

Mortgage Foreclosure Standing Order
Federal Mortgage Foreclosure Moratorium

1. This Standing Order is effective immediately and applies to all mortgage foreclosure actions filed on or after the date of this Order, as well as to previously filed mortgage foreclosure actions that have not gone to final judgment.
2. The purpose of this Standing Order is to ensure that no mortgage foreclosure action is filed, no previously filed mortgage foreclosure action goes to final judgment, and no sale pursuant to a judgment of foreclosure by sale is approved, if the mortgage being foreclosed secures a federally-backed mortgage loan that is subject to a federal foreclosure moratorium.
3. All mortgage foreclosure complaints filed in Superior Court on and after the date of this Order shall be accompanied by an executed **AFFIDAVIT- Federal Mortgage Foreclosure Moratorium**, form JD-CV- 172 (“Affidavit”). Any foreclosure complaint that is filed after the date of this Order that is not accompanied by the Affidavit may be dismissed by the Court unless the Affidavit is filed within 14 days of the filing of the foreclosure complaint. In addition to filing the Affidavit with the foreclosure complaint, the plaintiff shall file an updated Affidavit when a motion for judgment is filed and when a motion to approve a sale is filed. If the Affidavit is more than 30 days old at the time the Court considers a motion for judgment or a motion to approve a sale, an updated Affidavit must be filed.
4. In any mortgage foreclosure action filed in the Superior Court before the date of this Order in which judgment has not entered, or in which a judgment of foreclosure by sale has entered, but the sale has not been approved by the Court, the plaintiff shall file an executed Affidavit no later than 14 days from the date of this Order. No judgment shall enter in any mortgage foreclosure action filed before the date of this Order, and no sale pursuant to a judgment of foreclosure by sale shall be approved, unless the plaintiff files an executed Affidavit. If the Affidavit is more than 30 days old at the time the Court considers a motion for judgment or a motion to approve a sale, an updated Affidavit must be filed.
5. If the plaintiff does not comply with this Order, a motion for judgment shall not be granted, or a sale shall not be approved, except upon Order of the Court.

 s/ James W. Abrams
James W. Abrams
Chief Administrative Judge, Civil Division

 9/24/2020
Date