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Administrative Office of the Courts

GLENN A. GRANT, J.A.D.
Acting Administrative Director of the Courts

Richard J. Hughes Justice Complex • P.O. Box 037 • Trenton, NJ 08625-0037 njcourts.gov • Tel: 609-376-3000 • Fax: 609-376-3002

Supplement to Directive #01-15

[Questions or comments may be directed to the Civil Practice Division at (609) 815-2900 x54900]

TO: **Assignment Judges**
Trial Court Administrators

FROM: **Glenn A. Grant, J.A.D.**

SUBJ: **COVID-19 Protocols for Special Civil Part Officers**

DATE: **July 13, 2020**

The New Jersey courts are continuing to establish interim protocols for court operations during the COVID-19 pandemic, including by prescribing health and safety precautions to minimize risks during necessary in-person interactions. Special Civil Part Officer responsibilities include various in-person functions, including serving summonses and complaints in landlord/tenant actions; serving and executing warrants for removal; and serving goods and chattel writ executions, wage executions, and other process. This Supplement to Directive #01-15 ("Special Civil Part Officers") provides standards for conducting those important duties during COVID-19.

Special Civil Part Officers routinely enter Judiciary facilities, which are subject to occupancy and conduct requirements established by the Supreme Court. In performing their duties, however, Special Civil Part Officers spend most of their time in other locations, including residential and commercial locations that currently are subject to restrictions on social interactions established by various Executive Orders.

Special Civil Part Officers are independent contractors appointed by order of the Assignment Judge. The conduct of Special Civil Part Officers, whether in court facilities or in public locations performing Judiciary functions, reflects on the Judiciary. In navigating the unprecedented circumstances of the COVID-19 pandemic, it thus is critical to provide clear direction to Special Civil Part Officers regarding compliance with governing orders and public health recommendations in all public settings.

To that end, this Supplement establishes several standards that are effective immediately and for the duration of the COVID-19 crisis as determined by the Judiciary:

1. Special Civil Part Officers, like all court users by order of the Supreme Court, must wear masks or cloth face coverings and maintain social distancing when in Judiciary facilities for Judiciary business (subject to exceptions, including for ADA accommodations);
2. Special Civil Part Officers also must wear masks or cloth face coverings and maintain social distancing when performing Judiciary duties in public settings, including private businesses (indoor and outdoor) and individual and group residences (not including the Special Civil Part Officer's home or personal office);
3. During Phase 2 of the Judiciary's Post-Pandemic Plan (while some court operations are conducted in person but Judiciary facilities are not otherwise generally open), Special Civil Part Officers must arrange in advance with the Civil Division Manager or Assistant Civil Division Manager before coming to a Judiciary location and, where possible, documents shall be transmitted electronically to Special Civil Part Officers;
4. Special Civil Part Officers who develop symptoms of or are diagnosed with COVID-19 after visiting a Judiciary facility or performing Judiciary duties (including all types of in-person service of process) must advise the Civil Division Manager or Assistant Civil Division Manager (who will inform the Trial Court Administrator) in the appointing vicinage as promptly as possible, so that the Judiciary can coordinate any necessary cleaning and facilitate contact tracing if required by a health department; and
5. All Special Civil Part Officers must acknowledge in writing their review of a training on COVID-19 protocols as approved by the Supreme Court and disseminated by the Administrative Office of the Courts.

This Supplement applies to Special Civil Part Officer duties during the COVID-19 crisis as determined by the Judiciary. It does not otherwise affect the principles or provisions of Directive #01-15 or other supplements to that directive. Rather, it fills in potential gaps that have been recognized during this unforeseeable transformation in court services during this continuing global pandemic.

Questions on this Supplement or on Directive #01-15 may be directed to the Civil Practice Division at (609) 815-2900 x54900.

cc: Chief Justice Stuart Rabner
Civil Presiding Judges
Supervising Special Civil Part Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Clerks of Court
Meryl Nadler, Counsel to the Administrative Director
Special Assistants to the Administrative Director
Civil Division Managers
Lloyd Garner, Chief, Special Civil Part
Assistant Civil Division Managers
Special Civil Part Officers