

## NOTICE TO THE BAR

### **PROPOSED AMENDMENT TO RULE 2:11-1 CONCERNING ORAL ARGUMENT BEFORE THE APPELLATE DIVISION AND SUPREME COURT – PUBLICATION FOR COMMENT**

The Supreme Court by this notice is requesting written comments on an amendment to Rule 2:11-1 of the Rules of Court proposed by the Supreme Court Clerk's Office to modify the manner in which appeals will be argued before the Appellate Division of Superior Court and the Supreme Court. The proposed amendment specifically relates to the number of attorneys who may present oral argument.


Rule 2:11-1(b)(3) at present permits up to two attorneys to appear at oral argument in the Appellate Division or the Supreme Court on behalf of a single party. The proposed amendment, which accompanies this notice, would modify the rule so as to provide that only one attorney will be heard for each party.

Please send any comments on the proposed amended rule in writing by Monday, June 15, 2018 to:

Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts  
Rules Comments -- Oral Argument Rule  
Hughes Justice Complex; PO Box 037  
Trenton, New Jersey 08625-0037

Comments may also be submitted via e-mail to: [Comments.Mailbox@njcourts.gov](mailto:Comments.Mailbox@njcourts.gov).

The Supreme Court will not consider comments submitted anonymously. Thus, those submitting comments by mail should include their name and address, and those submitting comments by e-mail should include their name and e-mail address. Comments are subject to public disclosure upon receipt.

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

Dated: May 15, 2018

Rule 2:11-1. Appellate Calendar; Oral Argument

(a) Calendar. ... no change

(b) Oral Argument.

(1) ... no change

(2) ... no change

(3) Counsel shall not be permitted to argue for a party who has neither filed a brief nor joined in another party's brief. The appellant shall be entitled to open and conclude argument. An appeal and cross appeal shall be argued together, the party first appealing being entitled to open and conclude, unless the court otherwise orders. Each party will be allowed a maximum of 30 minutes for argument in the Supreme Court, unless the Court determines more time is necessary, and 30 minutes in the Appellate Division, but the court may terminate the argument at any time it deems the issues adequately argued. [No more than two] One attorney[s] will be heard for each party, unless the court otherwise orders. An attorney will not be permitted to read at length from the briefs, appendices, transcripts or decision.

Note: Source -- R.R. 1:8-1(a) (b), 1:8-2(a), 1:8-3, 1:8-4, 2:8-3. Amended July 7, 1971 to be effective September 13, 1971; paragraph (b) amended June 29, 1973 to be effective September 10, 1973; paragraph (b) amended November 1, 1985 to be effective January 2, 1986; paragraph (b) amended November 5, 1986 to be effective January 1, 1987; paragraph (a) amended November 2, 1987 to be effective January 1, 1988; paragraph (a) amended June 28, 1996 to be effective September 1, 1996; paragraph (a) amended July 5, 2000 to be effective September 5, 2000; paragraph (a) amended July 19, 2012 to be effective September 4, 2012; paragraph (b) amended July 22, 2014 to be effective September 1, 2014; paragraph (b)(3) amended \_\_\_\_\_, \_\_\_\_\_ 2018 to be effective September 4, 2018.