NOTICE TO THE BAR

COVID-19 – ELECTRONIC FILING IN eCOURTS AND THE JUDICIARY ELECTRONIC DOCUMENT SUBMISSION (JEDS) SYSTEM – ATTORNEYS REQUIRED TO FILE IN eCOURTS WHERE AVAILABLE

The New Jersey courts are committed to continuing court operations during and after the COVID-19 public health emergency. Sustaining and expanding meaningful access to justice throughout this unprecedented emergency requires a careful and considered balancing of interests. To that end, by Order dated May 5, 2020, the Supreme Court confirmed that the Judiciary Electronic Document Submission (JEDS) system launched in early April is an approved electronic filing system, and that all documents submitted through JEDS are filed upon receipt and deemed electronically signed.

The JEDs system was established pursuant to Rule 1:32-2A(a) and serves as an approved electronic filing system for the trial divisions of the Superior Court and for the Tax Court. The electronic signature of documents filed in JEDS, as with the electronic signature of documents filed in eCourts, satisfies the signature requirements of Rule 1:5-6.

By that same May 5, 2020 Order, the Court supplemented and relaxed the filing requirements of Rule 1:5-6 during the COVID-19 pandemic. Documents are deemed filed once transmitted through eCourts or JEDS. The trial court will issue deficiency notices where a document submission is missing information necessary to proceed with the pending court matter. Filers will be provided ten (10) days following the notice to correct matters covered by Rule 1:5-6(c)(1) pursuant to the Court's rule relaxation. For a deficiency that is not corrected, the document will remain filed subject to objections by adversaries and pending a decision by the assigned judge.

Additionally, where a document is electronically filed in the wrong venue, the wrong division, or the wrong case type, the court will redirect that document to the correct venue, division or case type without the need for a court order.

Attorneys are required to file in eCourts where eCourts is available. Those case types for which eCourts is available include Criminal, Civil Law, Special Civil DC,

Foreclosure, Family- Children in Court, and Tax Court. Where eCourts is not available for a case type, attorneys must electronically file all documents in JEDS with the trial divisions of the Superior Court and the Tax Court, except that probate and guardianship documents will continue to be filed with the County Surrogate. For non-eCourts case types, attorneys are required to file both emergent and non-emergent matters in JEDS. When an attorney files a document in JEDS where eCourts is available for that case type, the filing will be dismissed by the clerk without a refund of the filing fee.

A copy of the Supreme Court's May 5, 2020 Order is attached.

Questions regarding this notice may be directed to Superior Court Clerk Michelle M. Smith at (609) 815-2900 ext. 54200 or michelle.smith@njcourts.gov.

Glenn A. Grant by SDB

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

Dated: May 8, 2020

SUPREME COURT OF NEW JERSEY

In response to the ongoing COVID-19 coronavirus, the Supreme Court has taken necessary measures, including relaxation of the Rules of Court, to support the remote operations of the courts.

Among other provisions, the Court's COVID-19 Omnibus Orders dated March 27 and April 24, 2020, expanded permissions for electronic filing and electronic signatures during the pandemic, including through approved electronic filing systems.

The Judiciary Electronic Document Submission ("JEDS") system is one of the principal ways that the Judiciary is continuing to provide access to the courts, including for self-represented litigants, during the COVID-19 crisis.

Accordingly, it is ORDERED that effective immediately and for the duration of the COVID-19 public health emergency:

1. This Order confirms that the Judiciary Electronic Document Submission (JEDS) is an approved electronic filing system for the trial divisions of the Superior Court and for the Tax Court pursuant to Rule 1:32-2A(a) ("Authorization of Electronic Court Systems").

2. Consistent with the Court's COVID-19 Omnibus Orders, all documents filed through an approved electronic filing system (including eCourts and JEDS) shall be deemed to have been signed electronically.

3. Pursuant to N.J. Const., Art. VI, sec. 2, par. 3, until further order, Rule 1:5-6 ("Filing") of the Rules Governing the Courts of the State of New Jersey is relaxed and supplemented as it pertains to the trial divisions of the Superior Court and the Tax Court as follows:

   a. Rule 1:5-6(c)(1) is relaxed to provide that documents filed through an approved electronic filing system (including eCourts and JEDS) shall be deemed filed upon receipt in the system and the clerk may not refuse to file such documents;

   b. The clerk may issue a deficiency notice to filers who electronically file nonconforming or otherwise deficient documents and shall provide ten (10) days to correct matters covered by Rule 1:5-6(c); and

   c. Rule 1:5-6(d) is relaxed to provide that the clerk shall redirect pleadings electronically filed in eCourts or JEDS if filed in the wrong venue, in the wrong division, or in the wrong case type and shall notify the filing party of that change.

4. Attorneys are required to file in eCourts where it is available, including Criminal, Civil Law, Special Civil DC, Foreclosure, Family dockets in Children in Court cases, and Tax Court. Where eCourts is not currently available, attorneys must use JEDS to file all documents with the trial divisions of the Superior Court and the Tax Court, including both emergent and non-emergent matters, except that probate and guardianship documents shall continue to be filed with the County Surrogate. Where an attorney files a document in JEDS when eCourts is available, the filing will be dismissed by the clerk without a refund of the filing fee.

For the Court,

Chief Justice

Dated: May 5, 2020