

NOTICE TO THE BAR

ADDITIONAL AMENDMENTS TO RULES 1:40-6, 4:43-2, AND 4:64-1

As part of its July 27, 2006 omnibus rule amendment order, the Supreme Court adopted amendments to Rules 1:40-6, 4:43-2, and 4:64-1. Those amendments became effective September 1, 2006. Subsequently it was determined that additional amendments should have been made to those three rules. The Supreme Court on September 11, 2006 thus adopted the attached further amendments to Rules 1:40-6, 4:43-2, and 4:64-1, to be effective as of that date.

/s/ Philip S. Carchman

Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts

Dated: September 11, 2006

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to Rule 1:40-6, Rule 4:43-2, and Rule 4:64-1 of the Rules Governing the Courts of the State of New Jersey are adopted effective immediately.

For the Court,

/s/ Deborah T. Poritz

Chief Justice

Dated: September 11, 2006

1:40-6. Mediation of Civil, Probate, and General Equity Matters

The CDR program of each vicinage shall include mediation of civil, probate, and general equity matters, pursuant to rules and guidelines approved by the Supreme Court.

(a) Referral to Mediation. The court may, sua sponte and by written order, refer any civil, general equity, or probate action to mediation for an initial two [three] hours, which shall include an organizational telephone conference, preparation by the mediator, and the first mediation session. In addition, the parties to an action may request an order of referral to mediation and may either select the mediator or request the court to designate a mediator from the court-approved roster.

(b) ... no change

(c) ... no change

(d) ... no change

(e) ... no change

(f) ... no change

(g) ... no change

Note: Adopted July 5, 2000 to be effective September 5, 2000 (and former Rule 1:40-6 redesignated as Rule 1:40-7); paragraph (b) amended July 12, 2002 to be effective September 3, 2002; paragraphs (e) and (g) amended July 27, 2006 to be effective September 1, 2006; paragraph (a) amended September 11, 2006 to be effective immediately.