

NOTICE TO THE BAR – EXPANSION OF COMPLEX BUSINESS LITIGATION PROGRAM RESOURCES

The Judiciary is committed to supporting New Jersey's business community by providing a reliable forum for fair and expeditious resolution of business litigation. This notice announces the latest expansion of resources to accommodate the effective handling of business disputes through the Complex Business Litigation Program (CBLP).

History and Scope of the CBLP

In 2013, Chief Justice Stuart Rabner established the Supreme Court Working Group on Business Litigation to examine how the courts could meet the needs of the business community and encourage continued commercial opportunities in the State. Informed by the recommendations of that working group, the Supreme Court in 2014 approved implementation of the CBLP for the handling of complex business, commercial, and construction cases.

A case is automatically assigned to the CBLP if the amount in controversy is at least \$200,000 and the litigants self-designate the case as complex commercial or complex construction. For a case not presumptively assigned to the program, litigants can file a motion requesting inclusion where the claim involves complex business-related issues and/or the amount in controversy is less than \$200,000.

The CBLP began accepting cases on January 1, 2015 and has demonstrated success in its first four years. Over 700 cases have been accepted into the CBLP, which currently handles over 260 active cases.

CBLP Court Rules; Guidelines, and Model Forms and Orders

The CBLP continues to grow and improve. The Committee of Complex Business Litigation Judges (Committee) developed and proposed rules for the CBLP, which the Supreme Court adopted to be effective September 1, 2018. In conjunction with the development of court rules, the Committee also drafted operational guidelines to facilitate consistent case processing and model documents for use by practitioners. These Court-approved case management guidelines, model forms, and model orders were promulgated by Administrative Directive #01-19 (https://www.njcourts.gov/attorneys/assets/directives/dir_01_19.pdf). The guidelines provide an overview of the CBLP and describe the management of cases within the program. While the Court did not mandate use of these specific forms and orders, they were provided as approved models for the guidance of the bar and the bench. The model CBLP forms and model orders can be used without modification or can serve as the starting point for documents tailored to meet the needs of a particular business-related case and situation.

Improved Webpage; CBLP Opinions – Including Email Notifications

The CBLP Court Rules, case management guidelines, model forms, and model orders, and additional resources are posted on the Judiciary's Complex Business Litigation Program

webpage (<https://www.njcourts.gov/courts/civil/cblp.html>). The webpage can be readily accessed from the Judiciary website home page – njcourts.gov – by clicking on “Attorneys” at the top of the page and then “Complex Business Litigation Program” in the in the “Resources” column. The model CBLP forms and model orders are available in Word format so that attorneys and judges can access and customize them as needed. The webpage also features an updated brochure on the CBLP with links to relevant legal reference materials.

As intended, CBLP judges regularly post and publish opinions on matters relevant to the adjudication of complex business, commercial and construction litigation, contributing to the growth and development of business-related jurisprudence and enabling practitioners to better anticipate and respond to relevant issues. Attorneys now can request to receive email notifications of new CBLP opinions by sending an email to: CBLP.mailbox@njcourts.gov.

Outreach and Continued Support

The creation and continued development of the CBLP reflects the Judiciary’s ongoing commitment to serving the needs of New Jersey’s vibrant business community and ensuring that the courts provide an efficient and effective venue for resolution of business disputes. In addition to specialized court rules and practitioner resources, we will continue to partner with the state and local bar associations to provide education and training on the CBLP.

Questions and suggestions about the CBLP may be directed to Taironda Phoenix, Esq., Assistant Director for Civil Practice, Administrative Office of the Courts, Hughes Justice Complex, PO Box 981, Trenton, New Jersey 08625-0981, or at (609) 815-2900 x54900 or Taironda.Phoenix@njcourts.gov.

A handwritten signature in black ink, appearing to read "Glenn A. Grant", is written over a horizontal line.

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

Dated: February 20, 2019