

SUPREME COURT OF NEW JERSEY

NOTICE TO THE BAR

RE: Integration of the Civil Caseload Pending as of September 5, 2000 into the "Best Practices" System

In order to avoid the confusion of running two civil calendars, the following procedures will be carried out to integrate the civil caseload pending as of September 5, 2000 into the "best practices" system.

In Bergen, Cumberland, Hudson, Hunterdon, Middlesex, Passaic, Somerset, Sussex, Union and Warren counties, the Automated Case Management System (ACMS) will identify all cases pending through September 5, 2000 that have not been placed on an arbitration or trial calendar AND in which the discovery end date, calculated in accordance with the 150-day period permitted under current R. 4:24-1 or the period permitted under the applicable differentiated case management rule, has passed. Counsel and self-represented parties in these cases will be sent a special Trial Information Statement (TIS) reminder notice advising that they must, within 30 days of the date of the notice,

- file a completed TIS certifying that discovery is complete OR
- file a motion, made returnable within 30 days of the date of the notice, requesting an extension of discovery.

If a TIS is timely filed, certifying that discovery is complete, the case will be scheduled for arbitration or trial.

If a motion to extend discovery is timely filed and made returnable, it may be granted for good cause shown, and the case will not be scheduled for arbitration or trial until the motion is heard and decided.

If no TIS is timely filed or no motion to extend discovery is made returnable within 30 days, the court will assume that discovery is complete and the case will be scheduled for arbitration or trial; no adjournment of the scheduled arbitration or trial date will be granted, absent exceptional circumstances; and designation of trial counsel will be deemed waived.

If, in the above-listed counties, a case is on an arbitration or trial calendar as of September 5, 2000, with the event scheduled to occur between September 5 and December 31, 2000, and additional discovery is needed, one extension of discovery, and hence one adjournment of the scheduled arbitration or trial date, may be granted for good cause if requested before the scheduled event. For cases scheduled for arbitration or trial after January 1, 2001, requests for adjournment because of the need for additional discovery may be granted only upon the filing of a formal motion demonstrating exceptional circumstances.

In the above-listed counties, in cases in which the discovery end date has not passed as of September 5, 2000, the regular TIS reminder notice will be sent to counsel and self-represented parties 30 days before the end of the discovery period permitted under current R. 4:24-1 or the applicable DCM rule. This notice will advise that each party must file a TIS within 10 days following the end of discovery. It will further advise that if additional discovery is needed, a motion for an extension of the discovery period must be made returnable before the discovery end date and may be granted on a showing of good cause.

In Atlantic, Burlington, Camden, Cape May, Essex, Gloucester, Mercer, Monmouth, Morris, Ocean and Salem counties, cases in which the discovery end date has passed should be scheduled for arbitration or trial. In cases in which the discovery end date has not yet passed as of September 5, 2000, the regular TIS reminder notice will be sent to counsel and self-represented litigants 30 days before the end of the discovery period permitted under the applicable DCM rule or subsequent court order. This notice will advise that each party must file a TIS within 10 days following the end of discovery. It will further advise that if additional discovery is needed, a motion for an extension of the discovery period must be made returnable before the discovery end date and may be granted on a showing of good cause.

If, in the above-listed counties, a case is on an arbitration or trial calendar as of September 5, 2000, with the event scheduled to occur between September 5 and December 31, 2000, and additional discovery is needed, one extension of discovery, and hence one adjournment of the scheduled arbitration or trial date, may be granted for good cause if requested before the scheduled event. For cases scheduled for arbitration or trial after January 1, 2001, requests for adjournment because of the need for additional discovery may be granted only upon the filing of a formal motion demonstrating exceptional circumstances.

Richard J. Williams
Acting Administrative Director of the Courts
Dated: August 7, 2000

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