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NEW JERSEY STATE BAR ASSOCIATION

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March 23, 2020

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Rules Comments
Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625-0037

Re: Comments on Court Committee Rules Reports

Dear Judge Grant:

Thank you for the opportunity to review and provide comments on the 2020 Rules Reports. The New Jersey State Bar Association applauds the efforts of all of the Court's committees in researching, discussing and debating potential rule amendments in an effort to improve the administration of justice in our court system. The NJSBA recognizes the importance of ensuring our rules are clear, establish procedures that are fair to all parties, and, most importantly, advance the interests of and access to justice.

The NJSBA offers comments on the Report of the Supreme Court Committee on Special Civil Part Practice and the Biennial Report of the Supreme Court Committee on the Tax Court of New Jersey. The NJSBA is still analyzing the Report of the Supreme Court Civil Practice Committee, and thanks the Court for allowing an extension of time within which to submit comments on that report.

Report of the Supreme Court Committee on Special Civil Part Practice

The NJSBA supports the recommendations contained in this report, but offers one proposed amendment. The NJSBA commends the Committee, and in particular the Committee chair for the extensive research, discussion and debate on the issue of raising the jurisdictional limits of the Special Civil Part. While the NJSBA favors an increase, as recommended by the Court Committee, we find persuasive the arguments to raise the limits to \$5000 for small claims and \$25,000, as opposed to \$20,000, for special civil claims.

The NJSBA believes that raising the limits for special civil filings even higher than recommended will advance judicial expediency and expand access to the courts for litigants who may be deterred from filing in the Civil Part. It will also maintain the historical ratio of 5:1 for limits in small claims and special civil matters. As noted in the report, Special Civil Part claims are subject to a more straightforward, streamlined discovery schedule, and resolution is quicker and less costly when

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compared to Civil Part filings. Further, the statistics provided by the Committee indicate that the increased limits should not overwhelm the Special Civil Part, as a higher number of filings was handled by that part without incident in the past. For these reasons, the NJSBA supports an increase in the jurisdictional limits in Special Civil Part as recommended by the Court Committee, but suggests that the increase reflect an even higher limit for special civil cases of \$25,000.

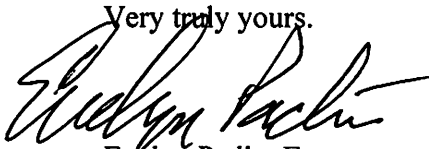
Biennial Report of the Supreme Court Committee of the Tax Court of New Jersey

The NJSBA supports all of the recommendations contained in this report.

Thank you again for this opportunity to participate in the rule-making process, which has a significant impact on the practice of law in New Jersey, and for allowing additional time for comments on the Civil Practice Committee Report.

We look forward to addressing these issues further with the Court at the public hearing when it is scheduled. In the meantime, if you have any questions or require further information, please do not hesitate to contact me.

Very truly yours.



Evelyn Padin, Esq.
President

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cc: Kimberly A. Yonta, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director