



NEW JERSEY STATE BAR ASSOCIATION

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March 21, 2025

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 2025 Rules Reports

Dear Judge Grant:

Thank you for the opportunity to review and provide feedback on the 2025 Rules Reports. I am pleased to submit recommendations and comments from the New Jersey State Bar Association (NJSBA) in connection with the following reports:

- Committee on Diversity, Inclusion and Community Engagement, and
- Family Practice Committee.

The NJSBA does not have comments on the report from the Municipal Court Practice Committee, and we thank you for extending the time to submit comments on the Criminal Practice Committee Report.

The NJSBA applauds the efforts of the Court's committees in researching, discussing and debating potential rule amendments 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.

Report of the Committee on Diversity, Inclusion and Community Engagement (DICE)

The NJSBA supports all of the recommendations in the Report and offers the following more specific comments on the proposals:

Recommendation 2025:01 – The NJSBA believes it is important to continue to provide educational seminars, procedural information and related supports to self-represented litigants. To ensure that as many litigants as possible can benefit from those resources, the NJSBA suggests that efforts be made to provide information in different languages and in a manner that is accessible for people with hearing impairment.

Recommendation 2025:04 – The NJSBA supports the recommendation to convene a working group to develop recommendations on access to justice and other resources by individuals in rural communities; however, we believe the recommendation should include some parameters around the working group. For example, the group should be required to adhere to SMART principles when making recommendations for action – all of the action items should be specific, measurable, achievable, relevant, and time-bound -- to ensure targeted outcomes are achieved. The NSJBA also recommends the working group consist of representatives from diverse backgrounds and geographical areas and include members of the public, public sector group representatives and public interest lawyers who are part of the affected demographic and/or who work with individuals in rural areas to ensure all voices are heard and all experiences considered.

Finally, while the NJSBA supports the Committee's recommendations to convene working groups and collect data to inform decision-making in a number of different areas, the NSBA requests that any policy recommendations that arise as a result of those actions be circulated for public comment before they are adopted.

Family Practice Committee

The NJSBA appreciates the attention given to proposals submitted to the Judiciary from the NJSBA previously. We are pleased that the Family Practice Committee has agreed with many of those proposals and is now recommending their adoption. We support all of the recommendations contained in this Report, with one exception.

The NJSBA continues to have concerns with the removal of Family Part forms from the Appendix to the Court Rules. Including the forms in the Appendix allows everyone, including self-represented litigants, to have easy and uniform access to them. Further, these forms are critical components of Family Part matters, and the comment process currently afforded individuals before any changes are made is critical to ensuring any changes are thoroughly vetted and take all perspectives into account. The NJSBA is concerned if the forms are not included in the Court Rules, the opportunity to provide such comments will not be available. If the forms are to be removed from the Appendix, the NJSBA recommends that the forms be made available in a manner that is uniform and easy to retrieve, and that the Judiciary develop a defined protocol for public and bar comment before they are modified.

Again, the Association thanks the Supreme Court for publishing these reports and allowing the bar to submit comments and recommendations. We commend the extensive volunteer efforts that contribute to the work of the various committees and hope that our comments represent a meaningful contribution to their debate.

Our leaders also look forward to addressing the Court at any public hearing held on the proposals. The opportunity to participate in all aspects of the rule-making process, which has a significant impact on the practice of law in New Jersey, is appreciated. If you have any questions regarding these recommendations, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink that reads "William H. Mergner, Jr." The signature is fluid and cursive, with the first and last names being more prominent.

William H. Mergner Jr., Esq.
President

cc: Christine A. Amalfe, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director