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Administrative Office of the Courts

Glenn DeBlasio, Cv.D.M.

Dawn R. Thomas, A.Cv.D.M.

Thomas F. Brogan, P.J.Cv.

77 Hamilton Street • Paterson, NJ 07505

Tel:(973)653-2910 x 24452 • Fax: (973)247-8185

May 11, 2020

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

Re: Comment to the 2018-2020 Report of the Supreme Court Committee on Special Civil Part Practice

Dear Judge Grant,

On behalf of the Conference of Civil Presiding Judges (“Conference”), please accept this comment to the 2018-2020 Report of the Supreme Court Committee on Special Civil Part Practice (“Report”). The overwhelming majority of the Conference opposes the proposed amendments to *Rule* 6:1-2 to increase the jurisdictional limits for Small Claims (SC) cases from \$3,000 to \$5,000 and Special Civil (DC) cases from \$15,000 to \$20,000.

The Conference is concerned that any potential benefit of an increase in limits would disproportionately favor plaintiffs. A large number of defaults already occur in these case types. Increased jurisdictional limits only expose self-represented and underserved litigants to even higher judgment amounts with limited, if any discovery. Increased jurisdictional limits will particularly benefit debt collectors who will obtain judgments on a wider range of debts more quickly via default or judgment at trial at a lower cost for filing fees. Given the current financial and economic climate, increasing jurisdictional limits would be particularly troublesome.

In the Fall of 2018, the Conference was presented with a proposal from the Special Civil Part Supervising Judges Committee, recommending that the jurisdictional limits for SC matters be increased from \$3,000 to \$5,000. The Conference opposed an increase at that time. The demand amount for most DC cases is typically less than \$5,000. From a court perspective, increased limits would further blur the line between the DC and SC dockets making it more difficult to resolve cases pre-trial given the potential reward of a higher recovery at trial. For contested cases, an increase in jury demands are certain to follow, because more dollars are at stake. The courts are unable to conduct jury trials at this time and it is uncertain as to when jury trials will safely resume.

With an increase in limits, the Conference also foresees the potential for a drastic rise in DC and SC filings and motions which would require significant reallocation of judicial staff and resources to handle the

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additional volume. I would welcome the opportunity, on the Conference's behalf, to discuss these items as well as a myriad of other potential nuanced changes in further detail.

On behalf of the Conference, we thank you for your time and consideration.

Very truly yours,

s/ Thomas F. Brogan

Thomas F. Brogan, P.J. Cv.
Chair, Conference of Civil Presiding Judges

cc. Conference of Civil Presiding Judges
Steven D. Bonville, Chief of Staff
Jennifer M. Perez, Director, Trial Court Services
Taironda E. Phoenix, Asst. Director, Civil Practice
Jessica Lewis Kelly, Special Assistant to the Administrative Director
Melissa A. Czartoryski, Chief, Civil Practice

