

## NOTICE TO THE BAR


### RESUMPTION OF SOCIALLY DISTANCED IN-PERSON GRAND JURY SESSIONS

The Supreme Court has authorized the resumption of in-person grand jury sessions effective June 15, 2021. The Court's May 11, 2021 Order is attached.

Grand juries may resume in person as of that date with appropriate health protocols, including face masks and social distancing. As of August 1, 2021, all counties are to have at least one in-person grand jury panel in place. As set forth in the Court's Order, "based on current limits to on-site presence and in-person court events in court and other locations – specifically the need to maintain social distancing and to preserve court space for in-person criminal jury trials – grand juries also may continue to convene temporarily in a virtual format."

The Court in a separate May 11, 2021 Order also has authorized the resumption of in-person petit jury proceedings.

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

  
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Hon. Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts

Dated: May 11, 2021

## SUPREME COURT OF NEW JERSEY

Grand jury operations have continued to evolve in tandem with the trajectory of the COVID-19 pandemic. In light of sustained improvements and positive trends throughout New Jersey, the Court in this Order authorizes the resumption of in-person grand jury sessions on or after June 15, 2021.

The Court in a series of Orders authorized virtual grand juries on a temporary basis during the public health emergency. The Court's October 8, 2020 Ninth Omnibus Order continued virtual grand jury panels and authorized options for in-person grand jury sessions in court locations or other locations as coordinated by the County Prosecutor. In response to then-worsening COVID-19 trends throughout New Jersey, the Court in its November 16, 2020 Order suspended in-person grand juries. The Court in its March 23, 2021 Eleventh Omnibus Order authorized vicinages to plan for the future resumption of in-person grand jury sessions but did not establish a firm start-date for those in-person sessions to resume.

In a separate May 11, 2021 Order, the Court authorized the resumption of in-person petit jury proceedings, including in-person criminal jury trials, on or after June 15, 2021. Those in-person criminal jury trials and all in-person court events will be conducted with appropriate health precautions, including face masks and social distancing. Overall capacity for in-person court events – including criminal jury trials – remains limited based on COVID-19 health protocols.

The same public health indicators that support the resumption of in-person jury trials also support the resumption of socially distanced in-person grand jury sessions. A number of factors favor an incremental shift from entirely virtual to entirely in-person grand jury sessions -- consistent with the gradual approach to the resumption and expansion of in-person jury trials. Among other considerations is the need to support in-person criminal jury trials, which must be conducted with all applicable health precautions, including face masks and social distancing, in suitable, larger court locations. Space constraints in many courthouses pose practical limitations. The Judiciary also is mindful of the circumstances of current grand jurors who were summoned and selected for virtual grand jury service and who may be unable on short notice to shift to serve in an in-person format. This Order therefore announces a phased-in approach to the resumption of in-person grand jury sessions.

Accordingly, it is ORDERED that the following provisions are effective immediately except as otherwise stated herein:

1. Grand jury selections will continue to be conducted in a virtual format.

As set forth in prior Orders, the Judiciary will provide technology to jurors who require it to participate.

2. As of June 15, 2021, grand juries may resume in person with appropriate health protocols, including face masks and social distancing. Assignment Judges and County Prosecutors will work together to identify court or

non-court locations for grand jury sessions. Any proposal to convene an in-person grand jury in a non-court location will require approval of the Assignment Judge and the Administrative Director of the Courts.

3. As of August 1, 2021, all counties are to have at least one in-person grand jury panel.
4. Based on current limits to on-site presence and in-person court events in court and other locations – specifically the need to maintain social distancing and to preserve court space for in-person criminal jury trials – grand juries also may continue to convene temporarily in a virtual format subject to further Order.
5. Depending on the duration of the COVID-19 pandemic, the Court may reconsider and revise the provisions of this Order.

For the Court,



Chief Justice

Dated: May 11, 2021