

District of New Jersey Extends Standing Orders Responding to COVID Crisis into 2021

December 29, 2020

Source: New Jersey Federal Practice Alert

As part of the District of New Jersey's continuing response to the ongoing public health emergency and in light of the current resurgence of COVID-19 in the state, on December 17, 2020, Chief Judge Freda L. Wolfson of the District of New Jersey issued several orders extending pending Standing Orders into 2021.

First, the Court extended Standing Order 20-17, which suspended ***all*** in-person judicial proceedings for both civil and criminal cases through January 31, 2021.

Second, the Court extended Standing Order 20-12, which concerns filing and discovery deadlines. The Second Extension of Standing Order 20-12 includes the following key provisions:

- All jury selections and jury trials for civil and criminal trials are now continued until March 12, 2021.

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For criminal trials, the period between March 16, 2020 and March 12, 2021 shall now 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.

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Although several Standing Orders issued shortly after the COVID crisis commenced altered upcoming filing and discovery deadlines at that time, no further filing and discovery deadlines are being automatically tolled. However, individual judges continue to be afforded discretion for filing or scheduling adjustments to ensure the fairness of the proceedings and preserve the substantial rights of the parties.

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No statutes of limitations are tolled by the Standing Order or its extensions.

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Any litigant can seek relief from the Second Extension if they believe it is necessary due to emergent circumstances.

Full copies of these two Orders are available at the following links:

https://www.njd.uscourts.gov/sites/njd/files/3d_Ext_SO_20-12_Stamped.pdf

https://www.njd.uscourts.gov/sites/njd/files/Ext_SO_20-17_Stamped.pdf