

## Chief Justice Rabner Signs Second Omnibus Order Resuming Certain NJ Court Operations & Extending Deadlines

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As a result of the COVID-19 pandemic, New Jersey state courts have conducted more than 12,000 remote court events involving more than 80,000 participants since transitioning to virtual operations. Based on that success and the increasing technological capabilities of court staff, counsel, and litigants, New Jersey Chief Justice Stuart Rabner issued a Second Omnibus Order on April 24, 2020, to resume certain court operations through video and phone conferencing.

Under the Order, in-person court appearances will be permitted only in emergency situations. Virtual depositions are also encouraged, with court reporters presently authorized to administer oaths remotely.

Numerous deadlines under the Court Rules have been further extended through May 31, 2020. The extension of time periods to provide many discovery responses, however, shall conclude on May 10, 2020, due to the demonstrated ability of the bar and the court system to continue litigation consistent with regular timeframes.

Notwithstanding the judiciary's best efforts to remain open for official business, jury trials and hearings inhospitable to virtual proceedings are two essential court functions that cannot proceed in compliance with social distancing guidelines. Therefore, the backlog of civil trials will continue to grow and the resolution of thousands of civil cases, especially the complicated matters requiring prolonged trials, will remain distant. Litigants who prefer an expeditious resolution of their case, or who dislike the insecurity associated with protracted litigation, will be compelled to rely on mediation or arbitration to promptly resolve their claims.

### Attorneys

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A summary of the Chief Justice's Order is provided below:

### Court Proceedings

- Jury trials remain suspended until further notice.
- Special Civil Part (DC dockets), Small Claims (SC dockets), and Landlord/Tenant trials (LT dockets) are suspended through May 31, 2020.
- Civil Arbitration sessions will resume on April 27, 2020.
- General adjournments of involuntary civil commitment hearings have concluded.
- Disciplinary hearings and fee arbitrations will resume via phone or video conference, to the extent possible, on May 11, 2020.

### Deadlines

- For purposes of determining filing deadlines, the computation of time periods under any statute of limitations and under the Rules of Court (with several exceptions discussed below), shall exclude the period of March 16 through May 10, 2020, which period shall be deemed a legal holiday.
- In computing time for discovery end dates, the period of March 16 through May 10, 2020 (56 days), shall be excluded due to exceptional circumstances.
- The extensions of time to produce responses to interrogatories, requests for production of documents, inspections of property, depositions, and requests for admission will conclude as of May 10, 2020.
- Discovery deadlines specifically pertaining to physical or mental examinations are extended through May 31, 2020.
- The deadlines to file Affidavit of Merits in a medical and professional malpractice cases is extended through May 31, 2020
- The deadline to serve Notices of Tort Claims upon government entities is extended through May 31, 2020.
- Dismissal of civil cases for lack of prosecution shall be tolled through May 31, 2020.
- The time periods for issuing summonses to obtain service of process is extended to 60 days (for Track Assignment Notices issued between March 16 and April 26, 2020) or 30 days (for Track Assignment Notices issued between April 27 and May 31, 2020).

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