

EXECUTIVE SUMMARY

New Jersey Judiciary's Response to COVID-19 Public Health Crisis

This summary provides an overview of steps taken by Chief Justice Stuart Rabner and Hon. Glenn A. Grant, J.A.D., Acting Administrative Director of the Courts, in response to the public health crisis resulting from COVID-19.

1. On February 27, 2020, the Judiciary established an internal COVID-19 working group, including staff from all court divisions and areas directly involved in health emergency law and COOP planning as well as experts in Information Technology, Labor and Employee Relations, EEO, etc.
2. Since late February, the Judiciary has been in daily if not hourly contact with the New Jersey Department of Health (NJ DOH) in addition to ongoing communications between our vicinage (local) courts and local health departments.
3. On March 2, the Judiciary provided employees and the public with core information regarding COVID-19 and links to additional resources.
4. On March 3, we established a coordinated statewide reporting protocol to ensure that local incidents were compiled and forwarded for statewide assessment and consistent response.
5. On March 10, the Chief Justice issued an Order relaxing Regulation 201:8 to waive the requirement of in-person courses for continuing legal education (CLE) compliance, permitting attorneys to fulfill their CLE requirement through virtual learning formats.
6. On March 12, the Chief Justice and Administrative Director issued a comprehensive notice addressing the Judiciary's response to COVID-19, which included among other key provisions, suspending new jury trials; adjusting court calendars to avoid large gatherings at courthouse proceedings; preparing to conduct motions, certain hearings, non-jury trials, and related matters remotely, with the use of video and telephone options; and canceling non-essential events.
7. On March 13, the Judiciary issued Leave Time and Staffing Guidelines to Address COVID-19.
8. On March 13, we issued protocols to provide safe and appropriate methods to continue court oversight of persons on probation supervision. Similar protocols were adopted for defendants on pretrial release.

9. On March 13, the Judiciary required that upcoming scheduled trainings be modified to use video or phone conferencing options.
10. On March 14, the Chief Justice and Judge Grant issued a notice suspending Municipal Court sessions and landlord/tenant proceedings for two weeks, starting Monday, March 16 through Friday, March 27.
11. On March 15, the Chief Justice and Judge Grant issued a notice postponing nearly all in-person court proceedings at the trial level of the Superior Court and the Tax Court, suspending new jury trials, and extending discovery timeframes by two weeks. The notice also called for the use of telephonic and video conferencing beginning March 18 for emergent proceedings and for pending motions in Civil and Family matters. During that period, hundreds of judges received individualized training.
12. On March 17, the Chief Justice issued an order permitting relaxation of discovery deadlines in Civil and Family and tolling the statute of limitations for all matters effective March 16 through March 27.
13. On March 17, the Chief Justice issued an order postponing grand jury selections and postponing sessions for existing grand juries effective Tuesday, March 17 through Friday, March 27.
14. On March 17, the Chief Justice issued an order temporarily removing the “undue hardship” requirement for Municipal Court plea by mail.
15. On March 17, the Chief Justice issued an order permitting adjournments of civil commitment proceedings for matters scheduled March 17 through March 27.
16. On March 18, Judge Grant announced the Judiciary’s plan to minimize physical presence in court facilities while continuing court operations by allowing the vast majority of its employees to work productively from home.
17. On March 19, the Chief Justice issued an order extending deadlines for local and state tax appeals to May 1, 2020 or 30 days after the end of the state of emergency.
18. On March 19, the Chief Justice issued an order tolling time periods in criminal cases for the return of indictments and speedy trial provisions.
19. On March 19, the Chief Justice issued an order postponing Civil Arbitration sessions and Matrimonial Early Settlement Panels effective Monday, March 16 through Friday, April 10.

20. On March 20, the Supreme Court relaxed the rules of the court to accept a petition from the Office of the Public Defender in response to concerns about the spread of COVID-19 in county jails. The court then ordered mediation between the Office of the Attorney General, the Office of the Public Defender, the County Prosecutors Association of New Jersey and the American Civil Liberties Union. The mediation resulted in a consent order. (See # 23.)
21. On March 22, the Judiciary distributed additional guidelines for pretrial reporting and probation supervision designed to endure the safety of employees whose jobs require them to interact with members of the public, including staggered in-person reporting schedules to avoid large gatherings and modified protocols for drug tests based on current health guidelines.
22. On March 22, the Judiciary in consultation with the NJ DOH finalized and distributed protocols for assessing risks of exposure to COVID-19 in our courthouses and court facilities.
23. On March 22, the Chief Justice entered a consent order to suspend county jail sentences for low-risk inmates in light of the public health emergency caused by COVID-19. The order gives county prosecutors an opportunity to file an objection to any release they deemed inappropriate. More than 500 defendants were released by consent. Over 300 objections were filed and are working their way through the courts expeditiously.
24. On March 24, the Chief Justice entered an order permitting applications for emergent relief to be filed by email and suspending the collection of fees for emergent applications that cannot be filed through eCourts.
25. On March 25, the Chief Justice entered an order suspending all depositions of and all required appearances for any doctors, nurses, or other healthcare professionals who are involved in responding to the COVID-19 public health emergency except for appearances and depositions that are requested by the doctor, nurse, or healthcare professional; or that are for matters related to COVID-19.
26. As of March 26, roughly 90% of judges and Judiciary staff have relocated from courthouses and court facilities to continue the work of the courts from home. Through a variety of technological supports, judges and staff are conducting video and phone hearings, including emergent as well as routine matters. The Supreme Court is conducting arguments entirely by video and the Appellate Division is conducting matters by phone. The trial courts are holding hearings with attorneys and self-represented litigants using video technology.

27. On March 27, the Chief Justice entered an omnibus order extending the provisions set forth in previous orders by an additional 30 days. The order

extends deadlines for the suspension of proceedings and other matters involving criminal, civil, family, tax and municipal courts. It also continues the suspension of civil and criminal jury trials until further notice.