NOTICE TO THE BAR

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

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

This June 11, 2020 Fourth Omnibus Order follows the format of the May 28, 2020 Third Omnibus Order. It continues certain suspensions and extensions through June 28, 2020 and affirms that other provisions remain in full force and effect. It also provides updated direction in the following areas:

- Jury Trials. Continuing the suspension of new jury trials and providing that ongoing jury trials suspended during COVID-19 may resume consistent with public health precautions with the consent of all parties;

- Grand Jury. Extending the suspension of in-person grand jury selection and sessions and affirming that grand juries may convene remotely consistent with the Pilot Program for Virtual Grand Juries, which currently is operating in Bergen and Mercer Counties;

- Landlord/Tenant. Providing as to landlord/tenant proceedings that (i) lockouts of residential tenants (evictions) continue to be suspended in accordance with Executive Order 106 (March 19, 2020); (ii) landlord/tenant complaints may continue to be filed with the courts, and new complaints will include an email address for the landlord and to the extent available an email address for the tenant; (iii) the court will schedule conferences, including to obtain or confirm contact information from the parties and conduct settlement negotiations in an effort to resolve matters; and (iv) trials continue to be suspended until further notice;

- Tax Court. Affirming provisions of prior orders as to the extension of all filing deadlines for state tax controversies while vacating provisions as to local property tax appeals; and

- Trial Court Filing Deadlines. Restating that in the computation of time periods under the Rules of Court and under any statute of limitations for matters in all trial divisions of the Superior Court, the period from March 16, 2020 through May 10, 2020 will not be included in calculating those trial court filing deadlines.

As the COVID-19 pandemic continues and based on developments in the coming weeks, the Court will revisit the provisions of the Fourth Omnibus Order and make adjustments as appropriate.

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

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

Dated: June 11, 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, April 24, 2020 Second Omnibus Order, and May 28, 2020 Third 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 35,000 court events involving more than 320,000 participants.

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

At the same time, the New Jersey courts are implementing the first phase of a Post-Pandemic Plan, with limited numbers of judges and employees preparing to return to courthouses and court facilities starting June 22, 2020, subject to statewide precautions including requirements to wear masks or face coverings in non-private areas and to maintain social distancing as set forth in the Court's June 9, 2020 Order. As part of the transition to Phase 2, all levels of the courts may begin to conduct certain limited in-person proceedings and onsite operations as authorized by the Court.

The April 24, 2020 Second Omnibus Order provided for certain limited extensions of deadlines and tolling of timeframes, which were continued, affirmed, or concluded in the May 28, 2020 Third Omnibus Order. This Fourth Omnibus Order further continues some of those extensions through June 28, 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 extended by the May 28, 2020 Third Omnibus Order are extended for the additional period from June 15 through June 28, 2020:

    - 1(a) – no new jury trials; however, ongoing jury trials suspended during COVID-19 may resume consistent with public health precautions with the consent of all parties
    - 2(a) – excludable time
    - 3(b) – discovery involving physical or mental examinations
    - 3(c) – time period for filing affidavits of merit
    - 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 if the total submission does not exceed 35 pages in civil matters and as provided in the May 15, 2020 order in matrimonial (FM) matters
- 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 affirmed by the May 28, 2020 Third Omnibus 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
- 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. 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 28, 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 and June 4, 2020 Orders, which currently is operating in Bergen and Mercer Counties.

4. Landlord/tenant proceedings shall proceed as follows:

    a. Lockouts of residential tenants (evictions) continue to be suspended in accordance with Executive Order 106 (March 19, 2020);

    b. Landlord/tenant complaints may continue to be filed with the courts, and new complaints shall include an email address for the landlord and to the extent available an email address for the tenant;

    c. The court shall schedule conferences, including to obtain or confirm contact information from the parties and conduct settlement negotiations in an effort to resolve matters; and

    d. Trials continue to be suspended until further notice.

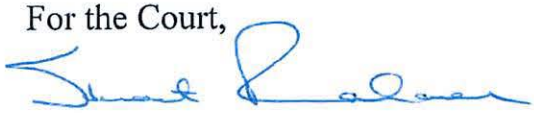
5. As to the Tax Court, the provisions of prior orders, including those dated March 19, March 27, April 6, April 21, April 24, and May 28, 2020 remain in effect with respect to the extension of all filing deadlines for state tax controversies and as to property tax appeals to the New Jersey Tax Court from judgments issued by the county board of taxation in those counties participating in the Assessment Demonstration Program (L. 2013, c. 15), which at present includes Gloucester and Monmouth Counties. The filing deadlines as to complaints and counterclaims for such matters as set forth in Court Rules 8:4-l(a)(2) and 8:4-3(a) pursuant to N.J.S.A. 54:51A-1, to the extent that those deadlines had not already passed by March 19, 2020, are hereby extended to July 1, 2020. All other provisions relating to the filing of local property tax appeals are hereby vacated.

6. This Order affirms the provisions of the Court's prior orders that in the computation of time periods under the Rules of Court and under any statute of limitations for matters in all trial divisions of the Superior Court, the period from March 16, 2020 through May 10, 2020 shall not be included in calculating those trial court filing deadlines.

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

8. Depending on the duration of the COVID-19 pandemic and further developments in the weeks ahead, the Court may reconsider and revise the provisions of this order.

For the Court,



Chief Justice

Dated: June 11, 2020