



PHASE IV PROTOCOL

I. CRIMINAL MATTERS

Criminal Proceedings authorized by Section 15002(b) of the CARES Act, including the ten criminal proceedings enumerated in Standing Order 2020-06, shall, with the consent of the defendant after consultation with counsel, continue to proceed by video/teleconference as long as the Standing Orders in accordance with the CARES Act permit. Where the defendant has not consented to proceed by video/teleconference, the proceeding shall be held in-person.

Effective 5/19/2021: Criminal (non-jury) proceedings including suppression, evidentiary, and other non-jury hearings shall resume on a limited basis. Each Judge may use his/her discretion in determining if an in-person proceeding is necessary.

Criminal jury trials shall resume on June 1, 2021. No more than one criminal trial per courthouse may be held at the same time.

II. CIVIL MATTERS

Civil (non-jury) proceedings shall continue to be conducted via video/teleconference when possible.

Effective 5/19/2021: Each Judge may use his/her discretion in determining if an in-person proceeding is necessary. Discretionary calls shall extend to evidentiary hearings, settlement conferences, and emergent matters.

Civil jury trials shall resume on September 1, 2021. No more than one civil trial per courthouse may be held at the same time, however, criminal jury trials shall continue to take priority over any civil jury trial in the event of a logistics conflict.

III. DISTRICT COURT COURTROOMS

Courtrooms shall remain outfitted with plexiglass and social distancing markers. The courtrooms will continue to be cleaned in between proceedings. Courtroom Deputies within each respective vicinage shall continue to coordinate all in-person courtroom proceedings to ensure appropriate post-proceeding cleaning, social distancing accommodations, and a limitation on the number of proceedings involving in-custody defendants as required by the USMS. To the extent possible, each Judge will continue to use his/her own courtroom in lieu of a designated courtroom.

IV. JUDICIAL CHAMBERS

Each Judge shall determine his/her volume of courtroom activity as well as Chambers' staffing.

V. CLERK'S OFFICE

Effective 6/1/2021: The Clerk's Office will open the public counters daily. Staffing levels will increase as necessary. Clerk's Office public counter hours are posted on the Court's website www.njd.uscourts.gov.

VI. U.S. BANKRUPTCY COURT

Effective 6/1/2021: Bankruptcy Clerk's Office public counters shall reopen on a limited basis, staffing levels will increase, and in-person hearings will be scheduled on a case-by-case basis at the discretion of the Judge. For details regarding the U.S. Bankruptcy Court's Phase IV Plan, visit www.njb.uscourts.gov.

VII. U.S. PROBATION

Staff will return to the office and continue to follow CDC guidance/precautions when in the field or office. Individuals under supervision entering the courthouses for drug testing and/or meetings will be by appointment only.

VIII. U.S. PRETRIAL SERVICES

Public access to offices will remain limited. A limited number of defendants will report to Pretrial Services when necessary. Officers will continue to attend court proceedings via video/teleconference. A duty officer will be available each day should an officer's presence be required for any in-person hearing.

IX. U.S. MARSHALS SERVICE

The USMS will continue working at full staff during Phase IV.

X. CONTACT TRACING PROTOCOLS

Contract tracing protocols shall remain in effect. Employees and members of the public are advised to familiarize themselves with the Court's Contact Tracing Protocols posted on the Court's internal and external websites. The Protocols are updated, when necessary, in conjunction with relevant CDC guidance.