

Cassidy

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July 24, 2002

Hon. Eugene D. Serpentelli, Chair
Supreme Court Family Practice Committee
Ocean County Courthouse
118 Washington Street
Toms River, New Jersey 08753

Subj: 2000-2002 Family Practice Committee Report –
Supreme Court Action on Recommendations

Dear Judge ^{Gent} Serpentelli:

This letter is to advise you of the Supreme Court's actions on the rule recommendations contained in the 2000-2002 Family Practice Committee report. I have enclosed for your information a copy of the Court's July 12 omnibus rule amendment order; the amendments set forth therein become effective September 3.

Subject to editorial revisions, the Court approved the recommended amendments to the following Rules: 5:4-2, 5:5-2 (also modified to change reference to "County Clerk" to "Family Division Manager"), 5:5-4 (note that the Court did not adopt the suggested comment), 5:7-4, 5:7A, 5:8-1, 5:8-6, 5:17-4, 5:19-2, and 5:22-2. The Court approved the adoption of recommended new Rule 5:9A. The Court approved as well the recommended revisions to Appendices IX-A and IX-B.

The Court also adopted a housekeeping amendment to Rule 5:25-1 so as to conform the language in the rule to the provisions of L. 2001, c. 408, the Balanced and Restorative Justice Act (as recommended by the Conference of Family Presiding Judges).

The Court did not approve the proposed amendment to Rule 5:5-3, relating to experts in custody/parenting disputes. After considering the Committee's recommendation, the Court elected to refer the matter back to the Practice Committee for further consideration of its proposal that experts in these matters be required to confer with each other when they differ in their conclusions.

The Court did not act on the recommended adoption of new Rule 5:9-4 or the related amendment to Rule 5:12-4, relating to termination of parental rights matters. The Court asked that the Committee revisit those recommendations in light of the

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Page 2

Court's decision in In the Matter of the Guardianship of J.N.H., A Minor, A-97-01,
decided June 26, 2002.

Consideration of any non-rule recommendations contained in the Committee's
report and supplemental report will be in the fall.

Please feel free to share with the 2000-2002 Committee members the results of
the Court's consideration of the Committee's report and recommendations. Thank you.

Very truly yours,



Richard J. Williams

/sdb

enclosure

cc: Chief Justice Deborah T. Poritz
John P. McCarthy, Jr., Director
Harry T. Cassidy, Assistant Director
Margaret Mahon, Committee Staff
Steven D. Bonville, Special Assistant