

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

IN RE: UPDATED COVID-19 PROTOCOLS :
Amendment of Standing Order 2020-14, Updated :
Amended Standing Order 2021-04, and Standing : **STANDING ORDER 2022-01**
Order 2021-08; Vacation of Standing Orders :
2020-13, 2020-15, and 2020-16 :

WHEREAS, in response to the continuing COVID-19 pandemic, the National Emergency and the New Jersey State of Emergency, both initially declared in March 2020, remain in effect;

WHEREAS, however, the public health emergency, previously declared in New Jersey, ended on March 7, 2022, at which time, the mask requirement inside schools was lifted by the Governor of New Jersey;

WHEREAS, the mask mandate for New Jersey state employees and visitors to state offices also ended, on March 14, 2022, while, however, mask mandates remain in place in certain settings, such as healthcare and correctional facilities run by the state and federal governments;

WHEREAS, the U.S. Centers for Disease Control and Prevention (CDC) recently updated its guidance regarding the use of face coverings and social distancing by persons occupying indoor spaces, including public buildings;

WHEREAS, on February 25, 2022, the CDC announced a new tool, “COVID-19 Community Levels,” that assigns each county a “low,” “medium” or “high” category, based upon the COVID-19 transmissibility levels within each community;

WHEREAS, in applying this tool, the CDC recommends that all individuals wear masks indoors in public, regardless of vaccination status or individual risk, when the COVID-19

Community Level is “high,” and that mask wearing be optional and informed by personal level of risk when the Community Level is “medium” or “low,” except that, regardless of COVID-19 Community Level, the CDC advises that persons who have symptoms, or have tested positive for COVID-19, or have been exposed to someone with COVID-19, should wear a mask;

WHEREAS, regarding social distancing, indoors in public, the CDC currently recommends that those who are not up to date on COVID-19 vaccines stay at least 6 feet away from other people, especially those who are at higher risk of getting very sick with COVID-19;

WHEREAS, according to current data published by the CDC, all 21 counties within the State of New Jersey and this District are currently experiencing a “low” Community Level;

WHEREAS, this Court continues to take reasonable and prudent actions to protect Court employees and the public from COVID-19, while preserving its core mission of serving the public through the fair and impartial administration of justice;

NOW, THEREFORE, based upon all of the foregoing, IT IS HEREBY ORDERED, effectively immediately, that:

1. Except as otherwise provided herein, the wearing of face coverings or masks is now optional, and is no longer required, of persons seeking entry to or occupying the public areas of Court facilities within the District of New Jersey, i.e., employees and visitors, and further, social distancing is no long required of such persons because employees are fully vaccinated and boosted, and visitors are allowed entry to Court facilities only upon proof of full vaccination or a negative COVID-19 test result, pursuant to Standing Order 2021-08 (“In Re: COVID-19 Vaccination and Testing”) (which is amended herein, as provided below).
2. Although masks are not required, all persons are permitted and encouraged to wear a face covering or a mask if they so choose. There are many reasons why a person might need or want

to wear a mask, and all are asked to respect others' health decisions.

3. Notwithstanding the provisions of Paragraph 1 above, the wearing of face coverings or masks by prospective jurors will continue to be required in the courtroom, during the jury selection process of all civil and criminal jury trials in this District.

4. Members of a sitting, fully vaccinated jury, which may be requested by consenting parties in a civil jury trial, pursuant to Standing Order 2021-08, are not required to wear masks. However, notwithstanding the provisions of Paragraph 1 above, 3 feet social distancing will be maintained between jurors seated in this Court's jury boxes, whether masked or not, during civil and criminal jury trials conducted in this District.

5. Notwithstanding the provisions of Paragraph 1 above, a presiding judicial officer may, for any reason, direct that appropriate face coverings or masks be worn, during in-Court proceedings before that Judge, by any or all persons, including but not limited to, seated jurors in civil and criminal trials in this District, regardless of vaccination status.

6. In accordance with the above, Standing Order 2020-13 ("In Re: Use of Face Coverings/Masks Due to COVID-19") is hereby vacated, and further, Standing Order 2020-14 ("In Re: COVID-19 Protocol for Entrants to All DNJ Courthouses") is amended such that face coverings/masks and social distancing are mandated only as provided in this Standing Order.

7. Temperature screening of entrants to Court facilities is no longer required and therefore, Standing Orders 2020-15 ("In Re: COVID-19 Temperature Screening Pilot at the Trenton Courthouse") and 2020-16 ("In Re: Temperature Screening at All District of New Jersey Courthouses") are hereby vacated. Optional temperature screening will still be available at the entrances to Court facilities.

8. In accordance with the above, Standing Order 2021-08 (“In Re: COVID-19 Vaccination and Testing”) is amended such that face coverings/masks and social distancing are mandated only as provided in this Standing Order, and the temperature screening requirement therein is vacated.

9. Standing Order 2021-08 is further amended to provide that visitors seeking entry to Court facilities by way of the testing option may present proof of a negative result from a rapid test, rather than a PCR test, along with proof of identification.

10. As provided in Standing Order 2021-08, criminal defendants will continue to be required to have a negative COVID-19 test result before being transported from detention facilities to this District’s courthouses.

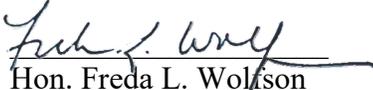
11. Updated Amended Standing Order 2021-04 (“In Re: Court Operations under the Exigent Circumstances Created by COVID-19”) is hereby amended, only to the extent that holding cells for criminal detainees in this District are no longer limited in capacity to one detainee per cell.

12. This Standing Order does not affect the Court’s other COVID-19 protocols, set forth in prior Orders and not amended or vacated herein, which remain in full force and effect.

13. The United States Marshal, his Deputies, and the Court Security Officers shall enforce this Order.

14. This Standing Order shall remain in effect until amended or vacated. This District’s Court Security Committee will continue to monitor COVID-19 conditions, including the COVID-19 Community Levels for the counties in this District, and will amend this Order as circumstances require.

March 16, 2022


Hon. Freda L. Wolfson
U.S. Chief District Judge
District of New Jersey