

Scheduling of Guardianship Hearings

Directive #9-80
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Administrative Director

Several months ago the Attorney General advised Chief Justice Wilentz of his recommendation that the family court hear guardianship petitions filed pursuant to *N.J.S.A. 30:4C-15* on consecutive court days until completion. According to the Attorney General these cases are in many counties often heard over a period of several months or even years with the result that adoptions are seriously delayed.

After considering the Attorney General's recommendation and the comments received thereon, Chief Justice Wilentz has determined that guardianship petitions filed under *N.J.S.A. 30:4C-15* should, as a general rule, be heard on consecutive court days until completion. The Chief Justice recognizes that the interests of justice may on occasion require that the court judge adjourn the hearing. See *R. 5:12; N.J.S.A. 30:4C-19*. For example, an adjournment may be necessary where reports of experts have not been completed, where there are other priority cases scheduled for the next court day or where the attorneys would not be available on the next court day. However, in such instances the case should be rescheduled for the next available court day and subsequent adjournments should be granted only for the most compelling reasons.

EDITOR-S NOTE

The validity of this directive has been reinforced by the recommendation of the Family Pathfinders Report.

The only substantive changes have been the substitution of the Family Court for the former Juvenile and Domestic Relations Court in both paragraphs and the substitution of *R. 5:12-4* for the former *R. 5:7A-4(a)*. *R. 5:12-4* became effective December 31, 1983.