

Appointment of Pre-Trial Judges

Directive #4-92

Issued by:

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Administrative Director

This Directive is being issued at the direction of the Supreme Court to implement certain recommendations of the Committee on Civil and Family Motion Practice.

In February 1990, the Committee on Civil and Family Motion Practice submitted its report to the Supreme Court. The report was subsequently published for comment in the *New Jersey Law Journal* (125 N.J.L.J. 1278). After considering the report and the comments received following publication, the Supreme Court approved and adopted a number of the Committee's recommendations, including that requiring all pretrial proceedings in a case, including all motions except those affecting the calendar, to be handled by a single "pretrial judge" assigned to the case.

In its 1992 report to the Supreme Court, the Civil Practice Committee has proposed an amendment to R. 1:6-2, to require that all non-calendar motions in a case are handled by a single judge. This rule change will accomplish part of the "pretrial judge recommendation" made by the Committee on Civil and Family Motion Practice and approved by the Supreme Court. Implementation of the remainder of the recommendation is to be accomplished through this directive.

Accordingly, the Supreme Court having approved the establishment of a system of pretrial judges as recommended by the Committee on Civil and Family Motion Practice, each vicinage is to put in place a procedure whereby every Law Division, Civil Part case and every Chancery Division, Family Part case is assigned to a judge, referred to as the pretrial judge. The pretrial judge shall be responsible for all pretrial management including but not limited to the handling of all motions except those affecting the calendar. Calendar motions may continue to be handled by the Assignment Judge, Presiding Judge or their designee. The method and timing of the assignment of cases to pretrial judges is discretionary, e.g., assignment may occur upon the filing of the complaint, at joinder or, when necessary to maintain equitable distribution of workload in smaller counties, upon filing of the first motion in the case, and may be based upon docket number or such other criteria as are practicable and appropriate.

EDITOR'S NOTE

No change has been made to the original text. The copy of the adopted recommendations excerpted from the Committee's report and the copy of the proposed amendment to R.1:6-2, originally attached to this directive, have been deleted.