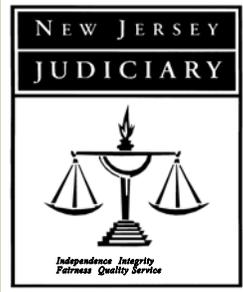


Volume 9, Issue 5

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Civil Complementary
Dispute Resolution Newsletter

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Notice to the Bar—Arbitrator Training Requirements

Effective September 1, 2004, the Supreme Court amended R. 1:40-12(c) so as to require all individuals serving as arbitrators in the court-annexed civil arbitration program to complete at least three classroom hours of initial training in a course approved by the Administrative Office of the Courts (AOC) and at least two hours of continuing education every two years. Individuals serving as arbitrators in the program must satisfy the initial training requirement no later than March 1, 2005 and furnish written proof of this to the AOC at the address below. Moreover, every two years, written proof must be furnished to the AOC indicating that an individual has satisfied the continuing education requirement specified in the rule. In this regard, the New Jersey Institute for Continuing Legal Education (ICLE) will be offering a series of approved courses that will be presented regionally. ICLE will provide information on these approved courses to every arbitrator currently on the statewide roster.

Any questions regarding this Notice or the training requirements for civil arbitrators may be directed to:

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/s/ Richard J. Williams

Richard J. Williams, J.A.D.
Administrative Director of the Courts

DATED: AUGUST 13, 2004

ARBITRATION TRAINING COURSE

ICLE is please to announce three live sites and three video replays of the Arbitration training that will fulfill the initial three-hour training requirement for arbitrators currently on the court-approved list. You may register for any of the dates below by calling (732) 214-8500 or visit www.njicle.com.

Three live sites.....

Thursday, October 14, 2004
5:00 p.m. to 8:00 p.m.
Clarion Hotel, Cherry Hill

Thursday, October 21, 2004
9:00 a.m. to 12:00 p.m.
Woodbridge Hilton, Iselin

Saturday, November 13, 2004
9:00 a.m. to 12:00 p.m.
Hilton Hotel, Hasbrouck Heights

Three video replays.....

Tuesday, November 23, 2004
9:00 a.m. to 12:00 p.m.
Resorts Casino Hotel, Atlantic City

Friday, December 10, 2004
9:00 a.m. to 12:00 p.m.
Lafayette Yard Marriott Hotel, Trenton

Tuesday, December 14, 2004
9:00 a.m. to 12:00 p.m.
Hanover Marriott, Whippany

Rule Amendments Relating to Civil Complementary Dispute Resolution

Effective September 1, 2004, several Court Rules relating to Civil Complementary Dispute Resolution (CDR) programs were amended. These include changes to:

- *R. 1:40-4*, clarifying the limitations on service of mediators, including the circumstances requiring approval of the Assignment Judge before an qualified individual may be placed on the roster of court-approved mediators.
- *R. 1:40-12(b)*, providing that individuals who have applied to become mediators must be mentored only by mediator mentors approved by the Administrative Office of the Courts (AOC) and permitting approved time spent mentoring to be applied towards a mediator's annual continuing education requirement.
- *R. 4:21A-1*, providing that matters previously referred to court-ordered mediation shall not be thereafter scheduled for arbitration unless all parties request arbitration or the court finds that there is good cause for a case to be arbitrated.
- *R. 4:21A-2(c)* permitting the use of two-arbitrator panels and (d) providing for them to be compensated at the rate of \$450 per day to be split evenly by the panel members.
- *R. 1:5-6(c)* allowing court staff to return trial *de novo* requests filed by parties in default or whose answers have been suppressed.
- *R. 1:40-12(c)* requiring arbitrators to complete three hours of initial training and two hours of continuing training every two years.
- *R. 4:21A-3* providing that the provisions of *R. 4:58*, the offer of judgment rule, do not apply to arbitration proceedings.

The text of the actual rule amendments can be found on the Judiciary's Internet website at www.njcourtsonline.com.

STATEWIDE ARBITRATION MEETING

On October 29, 2004, the Supreme Court Arbitration Advisory Committee will host a statewide meeting with all arbitration program staff and representatives from the county bar arbitration committees.

The meeting will be held at the Law Center in New Brunswick and will run from 9:30 a.m. to 12:30 p.m. on Friday, October 29, 2004. This meeting is the first of an ongoing annual event that was recommended as a result of the Statewide Arbitration Conference held in May 2003.

The purpose of the meeting is to discuss implementation of the 19 recommendations emanating from the May 2003 Statewide Arbitration Conference, which have been approved by the Judicial Council.

New Jersey Civil Complementary Dispute Resolution Newsletter is a publication of the Civil Practice Division, the Administrative Office of the Courts, New Jersey Judiciary, Richard J. Hughes Justice Complex, Trenton, NJ 08625-0981. The Chief Justice of the New Jersey Supreme Court is Deborah T. Poritz. The Acting Administrative Director of the Courts is Philip S. Carchman, JAD.

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