NOTICE TO THE BAR

COVID-19 – ATTORNEYS LICENSED IN OTHER JURISDICTIONS TEMPORARILY PERMITTED TO PROVIDE PRO BONO LEGAL SERVICES TO NEW JERSEY INDIVIDUALS AND SMALL BUSINESSES

As a further step in addressing the COVID-19 pandemic and the resulting disruption to the courts and the legal system, the Supreme Court this week issued the attached May 4 order temporarily allowing attorneys licensed in another United States jurisdiction to provide needed pro bono legal services to individuals and small businesses affected by the public health crisis.

The basis for the order is the Court's determination that the COVID-19 public health emergency constitutes an "emergency affecting the justice system," thereby invoking Rule 1:21-10 which provides for this temporary authorization to practice in New Jersey.

The Court's Order will enable in-house counsel and other attorneys not licensed in New Jersey to provide those critical services on a pro bono basis. The out-of-state attorney seeking to provide pro bono legal services must not be disbarred, suspended from practice, or otherwise restricted from practice in any jurisdiction, and must be supervised by an attorney licensed and in good standing in New Jersey. The supervising attorney must file a certification with the Supreme Court regarding all attorneys who provide pro bono assistance through this avenue.

Questions about this notice should be directed to Superior Court Clerk Michelle M. Smith at Michelle.Smith@njcourts.gov or (609) 421-6100.

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

Dated: May 6, 2020

SUPREME COURT OF NEW JERSEY

The Supreme Court in response to the ongoing COVID-19 pandemic public health emergency has authorized various interim measures in support of access to the courts during this public health emergency.

Rule 1:21-10 ("Provision of Legal Services Following Determination of Major Disaster") provides a vehicle to help provide needed legal services to individuals and small businesses during such an emergency. Under that rule, the Court after determining that an emergency affecting the justice system has occurred, may permit the temporary practice of law in New Jersey by attorneys authorized to practice law in another United States jurisdiction subject to certain conditions, including supervision.

Accordingly, it is ORDERED that effective immediately and until further order:

1. The Supreme Court has determined that the COVID-19 pandemic constitutes an emergency affecting the justice system in all parts of the State, within the intent of Rule 1:21-10(a)(1). This emergency has resulted in severe disruption to all aspects of society and commerce in New Jersey and has adversely affected the ability of New Jersey residents and small businesses to obtain adequate needed legal services in all

instances.

2. Accordingly, as provided for in Rule 1:21-10(b), lawyers authorized to practice law in another United States jurisdiction, who are not disbarred, suspended from practice, or otherwise restricted from practice in any jurisdiction, temporarily may provide legal services in New Jersey during the COVID-19 emergency, with such legal services to be provided on a pro bono basis without compensation, expectation of compensation, or other direct or indirect pecuniary gain to the lawyer.
3. Pursuant to N.J. Const., Art. VI, sec. 2, par. 3, Rule 1:21-10(b) is relaxed and supplemented in furtherance of this temporary authorization by the Court to provide that the pro bono legal services provided pursuant to the rule and this order during the COVID-19 major disaster shall be supervised by an attorney licensed and in good standing in New Jersey, either through a legal services or public interest organization or law school clinical or pro bono program certified under R. 1:21-11(b)(1) or (b)(3), or independent of any such organization or program.
4. In all instances where temporary pro bono legal services are provided pursuant to this order by an attorney not licensed to practice in New Jersey, the New Jersey attorney who is supervising such attorney

pursuant to the preceding paragraph shall file with the Clerk of the Supreme Court a certification listing the attorneys who are or have provided such pro bono legal services and indicating the nature of the assistance provided.

For the Court,

Chief Justice

Dated: May 4, 2020