

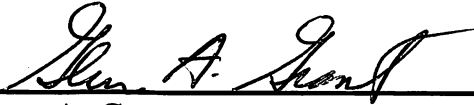
## NOTICE TO THE BAR

### JURY TRIALS & GRAND JURIES -- CONCLUSION OF MASKING AND SOCIAL DISTANCING REQUIREMENTS AS OF SEPTEMBER 1, 2022; ADJUSTMENT TO INITIAL VIRTUAL REPORTING FOR ALL JURORS

Effective September 1, 2022, the Supreme Court will conclude the requirement that all participants in jury proceedings maintain three feet of social distancing. As of that same date, participants in jury proceedings (including jurors) will no longer be required to wear a face mask, though all will continue to have the option to wear a face mask if they wish to do so. In issuing its attached August 24, 2022 Order on this, the Court is responding to the updated guidance recently issued by the Centers for Disease Control and Prevention (CDC).

All jurors will continue to begin their jury service virtually and will have an opportunity to raise any general concerns about reporting in person based on COVID-19. Subsequent to that mandatory virtual orientation phase, judges will have discretion to continue with jury selection either virtually or in person.

Questions about this notice may be directed to the Office of the Administrative Director of the Courts at (609) 376-3000.

  
\_\_\_\_\_  
Glenn A. Grant  
Administrative Director of the Courts

Dated: August 24, 2022

## SUPREME COURT OF NEW JERSEY

Since the onset of the COVID-19 virus, the Supreme Court has modified court operations consistent with recommendations from the Centers for Disease Control and Prevention (CDC) and the New Jersey Department of Health (NJ DOH). Based on that guidance, the Court has adjusted protocols for jury proceedings, which involve a substantial number of people in close physical proximity to one another.

The Court in its [March 9, 2022 Order](#) continued the requirements that all participants in in-person jury trials and grand juries wear masks and maintain at least three feet of social distancing. In its [March 18, 2022 Order](#), the Court continued the requirement that jury selection for all trials begin in a virtual format, in the presence of the attorneys and parties. During that phase, prospective jurors can request to be dismissed, excused, or deferred from jury service, and can raise any COVID-19 related concerns about reporting in person.

On August 11, 2022, the CDC issued updated [guidance](#) regarding COVID-19. In light of substantially changed circumstances -- including high levels of COVID-19 immunity, widespread availability of vaccines and boosters, and approved treatment options -- the CDC no longer recommends social distancing or masking as general mitigation strategies. The Judiciary

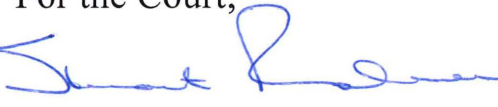
has confirmed with the NJ DOH that the court system can conclude three feet of social distancing in jury proceedings and permit rather than require individuals to wear face masks.

Consistent with this updated public health guidance, it is hereby ORDERED that effective September 1, 2022 and until further order:

1. The Court will no longer require participants in in-person jury proceedings (including grand juries) to maintain social distancing.
2. The Court will also conclude the requirement that participants in jury proceedings wear masks. To be clear, however, any participant may wear a mask if they choose to do so.
3. To protect members of the public who are at heightened risk of serious consequences from COVID-19, the Court will continue to afford all prospective jurors an opportunity to raise any general concerns about reporting in person based on COVID-19 concerns during the virtual juror orientation phase.
4. Afterward, and before the in-person exercise of peremptory challenges in criminal cases, individual trial judges will have discretion to conduct voir dire virtually or in person, taking into consideration all relevant factors.

Those adjustments should enable the Judiciary to support more jury trials, especially trials involving detained criminal defendants, and continue to protect the health of prospective jurors.

This Order supersedes any contrary provisions of the Court's March 9, 2022 and March 18, 2022 Orders. The Court may adjust the provisions of this Order based on changes in COVID-19 community levels or revised public health guidance.

For the Court,  
  
Chief Justice

Dated: August 24, 2022