

NOTICE TO THE BAR

Expansion of Imaging Component of the Judiciary Electronic Filing and Imaging System (JEFIS) to the Special Civil Part in Mercer and Ocean Counties

Accompanying the publication of this Notice to the Bar is the Supreme Court's October 7, 2003 Order that authorizes expansion of the imaging component of JEFIS to the Special Civil Part in Mercer and Ocean Counties.

The JEFIS Pilot Project began in the Monmouth Special Civil Part in March of 1999 and consisted of two components - (1) electronic filing and (2) imaging -- for Special Civil Part tort and contract actions. By Order dated March 27, 2000 (a copy of that order is included here as well), the Supreme Court relaxed and supplemented several Rules of Court to permit the statewide expansion of the electronic filing component of JEFIS, while the Pilot Project continued to operate both components in Monmouth County. Attorneys are thus able to electronically file Special Civil Part tort and contract actions statewide, but, other than in Monmouth County to this point, the electronically filed documents must then be printed out by staff in the vicinage and retained in a paper case file. In Monmouth County, which has implemented both components, the documents filed electronically by participating attorneys and scanned images of all the paper documents filed by non-participants are stored electronically in the JEFIS computers, where they can be accessed simultaneously by judges, court staff, attorneys and the public.

This expansion of the imaging component to two additional counties -- Mercer and Ocean -- will occur in stages. We anticipate that it will be operational in Ocean County in the latter half of November 2003 and sometime in April 2004 for Mercer County. The expansion of the imaging component to Mercer and Ocean Counties will not require attorneys to change their practices in any way. Those attorneys who already participate in JEFIS as electronic filers will continue to do so. Those attorneys who would like to become electronic filers can obtain information packages through the Judiciary's website (<http://www.judiciary.state.nj.us>) or by contacting Patricia D'Errico at this address or telephone number:

Office of the Superior Court Clerk
P.O. Box 971
Trenton, NJ 08625
(609) 292-8987

Attorneys who wish to continue filing on paper may do so.

Richard J. Williams, J.A.D.
Administrative Director of the Courts
Dated: October 23, 2003

SUPREME COURT OF NEW JERSEY

WHEREAS the Judiciary has successfully tested the use of electronic filing technology in the Judiciary Electronic Filing and Imaging System (JEFIS) pilot project in the Special Civil Part of the Superior Court, Law Division, Monmouth County, pursuant to orders of this Court dated December 10, 1996 and February 1, 1999; and

WHEREAS the Judiciary has implemented the electronic filing component of JEFIS in all of the Special Civil Part offices in the other twenty counties pursuant to an Order of this Court dated March 27, 2000, while continuing to operate the pilot project in Monmouth County;

Pursuant to N.J. Const. (1947), Art. VI, sec. 2, par. 3, IT IS ORDERED, effective November 3, 2003 and until further Order of the Court, that the Rules of Court be relaxed and supplemented, as specified in the Court's Order dated March

27, 2000, to permit the Judiciary to expand the imaging component of JEFIS to civil actions filed in the Special Civil Part in Mercer and Ocean Counties pursuant to Rule 6:1-2(a)(1), so that documents filed in those cases, whether electronically or on paper, can be processed and stored in electronic form as part of the JEFIS project.

This Order supplements, where appropriate, the Court's Orders of December 10, 1996 and February 1, 1999 with regard to the JEFIS project in Monmouth County and the Court's Order of March 27, 2000 permitting the statewide expansion of the electronic filing component of JEFIS.

For the Court
Deborah T. Poritz
Chief Justice
Dated: October 7, 2003

SUPREME COURT OF NEW JERSEY

Whereas the Judiciary has successfully tested the use of electronic filing technology in the Judiciary Electronic Filing and Imaging System (JEFIS) pilot project in the Special Civil Part of the Superior Court, Law Division, Monmouth County, pursuant to orders of this Court dated December 10, 1996 and February 1, 1999; and

Whereas the Judiciary is preparing to implement the electronic filing component of JEFIS in all of the Special Civil Part offices in the other twenty counties, while continuing to operate the pilot project in Monmouth County;

Pursuant to N.J. Const. (1947), Art. VI, '2, par. 3, it is ORDERED, effective September 1, 2000 and until further Order of the Court, that the Rules of Court be relaxed and supplemented, as set forth below, so as to permit the the Judiciary to establish and operate a statewide program in the Special Civil Part of the Superior Court, Law Division, in which attorneys who meet the requirements established by the Administrative Office of the Courts and are registered with the Superior Court Clerk's Office may, in civil actions in which the amount in controversy does not exceed thePart's monetary limit and where the actions are filed in that court pursuant to Rule 6:1-2(a)(1), electronically file pleadings and other papers in a prescribed format via the Internet with the Clerk of the Superior Court, with computers capable of electronically managing documents and images of documents to be used to process and distribute those documents and images of documents to the office of the Special Civil Part Clerk in the county of venue for printing, processing, and storage in paper form (except in Monmouth County, where the documents will continue to be processed and stored in electronic form as part of the JEFIS project):

1. Rule 1:4-4(c) is relaxed so as to permit an attorney participating in the program and electronically filing an affidavit or certification to use a facsimile of the original signature regardless of the affiant's availability; the original signature of an affiant who is an attorney may be typed or digitized if the affiant is the individual attorney filing the document electronically; the remaining requirements of the Rule remain in effect.
2. Rule 1:4-5 is relaxed so as to permit the use of the individual attorney's typed or digitized signature on all electronically filed documents that would otherwise require the attorney's handwritten signature.
3. Rule 1:4-8 is supplemented so to impose its obligations on an attorney who uses a typed or digitized signature on a document that is filed electronically.
4. Rule 1:4-9 is relaxed so as to permit attorneys participating in the program to file all pleadings and other papers in an electronic format prescribed by the Administrative Office of the Courts that will produce, as needed, printed paper copies that meet the requirements of the Rule. Pleadings and papers subsequent to the complaint may be filed electronically only in those cases that were commenced by electronic filing of the complaint.
5. Rule 1:5-2 is relaxed so as to permit attorneys participating in the program to serve copies of all papers referred to in Rule 1:5-1 on each other electronically through the program's computer system, if it provides this service.

6. Rule 1:5-3 is supplemented so as to permit the use of the individual attorney's typed or digitized signature in lieu of a handwritten signature on a certification of service appended to a document that the attorney files electronically.
7. Rule 1:5-6(b) is supplemented and paragraph 7 of the Court's December 10, 1996 Order is superseded to the effect that documents transmitted electronically to the court after 4:30 p.m. shall be deemed received on the next court day.
8. Rule 1:5-6(c) is relaxed and supplemented so as to permit the clerk to reject a document presented electronically for filing as part of a batch of electronic documents, or to reject the entire batch, if the document is not presented in accordance with the standards for batch filing prescribed by the Administrative Office of the Courts.
9. Rule 1:13-4 is supplemented so as to provide that the papers transferred to another court or agency may be printed paper copies of the documents that have been filed electronically.
10. Rule 1:37-2 is supplemented so as to permit the printed reproduction of the court's seal on all papers that require a seal under the Rules of Court.
11. Rule 4:42-1(e) is relaxed so as to permit the judge to electronically affix a facsimile of the judge's signature to an order or judgment, to permit the submission of the form of order or judgment electronically by an attorney participating in the program, and to require the submission of only the original of the form of order or judgment if it is filed electronically. The Rule is further relaxed and supplemented so as to dispense with the requirement that a self-addressed, stamped envelope be submitted by the attorney submitting the form of order and to require, in lieu thereof, prepayment of the postage to send a copy of the order.
12. Rules 6:1-1(d) and 6:12-2 are relaxed so as to permit the filing of all papers by electronic transmission to the Clerk of the Superior Court, where they will be processed and forwarded to the county of venue.
13. Rule 6:2-2(a) is relaxed and supplemented so as to dispense with filing the summons and copies of the complaint and to instead require that participants in the program file an original complaint electronically, together with such electronic data as the Administrative Office of the Courts may require for the program to produce the summons.
14. Rule 6:2-3(d)(1) is relaxed so as to permit the clerk to transmit the required information to the attorney by electronic means.
15. Rule 6:2-4 is supplemented so as to permit the clerk or the clerk's designee to electronically affix a facsimile of the clerk's signature to all process issued by the court in cases that were filed electronically.
16. Rule 6:3-3(a) is supplemented so as to permit the Administrative Office of the Courts to require the submission of prescribed information in electronic form when the moving papers are filed electronically.
17. Rule 6:3-3(c)(4) is relaxed and supplemented so as to permit the clerk to send notice of a hearing by electronic means, rather than by mail, to an attorney who has filed pleadings electronically in the case.
18. Rule 6:7 is supplemented so as to permit the clerk or the clerk's designee to electronically affix a facsimile of the clerk's signature to all process for the enforcement of judgments. Rule 6:7 is further supplemented so as to permit the judge to electronically affix a facsimile of the judge's signature where necessary for the enforcement of judgments.
19. Rule 6:7-1(a) is supplemented so as to permit attorneys who have filed their pleadings in the case electronically to make requests electronically for the issuance of writs of execution and other process for the enforcement of judgments.
20. Rules 6:8 and 6:9 are supplemented so as to permit the clerk or the clerk's designee to electronically affix a facsimile of the clerk's signature to all process requiring the clerk's signature. Rules 6:8 and 6:9 are further supplemented so as to permit the judge to electronically affix a facsimile of the judge's signature to the orders, writs, warrants or judgments that require the judge's signature.
21. Rule 6:12-2 is further supplemented for electronically filed cases so as to dispense with the requirement that a self-

addressed, stamped envelope accompany requests for information or for the return of papers and to require in lieu thereof prepayment of the postage necessary for mailing the paper.

This Order also supplements, where appropriate, the Court's Orders of December 10, 1996 and February 1, 1999 with regard to the JEFIS project in Monmouth County.

For the Court
Deborah T. Poritz
Chief Justice
Dated: March 27, 2000

SUPREME COURT OF NEW JERSEY

Whereas further relaxation and supplementation of the Rules Governing the Courts of the State of New Jersey, beyond that permitted by the Court's Order of December 10, 1996, is necessary to test the use of electronic filing and imaging technology in the Special Civil Part of the Superior Court, Law Division, Monmouth Vicinage;

It is hereby ORDERED that Rule 1:5-6 (c) is relaxed and supplemented so as to permit the clerk to reject a document presented electronically for filing as part of a batch of electronic documents, or to reject the entire batch, if the document is not presented in accordance with the standards for batch electronic filing prescribed by the Administrative Office of the Courts. This Order supplements the Court's Order of December 10, 1996, and is effective immediately and until further Order of the Court.

For the Court
Deborah T. Poritz
C.J.
Dated: February 1, 1999

SUPREME COURT OF NEW JERSEY

Whereas the Supreme Court's Judiciary Information Systems Policy Committee has proposed the establishment of a pilot project to test the use of electronic filing and imaging technology in the courts of this State;

Pursuant to N.J. Const. (1947), Art. VI, §2, par. 3, it is ORDERED that the Rules of Court be relaxed and supplemented, as set forth below, to permit the establishment and operation of a pilot project in the Special Civil Part of the Superior Court, Law Division, Monmouth County, in which attorneys selected by the Assignment Judge will electronically file pleadings and other papers, while the filings of other selected attorneys and pro se litigants will be scanned electronically, and computers capable of electronically managing documents and images of documents will be used to process, store, and retrieve pleadings and other papers, including court orders, process and judgments, in civil actions where the amount in controversy does not exceed \$10,000 and the actions are filed in that court pursuant to Rule 6:1-1(a)(1):

1. Rule 1:4-4(c) is relaxed to permit an attorney participating in the pilot project who files an affidavit or certification electronically to use a facsimile of the original signature regardless of the affiant's availability, and the original signature of an affiant who is an attorney may be typed or digitized if the affiant is the individual attorney who is filing the document electronically; however, the remaining requirements of the Rule remain in effect.
2. Rule 1:4-5 is relaxed to permit the use of the individual attorney's typed or digitized signature on all documents file electronically that would otherwise require the attorney's handwritten signature.
3. Rule 1:4-8 is supplemented to impose its obligations upon an attorney who uses a typed or digitized signature on a document that is filed electronically.

4. Rule 1:4-9 is relaxed to permit attorneys participating in the pilot project to file all pleadings and other papers in an electronic format prescribed by the Administrative Office of the Courts which will produce, as needed, printed paper copies that meet the requirements of the Rule. Pleadings and papers subsequent to the complaint may be filed electronically only in those cases which were commenced by the electronic filing of the complaint.
5. Rule 1:5-2 is relaxed to permit attorneys participating in the pilot project to serve one another electronically through the pilot project's computer system, if it provides this service, with copies of all papers referred to in Rule 1:5-1.
6. Rule 1:5-3 is supplemented to permit the use of the individual attorney's typed or digitized signature in lieu of a handwritten signature on a certification of service appended to a document filed electronically by the attorneys.
7. Rule 1:5-6(b) is supplemented to the effect that documents transmitted electronically to the court after 4:00 p.m. shall be deemed received on the next court day.
8. Rule 1:13-4 is supplemented to provide that the papers transferred to another court or agency may be printed paper copies of the documents that have been filed or stored electronically by the court.
9. Rule 1:37-2 is supplemented to permit the printed reproduction of the court's seal on all papers required by the Rules of Court to contain a seal.
10. Rule 4:42-1(e) is relaxed to permit the judge to electronically affix a facsimile of the judge's signature to an order or judgment, to permit the submission of the form of order or judgment electronically by an attorney participating in the pilot project and to require the submission of only the original of the form of order or judgment by all other participants in the pilot project. The Rule is further relaxed and supplemented to dispense with the requirement that a self-addressed, stamped envelope be submitted by the participating attorney or party submitting the form of order and to require, in lieu thereof, prepayment of the postage to send a copy of the order.
11. Rules 6:1-1(d) and 6:12-2 are relaxed to permit the electronic filing of all papers by transmission to the Special Civil Part in Monmouth County or to the Administrative Office of the Courts in Trenton, as required by the pilot project.
12. Rule 6:2-2(a) is relaxed and supplemented to dispense with the filing the summons and copies of the complaint and participants in the pilot project shall file an original complaint, either electronically or on paper, together with such electronic data or a paper form containing such information as the Assignment Judge may require for the pilot project to produce the summons.
13. Rule 6:2-3(d)(1) is relaxed to permit the clerk to transmit the required information by electronic means.
14. Rule 6:2-4 is supplemented to permit the Monmouth County Special Civil Part Clerk or designee to electronically affix a facsimile of the clerk's signature to all process issued by the court in pilot project cases.
15. Rule 6:3-3(a) is supplemented to permit the Assignment Judge to require the submission with the moving papers of prescribed information in electronic form or on a paper form in pilot project cases.
16. Rule 6:3-3(c)(4) is relaxed and supplemented to permit the clerk to send notice of a hearing by electronic means rather than mail, to an attorney who has filed pleadings electronically in the case.
17. Rule 6:7 is supplemented to permit the Monmouth County Special Civil Part Clerk or designee to electronically affix a facsimile of the clerk's signature to all process for the enforcement of judgments. Rule 6:7 is further supplemented to permit the judge to electronically affix a facsimile of the judge's signature where necessary for the enforcement of judgments.
18. Rule 6:7-1(a) is supplemented to permit requests for the issuance of writs of execution and other process for the enforcement of judgments to be made electronically by attorneys who have filed their pleadings in the case electronically.
19. Rules 6:8 and 6:9 are supplemented to permit the Monmouth County Special Civil Part Clerk or designee to

electronically affix a facsimile of the clerk's signature to all process requiring the clerk's signature. Rules 6:8 and 6:9 are further supplemented to permit the judge to electronically affix a facsimile of the judge's signature to the orders, writs, warrants or judgments that require the judge's signature.

20. Rule 6:12-2 is further supplemented to dispense with the requirement that a self-addressed, stamped envelope accompany requests for information of the return of papers regarding pilot project cases and to require, in lieu thereof, prepayment of the postage necessary for mailing the paper.

It is further ORDERED that the terms of this Order become effective January 1, 1997 and remain in effect until further Order of the Court.

For the Court
Deborah T. Poritz
Chief Justice
Dated: 12/10/96

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