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Assignment Judge

56 Paterson Street, New Brunswick, NJ 08903

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March 31, 2020

Middlesex County Bar Association
87 Bayard Street, Suite 1
New Brunswick, NJ 08901

Re: **To our Colleagues and Members of the Bar**

I hope this letter finds you well.

I write to provide you with an update on the status of our Courts and information to access our courts as we have transferred to a mostly virtual system.

The court is closed to the public. Signs have been posted at the entrances to the courthouses in both English and Spanish, providing contact information for all courts. We have also installed an exterior drop box at the Paterson Street entrance to receive mail for those who do not have access to electronic filing.

Our judges and staff have the ability to work remotely and conduct business and interact with attorneys virtually through the use of Zoom and Microsoft Teams. We also have telephone conference capabilities by way of a conference bridge system. Once a date and time for a meeting is scheduled, a dial in number will be provided to counsel.

Attorneys wishing to directly email judges during this national emergency must first request permission from that judge before doing so. Pro se litigants without access to email, who wish to file emergent applications, can drop them off in the mailbox at the Paterson Street entrance to the courthouse.

Please be advised that in order to remain compliant with the Department of Health Guidelines, mail will not be processed for at least 24 hours after receipt.

We also have a limited number of virtual courtrooms which will be available for hearings.

VICINAGE-LEVEL EMERGENCY FILING EMAIL BOXES

To ensure continued access to our courts, vicinage-level email mailboxes (e.g. AtlEmergent.mailbox@njcourts.gov) have been created for attorneys and parties to file for emergent relief during this public health emergency. Links to these mailboxes along with instructions for filing various types of emergent applications are on the judiciary's public website.

WEBSITE AND PHONE NUMBERS

The website and telephone contact numbers for our courts are as follows:

Website	njcourts.gov
Family	(732) 645-4300 x88540
Probation	(732) 645-4300 x88585
Civil	(732) 645-4300 x88171
Chancery	(732) 645-4300 x88171
Criminal	(732) 645-4300 x88097
Pretrial	(732) 645-4300 x88080
Finance	(732) 645-4300 x88670
Deliveries/Pickup	(732) 645-4300 X88010

Paper filings or checks may be placed in the drop box next to the courthouse entrance.

To better guide you through each of our divisions I have asked our Presiding Judges to provide you with information as it pertains to their court.

CIVIL

To the Civil Practice Trial Bar:

Since many attorneys are working remotely, a joint request for a settlement conference shall be made to the Assignment Office via E-Courts setting forth the best contact number for each attorney.

All efforts will be made to accommodate counsel.

We ask that attorneys seek to resolve issues without resulting to motion practice. Whenever possible, we ask that the parties consider waiving oral argument and submitting on the papers.

CHANCERY

To the Middlesex County Bar Association Chancery Practitioners:

Thank you for your understanding and cooperation during this very serious health crisis. The Chancery Division is following the directives of Chief Justice Rabner and Director Glen Grant of the AOC in dealing with the crisis. Accordingly, the Chancery Division's employees, including the Judges, are working from home and conducting proceedings via telephone and Zoom. Judge Arthur Bergman, Judge Roger Daley (who is now handling new Probate matters) and I are working remotely with our staffs and conducting as many matters as practical. While we are not at the courthouse, the staff is monitoring messages and returning phone calls. Foreclosure cases, of course, continue to be filed on E-Courts. Chancery matters may still be mailed to the courthouse, although processing has been slowed due to the fact that staff has been reduced. However, we now have an electronic mailbox for the filing of emergent applications at: MidEmergent.mbx@njcourts.gov. This mailbox is monitored by a staff member who sorts them and directs them to the appropriate division. The AOC is also looking at the possibility of including all Chancery filings on E-Courts. If this is accomplished, we will certainly let you know. In the meantime, Judges may be reached through our secretaries and law clerks via telephone and email. Again, thank you for your understanding and stay well.

FAMILY

The following information is being provided in an effort to provide guidance on some court functions during this period of transition from normal court operations to remote functioning:

The courthouse is closed to the public due to the ongoing COVID-19 coronavirus health crisis. Judges and staff are working remotely. Motions and other documents sent to the court for filing may not be returned stamped "filed" or given a docket number until courthouse operations return to normal or until further notice. Documents may be mailed or placed in the drop box located outside the main courthouse on the Paterson Street side.

All FRO hearings are adjourned to April 14, 2020 and dates thereafter. We are assessing the capability of resuming hearings at a future date and will provide further update as it becomes available. TROs continue to be handled through the municipal police departments. Appeals of TRO denials continue to be heard by the Superior Court.

Pending motions are being handled by the judge assigned to the case and they are working with their law clerks to communicate with attorneys and litigants through email. All Family Judges, law clerks and secretaries' email addresses are listed below. Management and handling of requests for oral argument will be on an individual case basis as determined by the judge.

Orders to Show Cause continue to be processed and heard by the Superior Court. They may be sent by email to MidEmergent.mbx@njcourts.gov. Please take into consideration that a failure to comply with parenting time under an Order does not rise to the level of an emergent matter requiring an Order to Show Cause in the absence of a threat of irreparable harm. Parenting time issues should be addressed through regular motion practice.

ESPs will be adjourned to April 13, 2020 as we continue to develop a process to conduct them remotely. Further information on the ESP process will be forthcoming.

Uncontested divorces can be submitted on the papers through regular mail by consent. Please ensure the proposed form of Judgment includes the language "**Consent to the form and entry**" and is signed by both attorneys. Be advised that judicially signed and gold sealed Final Judgments of Divorce cannot be returned at this time and may need to await the return to normal court functions. Make sure all MSA/PSAs are included and incorporated therein.

FM trials have been adjourned and will be case managed by the judge assigned to the case.

CRIMINAL

Guidance for Attorneys on Remote Operations:

The following information is being provided in an effort to provide guidance on some court functions during this period of transition from normal court operations to remote functioning. Note that this is an evolving situation and we will endeavor to update you regarding changes.

The Supreme Court has issued several Orders relative to court operations, both procedural and substantive, during the COVID-19 crisis. I urge you to monitor the njcourts.gov website for the latest Orders and directives. Additionally, documents, such as arraignment forms, plea forms, PTI applications, etc., are available on the njcourts.gov website.

The courthouse is closed to the public due to the ongoing COVID-19 coronavirus health crisis. Judges and staff are working remotely. You can contact staff members at the regular numbers as we are utilizing call forwarding to enable remote answering of telephones. Additionally, our emails remain available and are monitored by staff during regular business hours and, in some cases, beyond.

Documents can be filed through E-courts, but you should reach out to the law clerk if you file a document to ensure that it is received. Documents regarding incarcerated defendants, plea agreements, pretrial memos, or other documents can be emailed to the records department at MCDOCRECORDS@co.middlesex.nj.us or hand-delivered at the visitor's lobby 24/7, and they will have the documents signed/executed by the defendant within 24 hours or less. You can then have a private telephone conference with your client to review the documents.

A drop box has been installed outside the main courthouse on the Paterson Street side. Documents may be dropped off. DO NOT put cash in the box.

Orders to Show Cause continue to be processed and heard by the Superior Court. They may be sent by email to MidEmergent.mbx@njcourts.gov.

We can conduct telephone conferences on or off the record. We can memorialize off-the-record conferences with group emails. These should be generally limited to administrative, procedural and scheduling issues. Please make sure that all emails to a judge or court staff regarding any case includes both sides in the email to assure that we avoid ex-parte communications. We can also do telephone conferences on the record utilizing the conference bridge system or our cell phones, merging same with the courtroom phone. All courtrooms are currently running court smart constantly from 7:00 a.m. to 6:00 p.m.

For telephone conferences using the conference bridge, we will set a time for the meeting and then we all dial in. Please follow these instructions:

Dial (732) 645-4316.

When prompt asks for meeting number, enter ***#**

When prompt asks for 7-digit attendee access code, it is ***#**

Each judge has a different set of conference bridge meeting numbers and access codes which would be provided to you before the call.

ZOOM. Any proceedings that are required to be public, including all proceedings involving an incarcerated defendant will be done in a virtual courtroom via Zoom conference. You will receive an email invitation and, thus, we would need your email address. If you cannot open the email or video is not capable, you can participate by telephone with a call-in number that will be listed in the email invitation. You do not need to have the application on your computer or smart device, but the link may require you to install some version.

For those cases with incarcerated defendants, we will be coordinating with the jail to produce them to appear in the video conferencing. These are livestreamed via YouTube as a means of assuring public access. There are now three available locations for inmates to broadcast from, enabling more than one proceeding at a time. If there are questions you might anticipate at a virtual hearing, you should endeavor to ascertain that information from your client in advance. For example, if you are seeking the release of a defendant, I might ask where he/she intends to live, treatment anticipated, or if they have a job lined up. If a question arises during the hearing that requires private consult, we may have to end the hearing, and then reconvene at a later date/time to enable your private conversation through an alternate form of contact. I understand that someone participating in a Zoom conference might be able to mute out his/her screen, but that would not be something that the jail could do for the inmate. It could work with non-incarcerated individuals who could also use their phones for mid-hearing questions. However, we are working on available options to allow for private discussion between defense attorney and defendant in jail during a Zoom video conference, whereby a defense attorney can mute on Zoom and then call the "red phone" at the jail to speak privately with the defendant, and then unmute on Zoom and continue the hearing. This is not ideal or necessarily convenient but may be an option, at least for now (**Call in only line, the "red phone" R&D Officer direct (732) 951-3351**).

We now have 18 virtual courtrooms being shared amongst all of our Middlesex Judges, with some of those dedicated to particular divisions. We have centralized scheduling through the TCA's office to manage the sharing of the virtual courtrooms.

For those cases with defendants who are not incarcerated, the defense attorneys may be able to include them by calling their own client before they dial into the conference bridge, or Zoom proceeding, so that he/she is able to hear and participate in the proceeding.

On a substantive note, you have seen the Orders issued by Chief Justice Rabner. Excludable time orders have been entered automatically consistent with those orders through April 26, 2020. All orders are attributable to the court and push the 90, 180 and 120 day clocks accordingly. They do not push two-year time frames and we have confirmed this is a non-issue at this time.

The AOC has been directing the DOC **NOT** transport State inmates to the courts/jails. This is extended into the future based on the current situation. There are limited circumstances where it may be necessary to include a State inmate in a proceeding and these may be possible by virtual appearance, on a case-by-case basis (to be continued). Requests are processed through virctsupport.mailbox@njcourts.gov and may require at least 48 hours turnaround time.

MUNICIPAL COURT

Please be advised that due to the COVID-19 Coronavirus epidemic, the municipal courts in Middlesex County are currently operating under adjusted court hours. Attached you will find a list of the individual courts, hours of operation, phone number, and e-mail addresses for the Court Administrator. A few of the municipal buildings are closed entirely. Also, unless otherwise noted, all other municipal buildings are closed to the public. However, court staff is available during the times indicated by phone or by email. Please contact the Court Administrator via email if you are unable to contact the court, or you can reach the municipal division manager via email at Cheryl.williams@njcourts.gov.

The municipal courts are currently handling the following functions:

- *Scheduling/re-scheduling court matters;**
- *Entering manual tickets/complaints turned over by Law Enforcement;**
- *Reviewing mail in order to enter payments;**
- *Re-calling warrants when not executed by the police department;**
- *Handling phone inquiries.**

Middlesex County – Municipal Courts Work Hours

1. **Carteret** - M-F 8:00 a.m. - 4:00 p.m.
Madeline Zurick, Acting Court Administrator – Madeline.Zurick@njcourts.gov
732-541-3900
2. **Cranbury/Plainsboro**
Susan Slavicek, Acting Court Administrator – Susan.Slavicek@njcourts.gov
609-799-0863
3. **Dunellen**: M-F 9:00 a.m. –12:00 and 1:00 – 4:00 p.m.
Theresa Crisifulli, Court Administrator – Theresa.Crisifull@njcourts.gov
732-968-3400
4. **East Brunswick** – M-F 8:00 a.m. - 4:00 p.m.
Lizandra DeAngelis, Court Administrator – Lizandra.DeAngelis@njcourts.gov
732-390-6915
5. **Edison** – M-F 8:30 a.m. - 4:30 p.m.
Kelly Sommer, Court Administrator – Kelly.Sommer@njcourts.gov
732-248-7328
6. **** Helmetta** –
Lori Kartelias, Acting Court Administrator – Lori.Kartelias@njcourts.gov

7. **Highland Park** – M-Thurs 8:00 a.m. - 4:00 p.m.
Tracey Horan, Court Administrator – Tracey.Horan@njcourts.gov
THoran@HPBoro.com
732-777-6010
8. **Jamesburg** – Mon, Wed & Fri. - 10:00 a.m. - 1:00 p.m.
Christine Ward, Court Administrator – Christine.Ward@njcourts.gov
732-521-2222
9. **Old Bridge** – M-F 8:00 a.m. - 4:30 p.m.
Susan Bruchez, Court Administrator – Susan.Bruchez@njcourts.gov
732-721-5600
11. **Metuchen** – M-F 8:00 – 4:00 p.m.
Wahjira Williams-Fisher, Court Administrator – Wahjira.williams-Fisher@njcourts.gov
732-632-8571
12. **Middlesex Boro** – M-F 9:00 a.m. - 4:00 p.m.
Merari Gaud, Court Administrator – Merari.Gaud@njcourts.gov
732-356-4644
13. **Milltown** – M-F 8:30 a.m. - 3:30 p.m.
Dione Longuillo, Court Administrator – Dione.Longuillo@njcourts.gov
732-247-3936
14. **Monroe** – M-F 10:00 a.m. - 3:00 p.m.
Donna Linke, Court Administrator - Donna.Linke@njcourts.gov
732-521-4020
15. **New Brunswick** – M-F 8:30 a.m. - 4:30 p.m.
Kimberly Milligan, Court Administrator – Kimberly.Milligan@njcourts.gov
732-745-5089
16. **North Brunswick** – M-F 9:00 a.m. - 12:00 p.m.
Sheral Rossmann, Court Administrator -
732-247-0922
17. **Perth Amboy** – M-F 8:00 a.m. - 5:00 p.m.
Solenny Pena, Court Administrator – Solenny.Pena@njcourts.gov
732-442-6011
18. **Piscataway** – M-F 8:00 a.m. - 4:00 p.m.
Vanessa Colon, Court Administrator – Vanessa.Colon@njcourts.gov
732-562-2330
19. **Sayreville** – M-F 8:00 a.m. - 12:00 pm.
Joyce Wojcik, Acting Court Administrator – Joyce.Wojcik@njcourts.gov
732-525-5446
20. **South Amboy** – M, Tues., Thurs. & Fri. 8:00 a.m. - 12:00 p.m.
Sheryl Massaro, Acting Court Administrator – Sheryl.Massarro@njcourts.gov
732-727-4600

21. **South Brunswick** – M, Wed. & Fri. 8:30 a.m. - 1:00 p.m.
Kathryn Coffey, Court Administrator – Kathryn.Coffey@njcourts.gov
732-329-4000 ext. 7425
22. **South Plainfield** – M, Wed. & Fri. 8:00 a.m. - 12:00 p.m. - Tues & Thurs 12:00 – 4:00 p.m.
Yolanda Diaz, Court Administrator – Yolanda.Diaz@njcourts.gov
908- 226-7651
23. **South River** – M-F 9:00 a.m. - 12:00 p.m.
Cassandra Garrick, Court Administrator – Cassandra.Garrick@njcourts.gov
732-257-1233
24. **** Spotswood** -
Lori Kartelias, Court Administrator – Lori.Kartelias@njcourts.gov
25. **Woodbridge** – M-F 8:30 a.m. - 4:30 p.m.
Madeline Zurick, Court Administrator – Madeline.Zurick@njcourts.gov
Philip Dinicola, Court Director – Philip.Dinicola@njcourts.gov
732-636-6430

****Note: Unless otherwise noted, all municipal buildings are closed to the public. However, court staff is available during the times indicated by phone or email. Please contact the Court Administrator via e-mail or the Municipal Division – cheryl.williams@njcourts.gov**

JUDGES AND STAFF

As you may know, Judge Rivas moved to the Civil Division, Judge Buck moved to the Criminal Division, and Judge Flynn is now the Presiding Criminal Judge. Judge Rivas has been instrumental in fostering a relationship between the bench and bar. Our thanks for his leadership, guidance and support.

I would be remiss if I failed to acknowledge the efforts of our judges and staff. In a very short period, we have transitioned from the brick and mortar courthouse to a virtual one. We have trained and supplied necessary equipment so our judges and staff can work remotely. Many staff members have been working late into the evenings to ensure attorneys and litigants with access to our courts.

We face challenging times, but we will work and get through this together.

I look forward to working with you, and I am available should you need me.

Please stay safe.

With best regards,

Michael A. Toto
Assignment Judge
Middlesex County

MAT/cd

cc: All Middlesex County Superior Court Judges
Hon. Christine Heitman, P.J.M.C.
Christopher Kuberiet, Acting Prosecutor
John Johnson, Public Defender