

A message from the Chief Justice

“The program was developed to meet the legitimate needs of New Jersey’s thriving business community. Litigants in these cases and the court system overall will benefit from having a core group of dedicated judges manage complex business disputes. We also expect that this new approach will help to continue to develop a body of authoritative case law that will aid all parties in business litigation.”

– Chief Justice Stuart Rabner

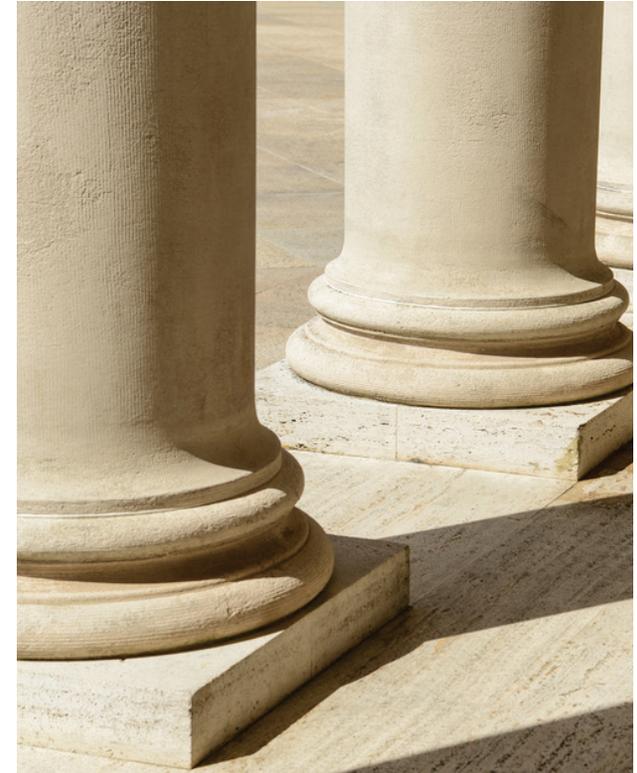


Stuart Rabner
Chief Justice

Glenn A. Grant
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NEW JERSEY JUDICIARY



Complex Business Litigation Program

What is the Complex Business Litigation program?

The Complex Business Litigation Program is designed to streamline and expedite service to litigants in complex business litigation. Under the program, cases are assigned either to the complex commercial case type or the complex construction case type, and are individually managed by a judge with specialized training on business issues. The Supreme Court established the program, which became effective on Jan. 1, 2015, to resolve complex business, commercial and construction cases.

How does the program operate?

Cases with an amount in controversy of at least \$200,000 are eligible for the program. Attorneys or parties will self-designate a matter as complex commercial (case type 508) or complex construction (case type 513) on the Civil Case Information Statement. The assignment judge or designee will review the case to determine if it is appropriate for the program.

A party to a case with an amount in controversy less than \$200,000 can file a motion with the Complex Business Litigation judge for inclusion in the program.

Cases in the program are not part of the Judiciary's mandatory civil mediation and arbitration programs. A Complex Business Litigation judge, however, may encourage the parties to mediate their cases.

What types of cases are appropriate for the program?

The program includes cases arising from business or commercial transactions or construction projects that involve potentially significant damages awards. Program cases may have complex or novel factual or legal issues; large numbers of separately represented parties; large numbers of lay and expert witnesses; a substantial amount of documentary evidence, including electronically stored information; or, require a substantial amount of time to complete trial.

Examples of the types of cases suitable for the program include: non-consumer Uniform Commercial Code transactions, intellectual property disputes, contract disputes, business torts, unfair competition disputes, and Racketeer Influenced and Corrupt Organizations Act (RICO) claims.

The specialized judges' expertise enables these complex cases to proceed more smoothly through the litigation process.

What types of cases are not appropriate for the program?

The program does not include matters that are handled by general equity, such as corporate governance disputes, dissolution, shareholder derivative suits, receiverships, or matters primarily involving consumers, labor organizations, personal injury, condemnation, or cases in which the government is a party.

Complex Business Litigation Judges

Each assignment judge has designated a judge to handle all complex commercial and complex construction cases in that vicinage from commencement of the lawsuit to its conclusion. These designated judges are proficient in commercial and business law, and receive extensive specialized training on an ongoing basis in all areas related to business litigation.

Complex Business Litigation Opinions Index

The Judiciary posts on its website a specialized catalog of business-related opinions that offer insight into selected business law categories, including leading and recent cases issued by the New Jersey Supreme Court, the Appellate Division and Superior Court, as well as opinions authored by Complex Business Litigation judges.

This online resource is intended to provide attorneys and litigants access to the growing body of business-related case law in New Jersey.

For those opinions, go to www.njcourts.com/opinions/business/index.html

The listing of opinions is updated regularly.