

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

USDC DNJ DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>January 27, 2021</u>

IN RE: FURTHER SUSPENSION OF IN-PERSON :
JUDICIAL PROCEEDINGS AND LIMITATION : **STANDING ORDER 2021-02**
OF GRAND JURY PROCEEDINGS, DUE TO COVID-19:

WHEREAS, due to the continuing COVID-19 pandemic, the National Emergency declared on March 13, 2020 remains in effect, and the national public health emergency, first declared on January 31, 2020, was recently extended by the federal government for the fourth time, for 90 days, or from January 21, 2021 to April 21, 2021; and

WHEREAS, in response to the continuing pandemic, on January 19, 2021, the Governor of the State of New Jersey again extended the Public Health Emergency, first declared on March 9, 2020, for another 30 days; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) and other public health authorities continue to advise taking precautions to reduce the possibility of exposure to COVID-19 and to slow the spread of the disease by, among other things, wearing face coverings, severely restricting the size of group gatherings of people, especially indoor gatherings, and maintaining six feet of physical distance from others (“social distancing”); and

WHEREAS, the United States District Court for the District of New Jersey (“Court”) remains in Phase Three of its Recovery Guidelines, mandating the wearing of face coverings, social distancing, limited elevator occupancy and observance of instructional signage, and the Court’s Phase Three status is expected to continue for the period covered by this Standing Order; and

WHEREAS, this Court’s authorization, pursuant to the CARES Act and its Third Extension of Amended Standing Order 2020-06, of the use of video and telephone conferencing, under certain circumstances and with the consent of the defendant, for various criminal case events during the course of the COVID-19 emergency, remains in effect until March 17, 2021, unless terminated or vacated prior thereto; and

WHEREAS, due to the exigent circumstances created by COVID-19, the Court has found it necessary to continue all civil and criminal jury selections and jury trials to March 12, 2021, through its entry of the Third Extension of Standing Order 2020-12; and

WHEREAS, due to the significant risk of infection from COVID-19, the Court’s other prior Standing Orders, applicable to all persons seeking entry into and occupying this District’s courthouses, and which require the wearing of face coverings (2020-13), establish a COVID-19 protocol for all entrants (2020-14), and institute temperature screenings of all entrants (2020-16), remain in effect; and

WHEREAS, nationwide, the number of confirmed cases of COVID-19 has surpassed 25 million, with nearly 420,000 total deaths and 71,000 deaths in the month of January 2021 alone;

WHEREAS, in New Jersey, the number of confirmed cases of the disease now exceeds 600,000, with confirmed deaths nearing 19,000, and when the over 2,000 probable deaths are included, New Jersey's COVID-19 death rate of almost 2.4 per 1,000 people is the highest in the nation; and

WHEREAS, the distribution of FDA-approved vaccines, which commenced in New Jersey in mid-December 2020, is proceeding at a much slower rate than anticipated and there is currently a shortage of the vaccine at the federal level, with vaccine supply in New Jersey now limited; and

WHEREAS, the risk of infection, re-infection and death from disease has actually increased, due to the introduction in the United States of three variants of the original COVID-19 strain, which are more contagious than the original strain, and the effectiveness of the current FDA-approved vaccines against existing and possibly, future, variants has not been confirmed; and

WHEREAS, in response to the spread of such variants of the disease to the United States, President Biden has imposed an entry ban on non-U.S. travelers from many countries; and

WHEREAS, New Jersey's travel advisory indicates that, due to the increased number of COVID-19 cases across all states, there is a heightened risk of the spread of COVID-19 upon travelers' return to New Jersey from any travel, and New Jersey continues to strongly discourage all non-essential interstate travel; and

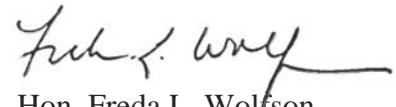
WHEREAS, in response to the continued, severe effects of COVID-19 and its variants, presenting a serious threat to public health and safety, the Court deems it necessary to extend its prior suspension, entered in the Extension of Standing Order 2020-17, of all in-person judicial proceedings, in both civil and criminal cases, regardless of whether the criminal defendant is in or out of custody,

IT IS, THEREFORE, on this 27th day of January, 2021, **ORDERED THAT:**

1. Except as otherwise provided herein, all in-person judicial proceedings in this District, in both civil and criminal cases, shall be suspended through March 12, 2021.

2. Notwithstanding the provisions of this Standing Order, the provisions of the Court's Third Extension of Amended Standing Order 2020-06 ("In Re: Video Conferencing and Teleconferencing for Criminal Proceedings under The CARES Act") shall remain in full force and effect.

3. Until further Order of the Court, grand jury sittings in this District shall be limited and convened only to the extent deemed necessary and warranted under the circumstances.

A handwritten signature in cursive script, appearing to read "Freda L. Wolfson", with a long horizontal flourish extending to the right.

Hon. Freda L. Wolfson
Chief U.S. District Judge