NOTICE TO THE BAR

FORECLOSURE – ADHERENCE TO THE TIME LIMIT SET FORTH IN RULE 4:49-2 FOR FILING MOTIONS FOR AMENDED JUDGMENTS

This notice to the bar advises of a change relating to motions for amended judgments in foreclosure matters, specifically the time within which such motions for amended judgment must be filed. Effective May 1, 2016, such motions must be filed within the twenty-day period required by Rule 4:49-2.

In September 2012 an informal relaxation to Rule 4:49-2 was implemented in response to the requirement of the certification of diligent inquiry in foreclosure pursuant to Rules 4:64-1(a)(2) and 4:64-2(c)(4). That rule relaxation permitted the plaintiff to file a motion for amended judgment outside of the 20-day time period prescribed by Rule 4:49-2. This notice discontinues that relaxation effective May 1, 2016.

Thus, a party seeking to amend a judgment in foreclosure beyond the 20-day period provided by Rule 4:49-2 must proceed by motion to vacate the original judgment and, if the party still seeks to obtain judgment, by motion for a new final judgment.

Questions regarding this notice may be directed to Michelle M. Smith, Clerk of the Superior Court, by email at michelle.smith@njcourts.gov or by telephone at 609-421-6100.

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: April 25, 2016