

NOTICE TO THE BAR

RULE RELAXATION REGARDING ELECTRONIC COURT SYSTEMS, ELECTRONIC RECORDS, AND ELECTRONIC SIGNATURES

Published with this Notice is the Supreme Court's April 29, 2013 order relaxing Court Rule 1:32-2 ("Books and Records") so as to specifically address electronic court systems, electronic records, and electronic signatures on pleadings and other court documents. The details of the relaxation of Rule 1:32-2 track the provisions of proposed new Rule 1:32-2A ("Electronic Court Systems, Electronic Records, Electronic Signatures"), which was published for comment by notice dated March 27, 2013 as part of the current rules cycle. Specifically, the rule relaxation (a) authorizes the Administrative Director, with the approval of the Chief Justice, to develop and implement electronic court systems for the purpose of performing required judiciary functions, such as electronic filing or electronic record keeping, (b) provides that data and documents maintained in an approved electronic court system shall have the same force and effect as if in original paper format, and (c) provides for the use of electronic signatures in an approved electronic court system. The provisions of the rule relaxation order were effective immediately.

/s/ Glenn A. Grant

Glenn A. Grant, J.A.D.
Acting Administrative Director
of the Courts

Dated: May 10, 2013

SUPREME COURT OF NEW JERSEY

It is ORDERED, pursuant to N.J. Const. Art. VI, sec. 2 par. 3, that the provisions of Rule 1:32-2 (“Books and Records”) of the Rules Governing the Courts of the State of New Jersey are supplemented and relaxed so as to authorize the Administrative Director of the Courts, with the approval of the Chief Justice, to develop and implement electronic court systems, including applications or systems for the purpose of electronic filing, electronic record keeping, or electronic indexing of data and documents; and

It is FURTHER ORDERED that the provisions of Rule 1:32-2 are supplemented and relaxed such that data and documents, whether originating in paper or digital form, submitted electronically to the Clerks of Court, or maintained electronically by the Clerks of Court in a system or application authorized pursuant to this rule relaxation, shall have the same force and effect as data and documents maintained by the Clerks of Court in an original paper format; and

It is FURTHER ORDERED that, where an electronic system or application has been authorized, and where the system or application is secured by an authentication method in accordance with the protocols established and approved by the Administrative Director of the Courts, the provisions of Rule 1:32-2 are supplemented and relaxed such that an electronic signature shall have the same force and effect as an original handwritten signature; and that upon submission to the Clerk of Court, an electronically signed document shall not be deleted or altered in any manner without court order for good cause shown.

The provisions of the rule relaxation order shall be effective immediately and until further order.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: April 29, 2013