

NOTICE TO THE BAR

INCREASE IN FEE FOR SERVICE BY MAIL IN THE SPECIAL CIVIL PART

Since July 2000, the fee for service by mail in the Special Civil Part has been \$4.00 per defendant. Because of increasing postage costs, the \$4.00 fee does not, and has not for some time, offset the Judiciary's expenses incurred in providing mail service. In calendar year 2003, for example, the Judiciary incurred a cost of \$2.1 million to serve Special Civil Part process by mail, while collecting only \$1.6 million for this purpose.

N.J.S.A. 22A:2-37.1 and -37.2 empower the Administrative Director of the Courts to set the amount of the fee that is to be charged for simultaneous service of the summons by certified and regular mail in Special Civil Part cases. Pursuant to the authority granted by this legislation, and after consultation with the Chief Justice, I am increasing the service by mail fee in the Special Civil Part from \$4.00 to \$6.00, per defendant, effective April 1, 2005. This increase will stem the Judiciary's losses in providing service by mail and will accommodate the rise in postage rates scheduled for 2005.

Please note that pursuant to Rule 6:2-3(b) and N.J.S.A. 2A:18-54, the summons and complaint in tenancy actions are served personally by court officers and by regular mail. The increased fee thus does not apply. In those instances in which the landlord believes that the tenant cannot be served at the premises that are the subject of the action, a recent amendment to the rule became effective on September 1, 2004 that permits additional service to be made by certified and regular mail at a second address. Thus, the fee increase for simultaneous service by certified and regular mail will apply to these cases.

Please note further that, pursuant to N.J.S.A. 22A:1-37.1(a)(5) and 37.2(d), the fee increase will also apply to wage executions that are to be served on federal employers.

Any questions concerning this fee should be directed to Robert D. Pitt, Esq., Chief, Special Civil Part Services, P. O. Box 981, Trenton, NJ 08625-0981; telephone (609) 292-8470.

Hon. Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts
Dated: January 27, 2005

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