded videos of the person signing);

- The witnesses must receive a legible copy of the signature page(s), which may be transmitted via fax or electronic means, on the same date that the pages are signed by the person;
- The witness(es) may sign the transmitted copy of the signature page(s) and transmit the same back to the person; and
- The witness(es) may repeat the witnessing of the original signature page(s) as of the date of execution provided the witness(es) receive such original signature pages together with the electronically witnessed copies within thirty days after the date of execution.