

NOTICE TO THE BAR

CORRECTIONS TO RULE AMENDMENTS ADOPTED BY THE SUPREME COURT'S JULY 9, 2008 ORDER

This notice is to advise of the following corrections to certain of the amendments to the New Jersey Rules of Court adopted by order of July 9, 2008, which amendments become effective September 1, 2008:

- **Rule 1:6-2** – The caption of new subparagraph (b)(2) is corrected to read “Motion for Dismissal Pursuant to N.J.S.A. 2A:53A-40”. Also, in the new text in the source note, “...former text of rule captioned and redesignated...” is corrected to read “...former text of paragraph (b) captioned and redesignated...”
- **Rule 1:20-19** – In the new text in the source note, “captin” is corrected to read “caption”.
- **Rule 1:27-2** – The new language in the source note is corrected to read “first paragraph and subparagraph (b)(iii) and paragraphs (d) and (e) amended July 9, 2008 to be effective September 1, 2008”.
- **Rule 3:26-8** – In paragraph (b) of new Rule 3:26-8, add a period after the letter A in the second instance of “N.J.S.A.” In the first sentence of paragraph (d), delete the word “with“ after the word “crime” (so that it reads “...requests a hearing for a person charged with a crime enumerated in...”).
- **Rule 4:4-4** – Rather than “no change,” subparagraph (a)(8) is amended to read as follows: “(8) On [Upon] other public bodies, by serving a copy of the summons and complaint in the manner prescribed by subparagraph [paragraph] (a)(1) of this rule on the presiding officer or on the clerk or secretary thereof[;] .” Also, the newly added paragraph situated after subparagraph (a)(8) is amended to read as follows: “The foregoing subparagraphs (a)(1) through (a)(8) notwithstanding, in personam jurisdiction may be obtained by mail under the circumstances and in the manner provided by R. 4:4-3.”
- **Rule 4:25-4** – The first portion of the fourth sentence is corrected so as to read: “In Track 1 or 2 tort cases pending for more than [three] two years, [however,] and in Track 3 or 4 tort

cases pending for more than three years, the court, on such notice to the parties...”

• **Rule 4:64-3** – In the first sentence of paragraph (a), insert a comma after “on motion”.

• **Rule 4:67-2** – In the new closing sentence of paragraph (a), change “...Appendix XII-F through -H...” to “...Appendix XII-F through XII-H...”

• **Rule 4:86-4** – In the fourth sentence of paragraph (b), change “...shall make recommendations concerning the court’s determination on the issue of mental incapacity...” to “...shall make recommendations concerning the court’s determination on the issue of [mental] incapacity...”

• **Rule 4:86-7** – Change “...and may render judgment that the person no longer is [mentally] fully or partially incapacitated, that his or her guardianship be modified or discharged subject to the duty to account,...” to “...and may render judgment that the person no longer is [mentally] fully or partially incapacitated, that his or her guardianship [guardian] be modified or discharged subject to the duty to account,...”

• **Rule 6:10** – Correct the new language in the source note to read as follows: “;caption and text amended July 9, 2008 to be effective September 1, 2008”.

• **Rule 8:5-4** – Correct the new language in the source note to read as follows: “;paragraph (6) amended July 9, 2008 to be effective September 1, 2008”.

• **Rule 8:6-1** – In subparagraph (b)(2)(ii), correct “trial date” to read “trial date”.

• **Rule 8:6-4** – Redesignate paragraphs (1) through (5) as paragraphs (a) through (e).

/s/ Philip S. Carchman

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

Dated: July 15, 2008