

NOTICE TO THE BAR

RULES OF COURT – FAMILY – COMMENTS REQUESTED ON PROPOSED TECHNICAL AMENDMENTS TO RULES 5:4-4, 5:5-3, AND 5:20-2

The Supreme Court invites written comments on proposed attached technical amendments to Rule 5:4-4 (“Service of Process in Family Part Actions; Initial Complaints and Applications for Post-Dispositional Relief”), Rule 5:5-3 (“Financial Statements and Case Information Statements in Summary Support Actions”), and Rule 5:20-2 (“Summons”).

The proposed amendments to Rules 5:4-4 and 5:5-3 would provide that financial statements in non-dissolution (FD) matters are to be served by the court, consistent with amendments included in the Court’s [July 31, 2025](#) Omnibus Rule Amendment Order.

The proposed amendment to Rule 5:20-2 would delete paragraph (c) to align the rule with current service requirements as already set forth in paragraph (a) of Rule 5:20-2, specifically that a complaint-summons must be served by law enforcement within five days of its filing.

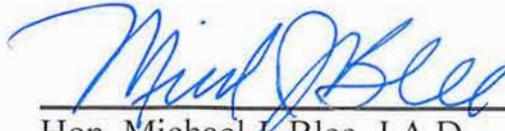
Please send any comments on the proposed rule amendments in writing by

March 31, 2026 to:

Acting Administrative Director Michael J. Blee
Administrative Office of the Courts
Attn: Comments on Proposed Technical Rule Amendments
Hughes Justice Complex, P.O. Box 037
Trenton, New Jersey 08625-0037

Comments may also be submitted by e-mail to Comments.Mailbox@njcourts.gov.

The Supreme Court will not consider comments submitted anonymously. Thus, those submitting comments by mail are to 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.



Hon. Michael J. Blee, J.A.D.

Acting Administrative Director of the Courts

Dated: March 3, 2026

Rule 5:4-4. Service of Process in Family Part Summary Actions; Initial Complaints and Applications for Post-Dispositional Relief.

(a) Manner of Service. Service of process within this State for Family Part summary actions, including initial complaints and counterclaims, [and] applications and cross-applications for post-dispositional relief, and all supporting documents including Financial Statements and Case Information Statements, shall be made in accordance with R. 4:4-4, R. 5:9A-2, or paragraph (b) of this rule. For initial complaints, substituted or constructive service of process outside this State may be made pursuant to the applicable provisions in R. 4:4-4 or R. 4:4-5. Family Part summary actions shall include all non-dissolution initial complaints and counterclaims; applications and cross-applications for post-dispositional relief; applications for post-dispositional relief under the Prevention of Domestic Violence Act; and all kinship legal guardianship actions. Applications for post-dispositional relief shall replace motion practice in Family Part summary actions. The court in its discretion, or upon application of either party, may expand discovery, enter an appropriate case management order, or conduct a plenary hearing on any matter.

(b) Service by Mail Program. Service of process for Family Part summary actions may be effected as follows:

(1) Service by Mail. The Family Part shall mail all documents filed by the parties, including the initial complaint, counterclaim, applications, cross-application and all supporting documents including Financial Statements and Case Information Statements, simultaneously by both certified and ordinary mail to the mailing address of the adverse party provided by the filing party.

(2) Effective Service. . . . no change

(3) Ineffective Service. . . . no change

(4) Affidavit or Certification of Non-Military Service. . . . no change

(5) Vacating Defaults. . . . no change

(c) Diligent Inquiry in Family Part Summary Actions. . . . no change

(d) Enforcement of a Support Order. . . . no change

(e) General Appearance; Acknowledgment of Service. . . . no change.

Note: Adopted July 10, 1998 to be effective September 1, 1998; paragraph (b) amended July 28, 2004 to be effective September 1, 2004; new paragraph (b)(4) adopted, former paragraph (b)(4) redesignated as paragraph (b)(5), and paragraph (c) amended June 15, 2007 to be effective September 1, 2007; caption amended, paragraph (a) amended, paragraph (b) caption and introductory text amended, subparagraph (b)(1) caption and text amended, subparagraph (b)(2), (b)(3), (b)(4) and (b)(5) text amended, new paragraph (c) caption and text adopted, former paragraph (c) redesignated as paragraph (d), former paragraph (d) redesignated as paragraph (e) and amended July 21, 2011 to be effective September 1, 2011; subparagraph (c)(1) amended July 29, 2019 to be effective September 1, 2019; paragraph (a) and subparagraph (b)(1) amended July 31, 2025 to be effective September 1, 2025; paragraph (a) and subparagraph (b)(1) amended _____ to be effective _____ .

Rule 5:5-3. Financial Statements and Case Information Statements in Summary Support Actions

(a) Filing of a Financial Statement. In any summary action in which support of a child is in issue, each party shall, on the filing of the initial pleading, [serve upon the other party and furnish] provide the court with a financial statement in a form prescribed by the Administrative Director of the Courts. The court shall use the information provided on the financial statement and any other relevant facts to set an adequate level of child support in accordance with R. 5:6A. A current financial statement and any prior financial statements shall be filed when an application is filed for modification of child support.

(b) Filing of a Family Case Information Statement. ...no change

(c) Non-filing Parties. ...no change

(d) Filing a Confidential Litigant Information Sheet. ...no change

Note: Source - R. (1969) 5:5-3(a). Adopted December 20, 1983, to be effective December 31, 1983; amended January 10, 1984, to be effective immediately; amended July 14, 1992 to be effective September 1, 1992; amended July 28, 2004 to be effective September 1, 2004; amended July 21, 2011 to be effective September 1, 2011; amended July 9, 2013 to be effective September 1, 2013; caption amended, text divided into paragraphs (a), (b) and (d), new paragraph (c) adopted, paragraph captions added, and new paragraphs (a) and (b) amended July 31, 2025 to be effective September 1, 2025; paragraph (a) amended _____ to be effective _____.

Rule 5:20-2. Summons

(a) Issuance and Service. ...no change to text

(b) Form. ...no change

[(c) Service. The summons shall be served in the manner provided by R. 4:4-4 upon the juvenile and the juvenile's parents or either of them or the juvenile's guardian or custodian, or by mailing it to their last known address.]

Note: Source-R.R. (1969) 5:8-4(a)(b)(c); 5:8-5(a)(b). Adopted December 20, 1983, to be effective December 31, 1983; paragraph (b) amended November 7, 1988 to be effective January 2, 1989; paragraphs (a), (b) and (c) amended July 13, 1994 to be effective September 1, 1994; paragraph (a) amended July 30, 2021 to be effective September 1, 2021; paragraph (a) caption amended and paragraph (c) deleted _____ to be effective _____.