

District of New Jersey Issues Standing Order Restricting In-Person Court Proceedings in Response to Omicron

December 29, 2021

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 spread of the Omicron strain of COVID-19 in the state, on December 29, 2021, Chief Judge Freda L. Wolfson of the District of New Jersey issued Standing Order 2021-11, which temporarily restricts in-person court proceedings. Standing Order 2021-11 includes the following key provisions:

- All in-person judicial proceedings in both civil and criminal cases shall be suspended through January 31, 2022, and conducted by videoconference or teleconference when possible.

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All jury selections and jury trials for both civil and criminal matters shall be continued through January 31, 2022.

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For criminal trials, the period between December 29, 2021 and January 31, 2022 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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No filing or discovery deadlines or statutes of limitation are being automatically altered or tolled, but individual judges are 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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Any litigant can seek relief from the restrictions set forth in the Standing Order if they believe it is necessary due to emergent circumstances.

Standing Order 2021-11 also contains a number of additional provisions focused solely on criminal matters.

A copy of Standing Order 2021-11 is available at the following link: