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March 31, 2022

Hon. Glenn A. Grant, J.A.D.

Acting Director

Administrative Office of the Courts

Attn: Rules Comments

Hughes Justice Complex; P.O. Box 037

Trenton, New Jersey 08625-0037

Dear Judge Grant:

On behalf of the 2,700 members of the New Jersey Association for Justice (NJAJ), thank you for the opportunity to comment on the January 28, 2022 “Notice to the Bar” seeking comments on proposed rule changes recommended by the New Jersey Supreme Court Civil Practice Committee.

The effort that went into this task by the Supreme Court Civil Practice Committee is apparent and is appreciated by NJAJ. We thank the committee for its work.

We have thoroughly reviewed the 382 pages contained in the report and offer comments as follows:

Rule 2:6-1 (a) Appendices – Generally, N.J.A.J does not believe that any change to the manner in which the appendix is prepared (joint v. each party preparing their own) or the timeline for doing so is warranted. We believe that the deadline of 14 days from the date the transcript is received will prove to be too burdensome on the parties and will inhibit the ability of the parties to harmonize their work on the appendix with their work on the brief, especially given that it is the brief that drives much of what needs to be included in the appendix. We urge the court to reject that proposed change.

Rule 2:6-7 and 2:11-6 – Page limits on appeal briefs and motions for reconsideration. We again urge that these changes be rejected. Reducing the page limits that currently exist under the rules will inhibit the ability of the parties to provide comprehensive and necessary facts and arguments to the court and may well result in an increase in motions for leave to file over length briefs, which will burden the court with additional motions that would not otherwise need to be filed. If the court is concerned about the amount of paper submitted, we would suggest going to an all electronic format and eliminate the requirement to submit paper copies of briefs and dependencies.



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Appendix II - Form Interrogatories – NJAJ generally supports the proposed changes. We suggest an additional change to form C #5 to add that it is meant to include "any person or party answering the interrogatories..." Thus, Form C #5 should read:

5. State (a) the name and address of any person, **including any person or party answering these interrogatories**, who has made a statement regarding this lawsuit; (b) whether the statement was oral or in writing; (c) the date the statement was made; (d) the name and address of the person to whom the statement was made; (e) the name and address of each person present when the statement was made; and (f) the name and address of each person who has knowledge of the statement.

Unless subject to a claim of privilege, which must be specified: (g) attach a copy of the statement, if it is in writing; (h) if the statement was oral, state whether a recording was made and, if so, set forth the nature of the recording and the name and address of the person who has custody of it; and (i) if the statement was oral and no recording was made, provide a detailed summary of its contents.

Thank you for the opportunity to provide comments on the proposed changes to the Court Rules.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathleen M. Reilly". The signature is fluid and cursive, written over a light blue horizontal line.

Kathleen M. Reilly, Esq.
President