

Land Court Standing Order 2-20: Emergency Measures in Response to Coronavirus Outbreak

I. Introduction.

To address the effect of the emergency outbreak of the novel Coronavirus (COVID-19) on the Land Court Department's operations, the court's ability to deliver justice, and on the litigation of cases pending in the court, and to minimize health risks to members of the public and the bar, as well as on the justices, officials, and all other employees of the court, the Land Court Department issues the following standing ORDER, to take effect on March 18, 2020, and to continue in effect until further order of the court:

II. Trials Postponed.

All Land Court trials (and other evidentiary hearings) scheduled to take place through and including April 17, 2020 are hereby continued generally to no earlier than April 21, 2020; the continuance of the trial will run to a specific later date to be determined by the court in each individual case. The April 17, 2020 date may be extended from time to time for good cause by order issued by the Chief Justice of the Land Court with the approval of the Chief Justice of the Trial Court. Limited exceptions to the continuance of trials generally ordered in this paragraph may be approved by the Chief Justice of the Land Court, in a particular case upon a showing of extraordinary circumstances, and only provided that it appears that the conduct of the trial will take place in a manner that will sufficiently reduce the health risks to all concerned. Requests for exceptions may be made by any party or the presiding justice, with an opportunity afforded all parties to present their views.

III. Court Events Held Telephonically.

All court events other than trials or other evidentiary hearings, which otherwise would or might take place in courtrooms at the Land Court with counsel, parties, and other non-court individuals physically present, shall, absent order of the court, instead be conducted by telephone conference call. The conference call event shall be held on the record in a manner that has all persons other than court personnel participate by telephone. The Recorder's office will provide all persons participating in the event with appropriate notice of the telephonic event, and instructions on how to take part telephonically in the court event. The court may direct that filings in connection with a court event being held telephonically be made and served in a particular manner (including by electronic means), by a particular time or times, or in a particular sequence. The use of telephonic conference calls shall be employed in all court events, other than trials or other evidentiary hearings, including, by way of example, case management conferences, pretrial conferences, scheduling and status conferences, non dispositive motion hearings, dispositive motion hearings, applications for injunctive relief and judicial endorsement of memoranda of lis pendens, and all hearings and other events in cases for the foreclosure of tax liens. Exceptions, in whole or in part, to the requirement that a court event be held telephonically, may be ordered by the court upon a showing of extraordinary circumstances, and only provided that it appears that the conduct of the event with persons present in the courtroom will take place in a manner that will sufficiently reduce the health risks to all concerned.

Land Court Standing Order 2-20: Emergency Measures in Response to Coronavirus Outbreak

IV. Limitations on In-Person Visits to the Court and Contact with Court Personnel.

The court will promulgate directives to members of the bar and the public to limit the need and opportunity for them to be present at the courthouse physically to meet in person with personnel of the Land Court (including clerks, title examiner staff, survey department staff, and others). The court directs that, to the greatest extent possible, requests for approval of registered land plans and documents to be registered, and other similar interactions with the court's personnel, be submitted and conducted by mail, email, or similar means, and that, in lieu of meeting in person at the courthouse with court personnel, telephone calls and email be employed. The court directs that in person meetings at the courthouse with court personnel not take place without a prior approval and an appointment set by the court's personnel, unless an exception is authorized by the court's personnel in extraordinary circumstances. The court strongly encourages that all filings with the court of pleadings and other court papers be carried out (a) where authorized and available, by eFiling, (b) with prior approval, by email, and (c) otherwise by mail or courier service.

Adopted March 13, 2020; effective March 18, 2020.