

EMERGENCY INDIVIDUAL RULES AND PRACTICES IN LIGHT OF COVID-19
Mary Kay Vyskocil, 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 Vyskocil (whether criminal or civil and whether involving a *pro se* party or all counseled parties), and they are a supplement to Judge Vyskocil’s standard Individual Rules and Practices. If there is a conflict between these Rules and Judge Vyskocil’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 VyskocilNYSDChambers@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. In some cases, the Court may direct one of the parties to set up a conference line. In all other cases, the parties should call into the Court’s dedicated conference line at (888) 278-0296, and enter Access Code 5195844, followed by the pound (#) key.
- B. In Criminal Cases.** To the maximum extent possible, all conferences and proceedings will be held by either telephone or video. No later than one week before a scheduled appearance, counsel must confer and submit a letter to the Court indicating their views on whether the Court can, consistent with the U.S. Constitution, Federal Rules of Criminal Procedure (*see, e.g.*, Rules 5(f), 10(b) & (c), and 43) and any other relevant law, conduct the matter by telephone or video and, if applicable, whether the Defendant either consents to appearing in that manner or to waiving his or her appearance altogether. Counsel should include the same information in any request for a conference or other proceeding.

3. Communications with Chambers

- A. Telephone Calls.** Telephone calls will not be answered but will go to voicemail; and there may 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 party 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 relevant parties) can be reached.

C. Faxes. Faxes are *not* permitted for any purposes.

D. Hand Deliveries. Nothing may be delivered to Chambers absent advance permission from the Court.

E. By *Pro Se* Parties. *Pro se* parties are encouraged to (1) consent to electronic service (via ECF or email); or (2) seek the Court’s permission to file documents through the ECF system or by email to the Court. Unless the Court grants permission to file documents electronically, all communications with the Court by a *pro se* party must be mailed to the Pro Se Intake Unit, Thurgood Marshall Courthouse, 40 Centre Street, Room 105, New York, New York 10007. Any questions should be directed to the Pro Se Intake Unit at (212) 805-0175.

F. In New Criminal Cases. Upon assignment of a new criminal case to Judge Vyskocil, the Assistant United States Attorney 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 parties) can be reached; and (3) provide the relevant parties’ availability for a telephone conference in the next few days. As noted above, parties should not hand-deliver any documents without advance permission.

5. Pro Se Clinic

The New York Legal Assistance Group’s Pro Se Clinic has suspended all in-person client meetings until further notice. Limited-scope legal assistance will continue to be provided, **but only by appointment and only over the telephone**. To schedule an appointment, call (212) 659-6190 and leave a message **specifying a call-back number**.