



**NEW YORK STATE**  
**Unified Court System**

OFFICE OF COURT ADMINISTRATION

**LAWRENCE K. MARKS**  
CHIEF ADMINISTRATIVE JUDGE



**NANCY J. BARRY, ESQ.**  
CHIEF OF OPERATIONS

**JUSTIN A. BARRY, ESQ.**  
CHIEF OF ADMINISTRATION

**MEMORANDUM**

August 12, 2021

To: Administrative Judges

From: Nancy J. Barry   
Justin A. Barry 

Re: Updates to the Revised Mask Policy

---

As Hon. Lawrence Marks indicated today in his message to all judges and staff, the Centers for Disease Control and Prevention (CDC) recently revised its COVID-19 mask guidance in response to localized increases in coronavirus transmission. Under this new guidance, the CDC recommends that even fully vaccinated individuals wear a mask or face-covering indoors in public in areas of substantial or high transmission, based on a scale of low, moderate, substantial or high. As of today, the majority of New York State is currently listed as an area of substantial or high transmission.

In order to further our ongoing efforts to ensure the health and safety of all employees and court users and in keeping with our commitment to follow the most up to date guidance promulgated by public health authorities, effective Friday, August 13, 2021 and until further notice, the Unified Court System will temporarily suspend the green attorney/agency pass and white visitor pass program and require all court users, regardless of vaccination status, to wear a mask or face covering at all times while present in any of our court facilities. In addition, the orange card program for fully vaccinated judges and non-judicial staff will be modified to require that such card holders wear a mask or face covering in all public areas of the court or facility, as well as any areas and/or situations where physical distancing is not possible. Orange card holders will continue to be able to enter and remain in non-public areas of court facilities without wearing a mask/face covering, being mindful of physical distancing requirements.<sup>1</sup>

Uniformed staff will take steps to ensure any signage reflecting exemptions to mask requirements for fully vaccinated individuals is removed or otherwise not visible, as well as begin enforcing the suspension of the attorney/agency and visitor passes, i.e., masks/face coverings must be worn by court users at all times regardless of vaccination status.

---

<sup>1</sup> Please see Nancy J. Barry's "Revised Mask Policy Program," dated June 14, 2021, for guidance on what constitutes a non-public area of a court facility.

Judges and non-judicial staff with orange cards may continue to enter courts/facilities without having to undergo a temperature screening and continue to be exempt from the daily COVID Self-Assessment. All other court users, including green card holders, must have their temperature taken and undergo the COVID screening before entry. All judges, nonjudicial staff and court users are reminded that they should not report to work or enter any court or facility if they are a “Person at Risk” as set forth in the “Coronavirus – International Travel and Updated Safety and Operational Protocols” memorandum, dated May 5, 2021.

As always, thank you for your patience, assistance and cooperation in addressing this ongoing public emergency. We have seen a great deal of successes in dealing with this crisis in the past months. The upswing in variant cases has led to updated CDC guidance and this response, seemingly on the heels of our general loosening of masking requirements. We continue to follow the latest public health guidance for the health and safety of the public and our colleagues, families and friends.

Stay well and stay safe.

cc: Hon. George J. Silver  
Hon. Vito C. Caruso  
Hon. Edwina G. Mendelson  
Linda Dunlap-Miller  
Scott Murphy  
NYC Chief Clerks  
District Executives  
Chief Michael Magliano  
Chief Howard Metzдорff  
Lucian Chalfen  
Jennifer DiLallo  
Chief Sean Egan  
Chief Michael Senese