

District of New Jersey Addresses Exigent Circumstances Due to COVID-19

March 20, 2020

Source: New Jersey Federal Practice Alert

In order to address the ongoing public health emergency, on March 16, 2020, Chief Judge Freda L. Wolfson of the District of New Jersey issued Standing Order 20-02 to respond to the spread of COVID-19 and protect the health and safety of Court personnel, counsel, litigants and others. The Standing Order includes the following key provisions:

- Scheduling orders are to remain in place unless specifically modified, but judicial officers have been instructed to apply “the principles of flexibility and accommodation to reasonable requests for filing or scheduling adjustments necessitated by reasonable and fact-based travel, health or safety concerns, or advice or directives of public health officials.”
- Judicial officers may continue to hold appearances, hearings, conferences and bench trials in their discretion. However, all officers have been encouraged to conduct proceedings by telephone or videoconferencing where practicable and as permitted by law, and to take reasonable measures to avoid necessary out-of-town travel.
- All jury selections and jury trials for trials scheduled to begin before April 30 have been continued. For criminal trials, that period shall be “excluded time” under the Speedy Trial Act. That period of time shall also be “excluded time” for criminal matters not yet set for trial based on anticipated logistical difficulties in those matters.

A full copy of Standing Order 20-02 is available at the following link:

<https://www.njd.uscourts.gov/sites/njd/files/StandingOrder2.pdf>

In addition, the Clerk’s Office has since announced that, for an indefinite period, it will only be open by phone, and that all paper filings should be placed in drop boxes at the District of New Jersey courthouses.