
Supreme Court of New Jersey

Order

IT IS ORDERED that pursuant to N.J. Const. Art. VI, §2, par. 3, effective immediately and until further order the following Rules Governing the Courts of the State of New Jersey are relaxed and supplemented for any matters arising out of the catastrophic events of September 11, 2001:

- (a) Rule 4:93-2 (“Declaration of Death”), to permit the probate judge in a declaration of death action to exercise discretion in setting an earlier return date for the order to show cause than the thirty days provided for by the Rule;
- (b) Rule 4:93-2 (“Declaration of Death”), to permit the waiver of the requirement for newspaper publication of the notice of order to show cause;
- (c) Rule 4:93-4 (“Hearing”), to permit oral testimony to be waived in the discretion of the judge in declaration of death actions when the verified complaint and supporting affidavits or other documents clearly establish the cause of action; if oral testimony is required, the judge may exercise discretion to permit such testimony to be given telephonically; and
- (d) Rule 4:93-5 (“Letters Issued”), to permit applications for the issuance of letters of administration upon the estate of the absentee, for the probate of that person’s will, or for the appointment of a testamentary guardian to be made with the initial pleading seeking a declaration of death.

IT IS FURTHER ORDERED that pursuant to N.J.S.A. 22A:2-23 (“Waiver of Collection of Fee”), the fees for proceedings in any matters filed pursuant to the above Rule relaxations are hereby waived.

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For the Court,

Deborah T. Poritz

Chief Justice

Dated: September 24, 2001

[Notices to the Bar](#)