NOTICE TO THE BAR

COVID-19 – FIFTH OMNIBUS ORDER ON COURT OPERATIONS AND LEGAL PRACTICE

The Supreme Court has issued its Fifth Omnibus Order on Court Operations and Legal Practice during the ongoing COVID-19 pandemic. A copy of the Order is attached.

This June 25, 2020 Fifth Omnibus Order follows the format of the earlier Omnibus Orders. It continues certain suspensions and extensions through July 12, 2020 and affirms that other provisions remain in full force and effect.

The Fifth Omnibus Order concludes the restrictions on the Office of Foreclosure as established in earlier Omnibus Orders, meaning that in addition to non-dispositive motions (e.g., motions to substitute plaintiff, motions to enter default, motions for surplus funds and motions to correct defendant), the Office of Foreclosure now may recommend judgments or dispositive motions received on or after March 1, 2020.

As the COVID-19 pandemic continues and based on developments in the coming weeks, the Court will revisit the provisions of the Fifth Omnibus Order and make adjustments as appropriate.

Questions about this notice or the Court's Fifth Omnibus Order may be directed to the Office of the Administrative Director of the Courts at (609) 376-3000.

Glenn A. Grant by S.D.B

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: June 25, 2020

SUPREME COURT OF NEW JERSEY

In response to the ongoing COVID-19 public health emergency, the Supreme Court has authorized various interim adjustments to court operations, including as set forth in the March 27, 2020 First Omnibus Order, April 24, 2020 Second Omnibus Order, May 28, 2020 Third Omnibus Order, and June 11, 2020 Fourth Omnibus Order.

Court operations are continuing in a virtual format to the greatest extent practicable, subject to constitutional considerations and resource limitations. To date, the New Jersey courts have conducted more than 43,000 court events involving more than 390,000 participants.

A public health emergency has been continued in New Jersey at least through July 5, 2020, and current health guidance suggests that in-person court operations will not resume in full for some time.

As part of the Judiciary's transition to Phase 2 of a Post-Pandemic Plan, all levels of the courts are beginning to conduct certain limited in-person proceedings and onsite operations as authorized by the Court.

The prior orders provided for certain limited extensions of deadlines and tolling of timeframes. This Fifth Omnibus Order further continues some earlier extensions through July 12, 2020, affirms that other provisions remain in full force and effect, and lists certain provisions that have concluded.

Accordingly, it is ORDERED that effective immediately:

1. The following provisions of the April 24, 2020 Second Omnibus Order as extended by the May 28, 2020 Third Omnibus Order and June 11, 2020 Fourth Omnibus Order are extended for the additional period from June 29 through July 12, 2020:

    - 1(a) – no new jury trials; however, ongoing jury trials suspended during COVID-19 may resume consistent with public health precautions with the consent of all parties
    - 2(a) – excludable time
    - 3(b) – discovery involving physical or mental examinations
    - 3(c) – time period for filing affidavits of merit
    - 3(l) – no Special Civil Part (DC) or small claims (SC) trial calendars; ongoing efforts to settle DC and SC matters; judges may conduct DC and SC trials in a virtual format with the consent of all parties
    - 3(m) – no courtesy copies if the total submission does not exceed 35 pages in civil matters and as provided in the May 15, 2020 order in matrimonial (FM) matters
    - 4(a) – expert reports in family
    - 7(c) – healthcare providers excused from depositions and appearances

2. The following provisions of the April 24, 2020 Second Omnibus Order (as affirmed by the May 28, 2020 Third Omnibus Order and June 11, 2020 Fourth Omnibus Order) remain in full force and effect:

- 2(b) – process for search warrants and communication data warrants
- 3(o) – guardianships of incapacitated adults
- 6 – Municipal Courts
- 7(a) – remote depositions
- 7(b) – remote proceedings in general
- 7(e) – electronic service on the State of New Jersey
- 8(a)(ii) and (b) – discipline and fee arbitration
- 9 – Board of Bar Examiners
- 10 – electronic signatures
- 11 – Appellate Division
- 12 – letter requests for extensions
- 13 – extensions based on individual facts of a case

3. Suspension of grand jury empanelment dates and sessions is extended as follows:

   a. In-person grand jury selections and sessions shall not be scheduled through at least July 12, 2020; and

b. Grand juries may convene remotely consistent with the Pilot Program for Virtual Grand Juries as authorized by the Court's Orders dated May 14, 2020, June 4, 2020, June 9, 2020, and June 25, 2020.

4. The following provisions of the Court's June 11, 2020 Fourth Omnibus Order remain in full force and effect:

   - 4 – landlord/tenant proceedings
   - 5 – Tax Court
   - 6 – computation of time

5. Effective immediately, the limitations on the Office of Foreclosure provided by the previous Omnibus Orders are concluded.

6. This order is intended to be implemented in tandem with the Court's April 20, 2020 Order on the continuation of remote proceedings.

7. Depending on the duration of the COVID-19 pandemic and further developments in the weeks ahead, the Court may reconsider and revise the provisions of this order.

For the Court,

Chief Justice

Dated: June 25, 2020