

NOTICE TO THE BAR


GRAND JURY – AMENDMENTS TO COURT RULE 3:6-6 **(“WHO MAY BE PRESENT; RECORD AND TRANSCRIPT”)**

The Supreme Court previously invited written comments on proposed amendments to Rule 3:6-6 (“Who May be Present; Record and Transcript”). Having considered those public comments, the Court has amended the rule as part of the July 30, 2021 [Omnibus Rule Amendment Order](#), to be effective September 1, 2021.

The amendments to Rule 3:6-6 provide that the prosecuting attorney shall not be present during grand jury deliberations, except that the grand jury may pose questions to the prosecutor, so long as those questions and any response or colloquy are made on the record. That refinement of the rule brings New Jersey into closer alignment with the federal courts and with the substantial majority of state courts.

The Court’s amendments also clarify the individuals who may or must be present at each phase of grand jury proceedings.

Questions on the amendments to Rule 3:6-6 may be directed to the Office of the Administrative Director of the Courts at (609) 376-3000.



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

Dated: August 17, 2021