

NOTICE TO THE BAR

Appeals to the Appellate Division from Summary Judgments

Rule 2:6-1(a)(1) provides in part as follows:

If the appeal is from a summary judgment, the appendix shall also include a statement of all items submitted to the court on the summary judgment motion and all such items shall be included in the appendix, except that briefs in support of and opposition to the motion shall be included only as permitted by subparagraph (2) of this rule.

Compliance by appellant's attorney with this requirement is imperative in order for the Appellate Division to determine what the trial court had before it.

The statement should be a separate document in the appendix. It should list, with specificity, each item submitted both in support of and in opposition to the summary judgment motion. Attachments to a listed document, such as affidavits or exhibits, should be separately listed. It would be helpful to the court if the statement also indicated the page number of the appendix where each document and attachment is reproduced.

Sylvia B. Pressler
Presiding Judge for Administration
Dated: July 10, 2002
Appellate Division

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