

**SPECIAL INDIVIDUAL RULES AND PRACTICES IN LIGHT OF COVID-19
UNITED STATES DISTRICT JUDGE VICTOR MARRERO
SOUTHERN DISTRICT OF NEW YORK**

Effective March 23, 2020

Chambers

Suite 1610
United States Courthouse
500 Pearl Street
New York, New York 10007
T: (212) 805-6474
F: (212) 805-6382

Courtroom

Courtroom 15B
United States Courthouse
500 Pearl Street
New York, New York 10007

I. Application

Unless otherwise ordered by the Court, these Special Individual Rules and Practices apply to all matters before Judge Marrero, whether criminal or civil and whether involving a *pro se* party or counseled parties. To the extent these Rules conflict with Judge Marrero's standard Individual Practices dated February 3, 2020, these Rules control. Otherwise, parties are directed to follow Judge Marrero's standard Individual Practices.

II. Submissions to the Court

- 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 emailed to ChambersNYSDMarrero@nysd.uscourts.gov.
- B. If 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 extent possible, this means of delivery should be avoided as delivery of mail to the Court is likely to be delayed.

III. Conferences and Proceedings

- A. **Civil Cases.** Unless otherwise ordered by the Court, all conferences and proceedings in civil cases will be held by telephone. The parties are directed to set up a conference line and provide the Court with dial-in and access information by email.
- B. **Criminal Cases.** To the maximum extent possible, all conferences and proceedings will be held by telephone. 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, the 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. If applicable, Counsel shall indicate

whether the Defendant consents to appearing by telephone or consents to waiving his or her appearance altogether. Counsel should include the same information in any request for a conference or other proceeding.

- C. **Teleconferences Generally.** At least twenty-four hours before a scheduled teleconference, the parties must jointly email to the Court a list of counsel—absent permission of the Court, no more than two per party—who may speak during the teleconference. The email should also provide the telephone numbers from which counsel expect to join the call. To facilitate orderly teleconferences and the creation of an accurate transcript where a teleconference is held on the record, counsel are required to identify themselves every time they speak.

IV. **Communicating with Chambers**

- A. **Telephone Calls.** Telephone calls to Chambers will not be answered but will go to voicemail. Because there may be delays in responding to voicemail messages, parties are encouraged to make requests to the Court via ECF or email. If leaving a voicemail, a party should state the nature of the issue including case name and docket number and provide a call-back number.
- B. **Urgent Matters.** For urgent matters requiring immediate attention, parties are directed to send an email to Chambers with “URGENT” in the subject line. Please include in the body of the email the case name and docket number, the nature of the issue, and a telephone number where the party (and any other relevant parties) can be reached.
- C. **Faxes.** Communicating with Chambers by fax is strongly discouraged as there may be delays in responding.
- D. **Hand Deliveries.** Nothing may be hand-delivered to Chambers without advance permission by the Court.
- E. **New Criminal Cases.** As described in Section V.A of Judge Marrero’s standard Individual Rules, the Court refers all arraignments, initial bail applications, and guilty pleas to the Magistrate Court in the first instance, unless there is good cause to proceed directly before the Court. After a case is assigned to the Court, the Assistant United States Attorney is directed to email the Court to arrange for an initial conference at which the Court will set a discovery and motion schedule. The parties are further directed to follow the procedure described in Section III.B above.

V. **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.