

District of New Jersey Enacts New Restrictions on Courthouse Access in Response to COVID-19 Pandemic

September 16, 2021

Source: New Jersey Federal Practice Alert

On September 13, 2021, Chief Judge Freda J. Wolfson of the United States District Court for the District of New Jersey issued Standing Order No. 2021-08, which requires visitors to District of New Jersey Court facilities to provide proof of COVID-19 vaccination or a recent negative PCR test.

The Standing Order, which is effective September 20, 2021, includes the following key provisions:

- Visitors who are not specifically excepted persons will be required to provide proof of being fully vaccinated against COVID-19 before entering into Court facilities. Acceptable proof of vaccination consists of a vaccination card or a recognized application, such as the Docket mobile phone application record or any similar State specific application that produces a digital health record, accompanied by proof of identification.
- Visitors who are not specifically excepted persons, and who fail to provide proof of full vaccination, including those who decline to disclose their vaccination status, will be required to show proof of a negative result from a PCR test (not a rapid test) taken no more than 72 hours prior to seeking entry, and proof of identification, before entering into Court facilities.
- Specifically excepted persons from these requirements are petit and grand jurors; individuals younger than 12 years of age; and persons who will be onsite in Court facilities for less than 15 minutes.
- Consenting parties in a civil jury trial may move before the presiding judicial officer to request that all sitting jurors be fully vaccinated.
- The Court's previous safety protocols (such as regarding the use of masks in Court facilities), established by earlier Standing Orders, remain in place.

Standing Order No. 2021-08 closely follows Chief Judge Wolfson's entry of Amended Standing Order No. 2021-04 on September 3, 2021. The Court's update is intended to further reduce the number of gatherings necessarily attendant to jury selection and in-person trials. The Amended Standing Order includes the following key provisions:

- No more than one jury selection, either civil or criminal, may occur in each vicinage at one time.

-

Simultaneous jury trials may be conducted in each vicinage, but the number of criminal jury trials involving detainees will be limited by the capacity of the United States Marshals Service to manage the detainees.

-

Judicial proceedings, in both criminal and civil matters, will continue to be conducted via video and teleconference whenever possible, pursuant to Amended Standing Order No. 2021-02.

Full copies of Standing Order No. 2021-08 and Amended Standing Order No. 2021-04 are available at the following links: