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April 2, 2020

**Insurance Client Alert
Changes Due to COVID-19**

NEW JERSEY			
Jurisdiction	Date of Order	Order Number	Content
New Jersey Superior Court	March 27, 2020	N/A – Omnibus Order ¹	<ul style="list-style-type: none"> • Continuation and affirmation of series of prior orders and instituting the following: <ol style="list-style-type: none"> 1. Suspension of all jury trials until further notice. 2. Relaxation of Rules 4:24-1(a); 4:24-1(c); 4:46-1; and 4:36-3 to allow for extensions of discovery through April 26, 2020. 3. Deadlines for filing affidavit of merit in professional malpractice cases are extended to April 26, 2020. 4. Time period for dismissal of civil cases for lack of prosecution is extended to April 26, 2020, and automated notices for lack of prosecution are suspended until April 26, 2020. 5. Rule 4:4-1 is relaxed to require issuance of a summons from 15 days to 60 days from issuance of a Track Assignment Notice issued by the Court between March 16, 2020, and April 26, 2020. 6. Timeframe for issuance of a Notice of Tort Claim is tolled from March 16, 2020, to April 26, 2020. 7. Time periods for completion of discovery, including depositions, interrogatories, physical or mental examinations, requests for admissions will be extended in all Law Division and Special Civil Part matters between March 16 and April 26, 2020. 8. The Office of Foreclosures will not review or recommend motions or judgments on or after March 1, 2020, until further order of the Court. 9. Civil commitment hearings are adjourned for fourteen days if scheduled between March 17, 2020, and April 26, 2020. 10. In computation of time for discovery end dates the period between March 16, 2020, and April 26, 2020, shall be excluded due to exceptional circumstances. 11. Landlord-tenant matters are suspended through April 26, 2020, and lockouts of residential tenants are suspended pursuant to the Governor’s executive order 106. 12. Special Civil Part and Small Claims trial calendars are suspended until April 26, 2020. 13. Municipal court sessions are suspended through April 26, 2020. 14. The requirements of Rule 1:6-4 requiring the submission of courtesy paper copies of all motions and orders to show cause is relaxed to require such courtesy copies for submissions that exceed 35 pages. 15. Civil Arbitrations: <ol style="list-style-type: none"> a. All civil arbitration sessions scheduled between March 16 and April 26, 2020 are postponed and will be rescheduled; b. Civil arbitration sessions will resume on April 27, 2020, and will be conducted via video or telephone conference initiated by the civil arbitration administrator or a panelist; parties may seek a further adjournment based on the inability to participate via video or telephone conference; c. The requirements of Rule 4:21A-1 are relaxed to permit the extension of arbitration timeframes and to allow arbitrations to be conducted in a location other than the courthouse. 16. All depositions should be conducted remotely using video or telephone conferencing through April 26, 2020, and court reporters are authorized to administer oaths remotely. 17. All court matters will be conducted remotely via video or telephone conferences to the extent practicable and in-person appearances shall only be permitted in emergency situations. 18. Depositions of all doctors, nurses, or other healthcare professions involved in responding to the COVID-19 crisis are suspended through April 26, 2020, except for (1) depositions requested by the healthcare professional; and (2) depositions related to the COVID-19 crisis.

			<p>19. For purposes of computation of all time periods under the Rules of Court and statutes of limitations the period from March 28, 2020, through April 26, 2020, shall be deemed a legal holiday, thereby extending the tolling provisions of the Courts March 17, 2020, Order.</p> <p>20. Rule 1:32-2A(c) and all other Rules of Court requiring an original signature on any court filing are relaxed to permit submission of electronic signatures, including emergent applications filed by paper copies, submissions to any docket that does not have an approved electronic filing system, and all bar applications.</p>
United States District Court for the District of New Jersey (DNJ)	March 16, 2020	Standing Order No.2020-02	<ul style="list-style-type: none"> All three vicinages remain operational subject to the following restrictions: <ol style="list-style-type: none"> All jury trials scheduled to commence prior to April 30, 2020, are continued until further order of the Court.²
DNJ	March 24, 2020	Standing Order 2020-04	<ol style="list-style-type: none"> All filing and discovery deadlines in all civil matters that fall between March 25, 2020, and April 30, 2020, are extended by 45 days unless otherwise ordered by the presiding judge in that matter. Extension of deadlines does not apply to scheduled conferences, which are controlled by the presiding judge. The standing order DOES NOT toll statutes of limitations. A litigant may seek relief from the Standing Order for emergent circumstances.
DNJ	March 25, 2020	N/A – Remote Hearing Guidelines	<ul style="list-style-type: none"> Use landline when possible and do not use speaker phone option Mute phone when not speaking Avoid interrupting other speakers Identify yourself each time you speak Court judge confirm court reporter is on the line throughout the hearing Avoid use of voice activated systems Spell all proper names
DNJ	March 26, 2020	Standing Order 2020-05	<ul style="list-style-type: none"> Both courthouses in the Newark vicinage are closed for cleaning between March 26, 2020, and April 6, 2020, following discovery of positive COVID-19 test results for multiple judicial employees. Trenton and Camden vicinages remained open and the Courts' ECF system is unaffected by the closure.
United States Court of Appeal for the Third Circuit	March 19, 2020	N/A – Notice Regarding Operations to address COVID-19 Pandemic	<ul style="list-style-type: none"> Oral arguments will continue as scheduled. Merits panel will determine the manner of oral argument Parties may file a motion requesting oral argument via audio/telephone conf. Majority of court staff will work remotely Parties seeking emergent relief may call designated phone number and leave a message –further instructions will be provided. The three-day requirement for an oral request for an extension of time under 3rd Cir. L.A.R. 31.4 is relaxed until Court resumes normal operations. Oral requests for extensions of time may be made to by calling the main number or the designated case manager. Filing paper copies of briefs and appendices is deferred pending further direction from the Court. Any document received within 3 days of the filing deadline will be deemed timely filed without the need to file a motion unless the parties are otherwise notified by the Court. The deadline for filing a notice of appeal or petition for review or other filing that confers jurisdiction on the Court is NOT extended. All such filings must be filed in the time prescribed by the rule or statute that confers jurisdiction on the Court.

¹ This summary only addresses the provisions of the Court's March 27, 2020 Omnibus Order that apply to civil litigation. The Omnibus Order contains numerous provisions applicable to criminal, municipal, family, and tax matters that are not addressed in this summary. A copy of the Omnibus Order may be viewed at <https://njcourts.gov>.

² Standing Order 20-02 contains numerous provisions pertaining to criminal matters and grand juries that are not summarized here. The standing order may be viewed on the Court's website at <https://www.njd.uscourts.gov>.

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