NOTICE TO THE BAR AND PUBLIC

COVID-19 – UPDATE ON COURT OPERATIONS DURING "PHASE 2.5" OF THE SUPREME COURT'S POST-PANDEMIC PLAN

The Supreme Court's Post-Pandemic Plan (issued June 10, 2020) outlined in general terms the transition from Phase 1 (fully remote operations) to Phase 2 (incremental return of limited numbers of judges and court staff to Judiciary facilities). Based on current public health recommendations and COVID-19 trends, the New Jersey courts will be expanding the scope of on-site court events, including for new jury trials, but without transitioning fully to Phase 3 as previously anticipated. For lack of a better description, the courts are now moving to "Phase 2.5." This notice provides additional guidance as to events that may under appropriate circumstances be conducted on-site even while our court system overall continues to follow a "remote first" model.

As stated in the Plan, the intent during Phase 2 was to start with up to 10-15% of judges and staff on-site, with that range eventually increasing to up to 50-75% in Phase 3. However, as noted above, we are now moving to Phase 2.5 rather than Phase 3. Effective immediately, in Phase 2.5, the limit on the total number of judges and staff who may be in the courthouses at any one time is increased to a maximum of 25% of judges and staff taking into account both facilities and operational need.

As announced in the August 12, 2020 clarifying notice, in Phase 2.5 judges may determine to schedule an in-person event based on the individual facts and circumstances of a case, including where one or more parties is unable to meaningfully participate using virtual formats or where virtual options have been attempted unsuccessfully.

Subject to local resources and need, during Phase 2.5 certain additional categories of court matters (in addition to those listed as potentially occurring on-site during Phase 2, as described in the June 10, 2020 Plan) including but not limited to the following events may be conducted on-site:

- New Criminal and Civil jury selections and trials;
- Civil: Orders to Show Cause to prevent illegal lockouts; bench trials for more significant or urgent matters;

- Family: applications for a domestic violence temporary restraining order (TRO); DNA testing; child welfare mediation; supervised visitation;

- Municipal: trials of more serious matters; mediations; certain first appearances; and

- Probation: increased substance abuse testing; in-person reporting to court facilities; drug court calendars; risk assessments.

Additional court events beyond those listed above may be scheduled on-site as appropriate. Court services, including customer service appointments with the Ombudsman or other areas, also may be conducted in person. Notwithstanding the above adjustments, and except in emergent circumstances including applications for a TRO or to prevent an illegal lockout, court users should appear in person only if they have a scheduled court matter or an appointment.

As always, the Judiciary will make every effort to serve individuals who contact or appear at a courthouse with an emergent need. Court users who are unable to use available virtual options may be accommodated on-site. Where available, court users may be provided access to and use of a "technology space" within a courthouse that can support virtual participation in remote events.

The Judiciary will continue to provide information about current court operations, including on its public website njcourts.gov. Questions about this notice should be directed to the Office of the Administrative Director of the Courts at (609) 376-3000.

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

Dated: September 22, 2020