

## **RULE 1:30. Court Schedules**

### **1:30-1. Courts Always Open**

The courts shall be deemed always open for filing any proper paper, the issuance and return of process, the making of motions, the entering of orders and judgments, and the transaction of all judicial business.

**Note:** Source-R.R. 3:11-8, 4:118-4, 6:2-4, 8:12-7.

### **1:30-2. Terms of Court; Stated Sessions of Superior Court**

(a) **Terms.** All courts shall hold one term annually, commencing on such date as shall be fixed by the Chief Justice. Matters not concluded in a term shall be carried to the succeeding term, but the continued existence or expiration of a term of court in no way affects the power of the court to do any act or take any proceeding in any action which has been pending before it.

(b) **Sessions.** Within each term of the Superior Court, Law Division there shall be 3 stated sessions commencing at times fixed by the Chief Justice.

**Note:** Source -- R.R. 1:1-3, 1:28A, 2:1-2, 3:1-4, 4:6-2 (second sentence), 4:118-3. Paragraph (a) amended December 21, 1971 to be effective January 31, 1972; amended July 13, 1994 to be effective September 1, 1994; caption amended July 28, 2004 to be effective September 1, 2004.

### **1:30-3. Sittings of Courts**

(a) **Court Hours.** Court hours for all trial courts, except the municipal courts, shall be fixed by the Chief Justice. Court hours for each municipal court shall be fixed by the judge or presiding judge thereof, subject to the approval of the Administrative Director of the Courts.

(b) **Court Days.** When not in recess, all courts shall sit Monday to Friday, inclusive; except that the appellate courts shall sit on days fixed by the Chief Justice and municipal courts shall sit on days fixed by the judge or presiding judge thereof, subject to the approval of the Administrative Director of the Courts.

(c) **Motion Days.** Motions shall be heard in all trial courts as scheduled from time to time by the Chief Justice.

(d) **Court Recesses.** All courts shall be in recess on Saturdays, Sundays, legal holidays and such other days as the Chief Justice shall order.

(e) **Special Sittings.** Nothing in this rule shall preclude the Chief Justice, the presiding judge of an appellate court, the Assignment Judge, or the judge presiding in any court from directing that any matter be heard at such other hours or on such other days as the judge may deem necessary or appropriate.

**Note:** Source-R.R. 1:28-1, 1:28-2, 1:28-3, 1:28-4, 1:28-5, 4:119-1 (first sentence), 6:2-5(a), 8:2-2; paragraph (e) amended July 13, 1994 to be effective September 1, 1994.

### **1:30-4. Clerks' Offices**

The office of the clerk of every court, except the municipal courts, shall be open to the public for the transaction of all business of the court for such hours and on such days as shall be fixed by the Chief Justice. The office of the clerk of every municipal court shall be open to the public for the transaction of all business of the court on days and during hours fixed by the judge or presiding judge thereof, subject to the approval of the Administrative Director of the Courts.

**Note: Source-R.R. 7:19-4. Amended December 21, 1971 to be effective January 31, 1972.**

### **1:30-5. Vacations**

(a) Judges. Vacations of judges of all appellate courts shall be scheduled by the Chief Justice. Vacations of judges of all trial courts, except the Tax Court and the municipal courts, shall be scheduled by the Assignment Judge, subject to the approval of the Chief Justice. Judges of the municipal courts shall schedule their own vacations, subject to the approval of the presiding judge of such court and the Administrative Director of the Courts, but shall make provision where necessary for other judges to sit in their stead. The presiding judge of the Tax Court shall schedule vacations of the judges thereof, subject to the approval of the Chief Justice.

(b) Supporting Personnel. Vacations of persons in the judicial branch of government shall be scheduled insofar as practicable during times when the courts are in recess or at such other times as shall least inconvenience the work of the courts. The amount of vacation time allowed shall be commensurate with that allowed other public employees holding comparable positions. The vacations of all persons assigned to or employed by a judge shall be subject to the approval of such judge and the Assignment Judge.

**Note: Source-R.R. 1:28-5, 6:2-7. Paragraph (a) amended June 20, 1979 to be effective July 1, 1979; paragraph (a) amended July 22, 1983 to be effective September 12, 1983.**