

NYC Court Stays Open Despite At Least 3 Coronavirus Cases: Judges

Varick Immigration Court in the Village still has staff reporting to work, even as another possible case popped up Wednesday, judges say.

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(Map Data ©2019 Google.)

GREENWICH VILLAGE, NY — At least three cases of the coronavirus connected to Varick Immigration Court in Greenwich Village have not been enough for officials to fully shut the building down, even as a fourth potential case popped up Wednesday, Patch has learned.

An immigration judge, a staff person and at least one attorney connected to the court have tested positive for COVID-19 since attorneys first let the Executive Office for Immigration Review, which oversees the court, know they were experiencing symptoms on March 15. At least two other attorneys have severe symptoms, according to the National Association of Immigration Judges.

But the court has stayed open — though only for detained hearings and filings — except for a brief closure on March 23, which shortly followed the judge's positive diagnosis.

The court was even listed as open Wednesday when judges with the NAIJ told Patch there might have been a fourth potential case on the fifth floor. Staff who have still been reporting to the building were moved to the 11th floor, but not told to leave, the judges said.

"Staff members are not our membership, but we care about the health and safety of everybody that interfaces with the court," said Judge Mimi Tsankov, the NAIJ vice president for the Eastern Region.

Is hydroxychloroquine, long used to treat malaria and lupus, a "silver bullet" for the new coronavirus? Should Americans wear masks?

By Beth Dalbey, Patch Staff



(To keep up with coronavirus news in the West Village, [subscribe to Patch to receive daily newsletters and breaking news alerts.](#))

The news about Varick comes as the NAIJ is pushing yet again for all U.S.

Immigration Courts to be fully closed as the nation deals with the coronavirus pandemic. Of the 69 immigration courts across the country, they found that 60 remain open for full or limited operations.

At Varick, hearings for people who are not currently detained have been suspended through May 1. But, the court is still open for filings and for hearings for people who are detained.

Tsankov said that at least some of the detained hearings have been happening remotely using judges from other courts across the country. But even then, the judges are asked to come into their local court.

"Judges in other locales are very concerned, they're asking 'Why am I being asked to go in?'" Tsankov said.

Exactly how many staff are still working from the Varick building is unclear, as is how many cases are remote, given that the judge's association is only going by anecdotal information.

The Executive Office for Immigration Review did not respond to Patch's request for details.

The most recent call for the immigration courts to close comes after immigration judges, prosecutors and defense attorneys asked for an emergency shutdown of the courts on March 15.

In addition to Varick, there have been positive coronavirus cases connected to the courts in Atlanta, Louisiana and Ulster, N.Y., where there were nine confirmed cases among correction officers who transport detainees.

"The federal government should be modeling best practices for containing the spread of this virus. The open Immigration Courts are an example of what not to do," Judge Ashley Tabaddor, NAIJ's president, said.

"...The U.S. Department of Justice is risking the lives of litigants and court

personnel and imperiling the public by facilitating the spread of a deadly disease. It's time to close the courts and move to a full telework model for the emergency cases – now."