



# News Release

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## **Working Group on Business Litigation Releases Report**

The Working Group on Business Litigation, formed by Chief Justice Stuart Rabner in the fall of 2013, has released its report. [The report](#) is available at njcourts.com.

The committee's charge was to identify and assess the needs of the business community, review the Judiciary's current practices, and recommend steps to address legitimate concerns and streamline the process for handling complex commercial litigation.

"The working group has made a number of important recommendations to improve the way the court system addresses complex commercial cases," said Chief Justice Rabner. "The committee members agreed that identifying appropriate cases early and assigning a single, experienced judge to oversee them would help ensure that complex matters are resolved as quickly and efficiently as possible."

Assignment Judge Peter E. Doyne, who chaired the working group, expressed his thanks to the members. "The group included judges, attorneys, and business leaders whose varied perspectives and experiences were invaluable to our deliberations. I am pleased that we were able to offer some innovative and practical ideas for improving our court procedures."

Committee member Philip Kirschner, former president of the New Jersey Business and Industry Association, added that "business plays a vital role in our state, providing jobs and a tax base to maintain a strong economy. The committee's recommendations will be of great help in seeing that business cases receive the proper attention and resources to speed their resolution and reduce costs."

In its report, the working group recommends no changes to the existing court structure, which was created in the 1947 state constitution to replace an unwieldy and inefficient system of 17 different types of courts. The current system includes only four courts: the Supreme Court, the Superior Court, which includes the Appellate Division, the municipal courts, and the Tax Court. Commercial litigation is filed in the law division of the Superior Court.

The working group recommends that an existing pilot program in the Bergen and Essex vicinages be expanded statewide. The Bergen/Essex Complex Commercial Pilot Program allows the assignment judge in each vicinage to designate a judge with expertise or interest in developing expertise in business or commercial litigation to oversee the resolution of all commercial matters from beginning to end. The program includes recommended time goals for case conferences and for resolution of those cases.

The working group also recommends a protocol that will identify each case that qualifies as complex commercial litigation. Mediation would be encouraged, but not required, in those cases. The threshold amount, according to the working group, should be cases valued at \$200,000 or more.

The report also recommends that judges in complex commercial cases be encouraged to publish written opinions that address interesting or novel issues. The working group also encourages more publicity for the complex commercial litigation program to increase its use.

Written comments on the new report will be accepted until June 6, 2014. Send comments to:

Judge Glenn A. Grant  
Acting Administrative Director of the Courts  
Comments on Business Litigation Report  
Hughes Justice Complex/ P.O. Box 037  
Trenton, NJ 08625

or

[Comments.Mailbox@judiciary.state.nj.us](mailto:Comments.Mailbox@judiciary.state.nj.us)

The Supreme Court will not consider comments submitted anonymously. Those submitting comments should include their name and address.

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