

## **Directive # 16-05**

[Questions or comments may  
be directed to 609-292-8470]

**TO: Assignment Judges  
Presiding Judges (Civil, Family, General Equity)  
Special Civil Part Supervising Judges**

**FROM: Philip S. Carchman, J.A.D.**

**RE: Orders to Show Cause as Original Process – Model Forms for Use in  
Civil, Family, General Equity, and Special Civil**

**DATE: November 16, 2005**

Attached are three standard form Orders to Show Cause for use as original process in Civil, General Equity, Family, and Special Civil Part matters. The Judicial Council approved these forms on September 15, 2005.

The first of the three model forms of order is for use when the order to show cause seeks summary relief under Rules 4:67 or 5:4-3; the second is for use when the order to show cause seeks temporary restraints under Rule 4:52; and the third is for use when the order to show cause is filed under Rule 4:52 and seeks a preliminary injunction on the return date.

The genesis of these standard forms was the Report of the Conference of General Equity Presiding Judges on General Equity Standardization (2002), which called for the development of standard provisions to be included in all orders to show cause used as original process. The Judicial Council asked the Conference of General Equity Presiding Judges to confer with other Presiding Judge Conferences to develop standard model orders to show cause for use in all Divisions in which such orders are filed. The attached set of standard forms is the result of that collaborative process.

The Judicial Council approved these forms for immediate use. The Supreme Court has asked the respective rules committees to draft and submit proposed amendments to the Rules of Court so as to include these three model forms in the Appendices to the Rules and also to provide necessary references to the existence of these forms and their required use in the relevant Rules.

The model forms set out common language required to be included in all orders to show cause used for original process. The model forms also set out Division-specific language. Note that these elements must be included in any Order to Show Cause used as initial process, though the form need not follow the model form word for word at this point. That is, the intent here is to ensure that all orders to show cause used as initial process contain standardized and complete information necessary for the court to act.

If you have any questions regarding this matter, please contact Kevin M. Wolfe of the AOC's Civil Practice Division at 609-292-8470.

P.S.C.

Attachments

cc: Chief Justice Deborah T. Poritz  
Surrogates  
Theodore J. Fetter, Deputy Administrative Director  
AOC Directors and Assistant Directors  
Trial Court Administrators  
Civil Division Managers  
Family Division Manager  
Special Civil Part Managers  
Robert D. Pitt, Chief  
Kevin M. Wolfe, Chief  
Steven D. Bonville, Special Assistant  
Francis W. Hoeber, Special Assistant

# **Model Form #1**

**(for use when the order to show cause seeks  
summary relief under Rules 4:67 or 5:4-3)**

SUPERIOR COURT OF NEW JERSEY  
\_\_\_\_\_ DIVISION \_\_\_\_\_ COUNTY  
\_\_\_\_\_ PART

[Insert the plaintiff's name],

Plaintiff(s),

v.

[Insert the defendant's name],

Defendant(s).

Docket No.:

CIVIL ACTION

ORDER TO SHOW CAUSE  
SUMMARY ACTION

THIS MATTER being brought before the Court by \_\_\_\_\_, attorney for plaintiff, [*insert the plaintiff's name*], seeking relief by way of summary action pursuant to R. 4:67-1(a), based upon the facts set forth in the verified complaint filed herewith; and the Court having determined that this matter may be commenced by order to show cause as a summary proceeding pursuant to [*insert the statute or court rule that permits the matter to be brought as a summary action*] and for good cause shown.

IT IS on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, *ORDERED* that the [defendant(s) or alternate: parties in interest], [*insert defendant's or parties in interest name(s)*], appear and show cause on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before the Superior Court at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, New Jersey at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon, or as soon thereafter as counsel can be heard, why judgment should not be entered for:

- A. [*Set forth with specificity the return date relief that the plaintiff is seeking.*];
- B. \_\_\_\_\_;
- C. \_\_\_\_\_;
- D. Granting such other relief as the court deems equitable and just.

And it is further *ORDERED* that:

1. A copy of this order to show cause, verified complaint and all supporting affidavits or certifications submitted in support of this application be served upon the

[defendant(s) or alternate: parties in interest], [personally or alternate: describe form of substituted service] within \_\_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

2. The plaintiff must file with the court his/her/its proof of service of the pleadings on the [defendant(s) or alternate: parties in interest] no later than three (3) days before the return date.

3. [Defendant(s) or alternate: Parties in interest] shall file and serve a written answer, [an answering affidavit or a motion returnable on the return date] [Family Part alternate: appearance or response] to this order to show cause and the relief requested in the verified complaint and proof of service of the same by \_\_\_\_\_, 20\_\_\_. The answer, [answering affidavit or a motion] [Family Part alternate: appearance, response], as the case may be, must be filed with the Clerk of the Superior Court in the county listed above and a copy of the papers must be sent directly to the chambers of Judge \_\_\_\_\_.

4. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by \_\_\_\_\_, 20\_\_\_. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge \_\_\_\_\_.

5. If the [defendant(s) or alternate: parties in interest], do/does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

6. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

7. [Defendant(s) or alternate: parties in interest] take notice that the plaintiff has filed a [lawsuit] [Family Part alternate: divorce action] against [you][the estate of \_\_\_\_\_] in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer, [an answering affidavit or a motion returnable on the return date to the order to show cause] [Family Part alternate: appearance or response] and proof of service before the return date of the order to show cause.

These documents must be filed with the Clerk of the Superior Court [*Surrogate*] in the county listed above. A list of these offices is provided. Include a \$ \_\_\_\_\_ filing fee payable to the “Treasurer State of New Jersey [*Surrogate of \_\_\_\_\_ County*].” You must also send a copy of your answer, [answering affidavit or motion] [*Family Part alternate: appearance or response*] to the plaintiff’s attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your answer, [answering affidavit or motion] [*Family Part alternate: appearance or response*] (with the fee) or judgment may be entered against you by default.

8. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

9. The Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than \_\_\_\_\_ days before the return date.

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J.S.C.

ATLANTIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

LAWYER REFERRAL  
(609) 345-3444  
LEGAL SERVICES  
(609) 348-4200

BERGEN COUNTY:  
Deputy Clerk of the Superior Court  
Case Processing Section, Room 119  
Justice Center, 10 Main St.  
Hackensack, NJ 07601-0769

LAWYER REFERRAL  
(201) 488-0044  
LEGAL SERVICES  
(201) 487-2166

BURLINGTON COUNTY:  
Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

LAWYER REFERRAL  
(609) 261-4862  
LEGAL SERVICES  
(609) 261-1088

CAMDEN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Fl., Hall of Records  
101 S. Fifth St.  
Camden, NJ 08103

LAWYER REFERRAL  
(856) 964-4520  
LEGAL SERVICES  
(856) 964-2010

CAPE MAY COUNTY:  
Deputy Clerk of the Superior Court  
9 N. Main Street  
Box DN-209  
Cape May Court House, NJ 08210

LAWYER REFERRAL  
(609) 463-0313  
LEGAL SERVICES  
(609) 465-3001

CUMBERLAND COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Sts., P.O. Box 615  
Bridgeton, NJ 08302

LAWYER REFERRAL  
(856) 692-6207  
LEGAL SERVICES  
(856) 451-0003

ESSEX COUNTY:  
Deputy Clerk of the Superior Court  
50 West Market Street  
Room 131  
Newark, NJ 07102

LAWYER REFERRAL  
(973) 622-6207  
LEGAL SERVICES  
(973) 624-4500

GLOUCESTER COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street, P.O. Box 129  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

HUDSON COUNTY: Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House-- 1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

HUNTERDON COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 735-2611  
LEGAL SERVICES  
(908) 782-7979

MERCER COUNTY:  
Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

MIDDLESEX COUNTY:  
Deputy Clerk of the Superior Court  
Administration Building  
Third Floor  
1 Kennedy Sq., P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

MONMOUTH COUNTY:  
Deputy Clerk of the Superior Court  
Court House  
71 Monument Park  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

MORRIS COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Pl., P.O. Box 910  
Morristown, NJ 07960-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

OCEAN COUNTY:  
Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

PASSAIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton St.  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 345-7171

SALEM COUNTY:  
Deputy Clerk of the Superior Court  
92 Market St., P.O. Box 18  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 935-5628  
LEGAL SERVICES  
(856) 451-0003

SOMERSET COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Fl.  
P.O. Box 3000  
Somerville, NJ 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

SUSSEX COUNTY:  
Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

UNION COUNTY:  
Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

WARREN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 475-2010

## **Model Form #2**

**(for use when the order to show cause seeks  
temporary restraints under Rule 4:52)**

SUPERIOR COURT OF NEW JERSEY  
\_\_\_\_\_ DIVISION \_\_\_\_\_ COUNTY  
\_\_\_\_\_ PART

[Insert the plaintiff's name]

Plaintiff(s),

v.

[Insert the defendant's name]

Defendant(s).

Docket No.:

CIVIL ACTION

ORDER TO SHOW CAUSE  
WITH TEMPORARY RESTRAINTS  
PURSUANT TO RULE 4:52

THIS MATTER being brought before the Court by \_\_\_\_\_, attorney for plaintiff, [insert the plaintiff's name], seeking relief by way of temporary restraints pursuant to R. 4:52, based upon the facts set forth in the verified complaint filed herewith; and it appearing that [the defendant has notice of this application] or [defendant consent's to plaintiff's application] or [immediate and irreparable damage will probably result before notice can be given and a hearing held] and for good cause shown.

It is on this \_\_\_\_ day of \_\_\_\_\_ ORDERED that defendant, [insert the defendant's name], appear and show cause before the Superior Court at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, New Jersey at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon or as soon thereafter as counsel can be heard, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_ why an order should not be issued preliminarily enjoining and restraining defendant, [insert the defendant's name], from

- A. [Set forth with specificity the return date relief that the plaintiff is seeking.];
- B. \_\_\_\_\_;
- C. \_\_\_\_\_;
- D. Granting such other relief as the court deems equitable and just.

And it is further ORDERED that pending the return date herein, the defendant is [temporarily] enjoined and restrained from:

A. [Set forth with specificity the temporary restraints that the plaintiff is seeking.];

B. \_\_\_\_\_;

C. \_\_\_\_\_.

And it is further *ORDERED* that:

1. The defendant may move to dissolve or modify the temporary restraints herein contained on two (2) days notice to the [plaintiff's attorney *or alternate*: plaintiff].

2. A copy of this order to show cause, verified complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the defendant [personally *or alternate*: describe form of substituted service] within \_\_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

3. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant no later than three (3) days before the return date.

4. Defendant shall file and serve a written response to this order to show cause and the request for entry of injunctive relief and proof of service by \_\_\_\_\_, 20\_\_\_. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to Judge \_\_\_\_\_, whose address is \_\_\_\_\_, New Jersey. You must also send a copy of your opposition papers to the plaintiff's attorney whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ \_\_\_\_\_ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

5. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by \_\_\_\_\_, 20\_\_\_. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge \_\_\_\_\_.

6. If the defendant does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

7. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

8. Defendant take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written answer to the complaint and proof of service within 35 days from the date of service of this order to show cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$\_\_\_\_\_ filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the plaintiff's attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands.

9. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

10. The Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than \_\_\_ days before the return date.

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J.S.C.

ATLANTIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

LAWYER REFERRAL  
(609) 345-3444  
LEGAL SERVICES  
(609) 348-4200

BERGEN COUNTY:  
Deputy Clerk of the Superior Court  
Case Processing Section, Room 119  
Justice Center, 10 Main St.  
Hackensack, NJ 07601-0769

LAWYER REFERRAL  
(201) 488-0044  
LEGAL SERVICES  
(201) 487-2166

BURLINGTON COUNTY:  
Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

LAWYER REFERRAL  
(609) 261-4862  
LEGAL SERVICES  
(609) 261-1088

CAMDEN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Fl., Hall of Records  
101 S. Fifth St.  
Camden, NJ 08103

LAWYER REFERRAL  
(856) 964-4520  
LEGAL SERVICES  
(856) 964-2010

CAPE MAY COUNTY:  
Deputy Clerk of the Superior Court  
9 N. Main Street  
Box DN-209  
Cape May Court House, NJ 08210

LAWYER REFERRAL  
(609) 463-0313  
LEGAL SERVICES  
(609) 465-3001

CUMBERLAND COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Sts., P.O. Box 615  
Bridgeton, NJ 08302

LAWYER REFERRAL  
(856) 692-6207  
LEGAL SERVICES  
(856) 451-0003

ESSEX COUNTY:  
Deputy Clerk of the Superior Court  
50 West Market Street  
Room 131  
Newark, NJ 07102

LAWYER REFERRAL  
(973) 622-6207  
LEGAL SERVICES  
(973) 624-4500

GLOUCESTER COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street, P.O. Box 129  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

HUDSON COUNTY: Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House-- 1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

HUNTERDON COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 735-2611  
LEGAL SERVICES  
(908) 782-7979

MERCER COUNTY:  
Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

MIDDLESEX COUNTY:  
Deputy Clerk of the Superior Court  
Administration Building  
Third Floor  
1 Kennedy Sq., P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

MONMOUTH COUNTY:  
Deputy Clerk of the Superior Court  
Court House  
71 Monument Park  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

MORRIS COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Pl., P.O. Box 910  
Morristown, NJ 07960-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

OCEAN COUNTY:  
Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

PASSAIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton St.  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 345-7171

SALEM COUNTY:  
Deputy Clerk of the Superior Court  
92 Market St., P.O. Box 18  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 935-5628  
LEGAL SERVICES  
(856) 451-0003

SOMERSET COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Fl.  
P.O. Box 3000  
Somerville, NJ 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

SUSSEX COUNTY:  
Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

UNION COUNTY:  
Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

WARREN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 475-2010

## **Model Form #3**

**(for use when the order to show cause is filed under Rule 4:52  
and seeks a preliminary injunction on the return date)**

SUPERIOR COURT OF NEW JERSEY  
\_\_\_\_\_ DIVISION \_\_\_\_\_ COUNTY  
\_\_\_\_\_ PART

[Insert the plaintiff's name],

Plaintiff(s),

v.

[Insert the defendant's name],

Defendant(s).

Docket No.:

CIVIL ACTION

ORDER TO SHOW CAUSE  
PRELIMINARY INJUNCTION  
PURSUANT TO RULE 4:52

THIS MATTER being brought before the Court by \_\_\_\_\_, attorney for plaintiff, [*insert the plaintiff's name*], seeking relief by way of preliminary injunction at the return date set forth below pursuant to R. 4:52, based upon the facts set forth in the verified complaint filed herewith and for good cause shown.

It is on this \_\_\_\_ day of \_\_\_\_\_ ORDERED that defendant(s), [*insert the defendant's name*], appear and show cause before the Superior Court at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, New Jersey at \_\_\_\_ o'clock in the \_\_\_\_ noon or as soon thereafter as counsel can be heard, on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_ why an order should not be issued preliminarily enjoining and restraining [*insert the defendant's name*] from

- A. [Set forth with specificity the return date relief that the plaintiff is seeking.];
- B. \_\_\_\_\_;
- C. \_\_\_\_\_;
- D. Granting such other relief as the court deems equitable and just.

And it is further ORDERED that:

1. A copy of this order to show cause, verified complaint, legal memorandum and any supporting affidavits or certifications submitted in support of this application be served upon the defendant(s) [personally or alternate: describe form of substituted service] within \_\_\_\_ days of the date hereof, in accordance with R. 4:4-3 and R. 4:4-4, this being original process.

2. The plaintiff must file with the court his/her/its proof of service of the pleadings on the defendant no later than three (3) days before the return date.

3. Defendant(s) shall file and serve a written response to this order to show cause and the request for entry of injunctive relief and proof of service by \_\_\_\_\_, 20\_\_\_. The original documents must be filed with the clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to Judge \_\_\_\_\_, whose address is \_\_\_\_\_, New Jersey. You must also send a copy of your opposition papers to the plaintiff's attorney whose name and address appears above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$ \_\_\_\_\_ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the plaintiff is seeking.

4. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by \_\_\_\_\_, 20\_\_\_. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge \_\_\_\_\_.

5. If the defendant does not file and serve opposition to this order to show cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the plaintiff files a proof of service and a proposed form of order at least three days prior to the return date.

6. If the plaintiff has not already done so, a proposed form of order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the court no later than three (3) days before the return date.

7. Defendant take notice that the plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The verified complaint attached to this order to show cause states the basis of the lawsuit. If you dispute this complaint, you, or your attorney, must file a written

answer to the complaint and proof of service within 35 days from the day of service of this order to show cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$\_\_\_\_\_ filing fee payable to the “Treasurer State of New Jersey.” You must also send a copy of your Answer to the plaintiff’s attorney whose name and address appear above, or to the plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the order to show cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief plaintiff demands.

8. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

9. The Court will entertain argument, but not testimony, on the return date of the order to show cause, unless the court and parties are advised to the contrary no later than \_\_\_\_\_ days before the return date.

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J.S.C.

ATLANTIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division, Direct Filing  
1201 Bacharach Blvd., First Fl.  
Atlantic City, NJ 08401

LAWYER REFERRAL  
(609) 345-3444  
LEGAL SERVICES  
(609) 348-4200

BERGEN COUNTY:  
Deputy Clerk of the Superior Court  
Case Processing Section, Room 119  
Justice Center, 10 Main St.  
Hackensack, NJ 07601-0769

LAWYER REFERRAL  
(201) 488-0044  
LEGAL SERVICES  
(201) 487-2166

BURLINGTON COUNTY:  
Deputy Clerk of the Superior Court  
Central Processing Office  
Attn: Judicial Intake  
First Fl., Courts Facility  
49 Rancocas Rd.  
Mt. Holly, NJ 08060

LAWYER REFERRAL  
(609) 261-4862  
LEGAL SERVICES  
(609) 261-1088

CAMDEN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Processing Office  
1st Fl., Hall of Records  
101 S. Fifth St.  
Camden, NJ 08103

LAWYER REFERRAL  
(856) 964-4520  
LEGAL SERVICES  
(856) 964-2010

CAPE MAY COUNTY:  
Deputy Clerk of the Superior Court  
9 N. Main Street  
Box DN-209  
Cape May Court House, NJ 08210

LAWYER REFERRAL  
(609) 463-0313  
LEGAL SERVICES  
(609) 465-3001

CUMBERLAND COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Broad & Fayette Sts., P.O. Box 615  
Bridgeton, NJ 08302

LAWYER REFERRAL  
(856) 692-6207  
LEGAL SERVICES  
(856) 451-0003

ESSEX COUNTY:  
Deputy Clerk of the Superior Court  
50 West Market Street  
Room 131  
Newark, NJ 07102

LAWYER REFERRAL  
(973) 622-6207  
LEGAL SERVICES  
(973) 624-4500

GLOUCESTER COUNTY:  
Deputy Clerk of the Superior Court  
Civil Case Management Office  
Attn: Intake  
First Fl., Court House  
1 North Broad Street, P.O. Box 129  
Woodbury, NJ 08096

LAWYER REFERRAL  
(856) 848-4589  
LEGAL SERVICES  
(856) 848-5360

HUDSON COUNTY: Deputy Clerk of the Superior Court  
Superior Court, Civil Records Dept.  
Brennan Court House-- 1st Floor  
583 Newark Ave.  
Jersey City, NJ 07306

LAWYER REFERRAL  
(201) 798-2727  
LEGAL SERVICES  
(201) 792-6363

HUNTERDON COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
65 Park Avenue  
Flemington, NJ 08822

LAWYER REFERRAL  
(908) 735-2611  
LEGAL SERVICES  
(908) 782-7979

MERCER COUNTY:  
Deputy Clerk of the Superior Court  
Local Filing Office, Courthouse  
175 S. Broad Street, P.O. Box 8068  
Trenton, NJ 08650

LAWYER REFERRAL  
(609) 585-6200  
LEGAL SERVICES  
(609) 695-6249

MIDDLESEX COUNTY:  
Deputy Clerk of the Superior Court  
Administration Building  
Third Floor  
1 Kennedy Sq., P.O. Box 2633  
New Brunswick, NJ 08903-2633

LAWYER REFERRAL  
(732) 828-0053  
LEGAL SERVICES  
(732) 249-7600

MONMOUTH COUNTY:  
Deputy Clerk of the Superior Court  
Court House  
71 Monument Park  
P.O. Box 1269  
Freehold, NJ 07728-1269

LAWYER REFERRAL  
(732) 431-5544  
LEGAL SERVICES  
(732) 866-0020

MORRIS COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
30 Schuyler Pl., P.O. Box 910  
Morristown, NJ 07960-0910

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 285-6911

OCEAN COUNTY:  
Deputy Clerk of the Superior Court  
Court House, Room 119  
118 Washington Street  
Toms River, NJ 08754

LAWYER REFERRAL  
(732) 240-3666  
LEGAL SERVICES  
(732) 341-2727

PASSAIC COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division  
Court House  
77 Hamilton St.  
Paterson, NJ 07505

LAWYER REFERRAL  
(973) 278-9223  
LEGAL SERVICES  
(973) 345-7171

SALEM COUNTY:  
Deputy Clerk of the Superior Court  
92 Market St., P.O. Box 18  
Salem, NJ 08079

LAWYER REFERRAL  
(856) 935-5628  
LEGAL SERVICES  
(856) 451-0003

SOMERSET COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
New Court House, 3rd Fl.  
P.O. Box 3000  
Somerville, NJ 08876

LAWYER REFERRAL  
(908) 685-2323  
LEGAL SERVICES  
(908) 231-0840

SUSSEX COUNTY:  
Deputy Clerk of the Superior Court  
Sussex County Judicial Center  
43-47 High Street  
Newton, NJ 07860

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 383-7400

UNION COUNTY:  
Deputy Clerk of the Superior Court  
1st Fl., Court House  
2 Broad Street  
Elizabeth, NJ 07207-6073

LAWYER REFERRAL  
(908) 353-4715  
LEGAL SERVICES  
(908) 354-4340

WARREN COUNTY:  
Deputy Clerk of the Superior Court  
Civil Division Office  
Court House  
413 Second Street  
Belvidere, NJ 07823-1500

LAWYER REFERRAL  
(973) 267-5882  
LEGAL SERVICES  
(973) 475-2010