NOTICE TO THE BAR

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

The Supreme Court today issued its Third Omnibus Order on Court Operations and Legal Practice in response to the ongoing COVID-19 pandemic. A copy of the Order is attached.

This May 28, 2020 Third Omnibus Order addresses all provisions of the April 24, 2020 Second Omnibus Order (and the May 15, 2020 clarification order). It continues some of those provisions through June 14, 2020, affirms that other provisions remain in full force and effect, and lists those provisions that have concluded.

Among other key provisions, the Third Omnibus Order provides that new jury trials and in-person jury selections continue to be suspended, as are trials in landlord/tenant matters. The suspension of most depositions and appearances of healthcare professionals involved in responding to COVID-19 also is extended through June 14, 2020, and discovery involving experts and medical professionals likewise is extended. Interim operational adjustments required by the social distancing measures attendant to COVID-19 – including the modified process for search warrants and communication data warrants, the option of electronic service of process on the State of New Jersey, and the relaxation of electronic signature requirements – remain in full force and effect. Most other adjustments, including most discovery and tolling provisions, either concluded on May 10, 2020 or will conclude after May 31, 2020. While blanket suspensions, extensions, and tolling provisions have concluded or will conclude shortly, the May 28, 2020 Third Omnibus Order permits extensions based on the individual facts of a case and allows requests for such relief by letter rather than motion.

The New Jersey courts are continuing to expand the use of remote court operations through video and other means, thereby sustaining access to justice throughout this unprecedented extended emergency. As the COVID-19 pandemic continues, the Court will revisit the provisions of the Third Omnibus Order and make adjustments as appropriate.

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

Glenn A Grant by SDB

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

Dated: May 28, 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 and April 24, 2020 Second 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 30,000 court events involving more than 250,000 participants.

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

The April 24, 2020 Second Omnibus Order (as clarified by the May 15, 2020 Order) provided for certain limited extensions of deadlines and tolling of timeframes. This Third Omnibus Order continues some of those extensions and tolling provisions through June 14, 2020, affirms that other provisions remain in full force and effect, and lists those provisions that have concluded.

Accordingly, it is ORDERED that effective immediately:

1. The following provisions of the April 24, 2020 Second Omnibus Order (as clarified by the May 15, 2020 Order) are extended for the additional period from June 1 through June 14, 2020:

    - 1(a) – no new jury trials
    - 2(a) – excludable time
    - 3(b) – discovery involving physical or mental examinations
    - 3(c) – time period for filing affidavits of merit
    - 3(k) – no lockouts of residential tenants (evictions); no landlord/tenant (LT) trials; ongoing efforts to settle LT matters
    - 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 in civil matters, and as provided in the May 15, 2020 order in matrimonial (FM) matters, if the total submission does not exceed 35 pages
    - 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 clarified by the May 15, 2020 Order) remain in full force and effect:

    - 2(b) – process for search warrants and communication data warrants

- 3(h) – Office of Foreclosure
- 3(o) – guardianships of incapacitated adults
- 5 – Tax Court
- 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. The following provisions of the April 24, 2020 Second Omnibus Order (as clarified by the May 15, 2020 Order) have concluded:

- 3(a) – civil discovery deadlines
- 3(d) – tolling for lack of prosecution dismissals in civil matters
- 3(e) – Track Assignment Notices
- 3(f) – Notices of Tort Claims
- 3(g) – pretrial discovery in civil matters

- 3(i) – involuntary civil commitment hearings
- 3(j) – discovery end dates
- 3(n) – civil arbitration
- 4(a) – family discovery deadlines except for experts
- 4(b) – tolling for lack of prosecution dismissals in family matters
- 4(c) – matrimonial early settlement panels
- 7(d) – tolling in general
- 8(a)(i) – tolling for disciplinary matters and fee arbitration

4. 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 June 14, 2020; and

    b. Grand juries may convene remotely consistent with the Pilot Program for Virtual Grand Juries as authorized by the Court's May 14, 2020 Order, which currently is operating in Bergen and Mercer Counties.

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

6. Depending on the duration of the COVID-19 pandemic, the Court may reconsider and revise the provisions of this order.

For the Court,

Chief Justice

Dated: May 28, 2020