

NOTICE TO THE BAR

PROOF OF SERVICE FOR DOCUMENTS ELECTRONICALLY FILED AND SERVED USING A JUDICIARY-AUTHORIZED ELECTRONIC FILING SYSTEM – SUPREME COURT RELAXATION OF RULES 1:5-2 AND 1:5-3 – APPLICABILITY TO THE JUDICIARY’S eCOURTS SYSTEM

The Supreme Court has relaxed and supplemented the following Rules of Court, effective immediately:

- Rule 1:5-2 (“Manner of Service”) – so as to permit service of process by electronic filing using an approved electronic filing system pursuant to Rule 1:32-2A(a), where that electronic filing system records that an automated notice of filing has been generated and transmitted.
- Rule 1:5-3 (“Proof of Service”) – so as to suspend the requirement to file a separate proof of service document for those pleadings electronically filed using an approved electronic filing system pursuant to Rule 1:32-2A(a), provided that the electronic filing system records that an automated notice of filing has been generated and transmitted.

The electronic proof of service and the suspension of the requirement to file a separate proof of service document authorized by the Court’s order shall apply only to those parties who are registered as participants in the approved electronic filing system; for all other parties, the provisions of Rules 1:5-2 and 1:5-3 shall continue to apply.

The Judiciary’s eCourts application, which at present is in the process of being implemented for the electronic filing of documents in the Criminal Division of Superior Court, and the Appellate Court’s NJ eDATA application, which at present is in the process of filing criminal appeals by the Office of the Public Defender, are both approved electronic filing systems pursuant to Rule 1:32-2A(a), and they generate an automated electronic notice of filing to attorneys who have registered to use the system. Accordingly, pursuant to the Court’s order, in eCourts and in NJ eDATA, no separate proof of service need be sent to attorneys of record who are registered electronic filers.

The Court’s June 3, 2014 Order relaxing and supplementing the above-noted rules is published with this Notice to the Bar.

Questions regarding the Judiciary’s eCourts application may be directed to Jennifer M. Perez, Esq., Chief of the Automated Trial Court Services Unit, at 609-292-8439 or by email at Jennifer.Perez@judiciary.state.nj.us. Questions regarding the Judiciary’s NJ eDATA application may be directed to Karen M. Carroll by email at

karen.carroll@judiciary.state.nj.us or at 609-292-0058. Questions regarding service of process and proof of service of process under Court's order may be directed to Superior Court Clerk Michelle M. Smith at 609-984-4200 or by email at Michelle.Smith@judiciary.state.nj.us.

/s/ Glenn A. Grant

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director

Dated: July 10, 2014

SUPREME COURT OF NEW JERSEY

Pursuant to N.J. Const. Art VI, sec. 2 par. 3, it is ORDERED that, effective immediately and until further order, the provisions of Rule 1:5-2 ("Manner of Service") of the Rules Governing the Court of the State of New Jersey shall be supplemented and relaxed so as to permit service of process by electronic filing using an approved electronic filing system pursuant to Rule 1:32-2A(a) where that electronic filing system records that an automated notice of filing has been generated and transmitted; and

It is FURTHER ORDERED that the provisions of Rule 1:5-3 ("Proof of Service") shall be supplemented and relaxed so as to suspend the requirement to file a separate proof of service document for those pleadings that are electronically filed in an approved electronic filing system pursuant to Rule 1:32-2A(a) where that electronic filing system records that an automated notice of filing has been generated and transmitted.

The electronic service of process and the suspension of the requirement to file a separate proof of service document authorized by this order shall apply only to those parties who are registered as participants in the approved electronic filing system; for all other parties, the provisions of Rules 1:5-2 and 1:5-3 shall continue to apply.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: June 3, 2014