

April 24, 2026

Acting Administrative Director Michael J. Blee
Administrative Office of the Courts
Attn: Evidence Rules Committee Report on NJRE 702
Hughes Justice Complex; P.O. Box 037
Trenton, New Jersey 08625-0037

Re: Notice to the Bar (March 4, 2026) – Comments on Proposed Amendment to Rule 702 of the New Jersey Rules of Evidence

Dear Mr. Blee:

The HealthCare Institute of New Jersey (“HINJ”) respectfully submits this letter in response to the March 4, 2026 Notice to the Bar inviting public comment on proposed amendments to the New Jersey Rules of Evidence. HINJ writes in support of the proposed amendment to Rule 702, as set forth in the New Jersey Defense Association (NJDA)’s October 21, 2024 submission to the New Jersey Rules of Evidence Committee, and its April 17, 2026 comment on the Committee’s Mid-Year Report.

Founded in 1997, HINJ serves as the trade association for the leading research-based biopharmaceutical and medical technology companies in New Jersey, including many of the world’s largest companies as well as smaller, growing innovators.

On behalf of our member companies, HINJ supports the NJDA’s proposal to amend Rule 702 to reinforce the trial court’s essential gatekeeping role in ensuring that expert testimony admitted into evidence is reliable and grounded in sound methodology. As outlined in the NJDA’s submissions, the proposed amendment appropriately clarifies that the proponent of expert testimony bears the burden of establishing admissibility by a preponderance of the evidence, and that courts must make this determination before such testimony is presented to a jury.

HINJ believes that this clarification is particularly important in cases involving complex scientific and medical issues, where the reliability of expert testimony is critical to fair and accurate adjudication. Adopting the amendment will promote consistency and reinforce confidence in the judicial process.

We further agree with the NJDA that the concerns reflected in the subcommittee’s recommendation against amendment do not outweigh the benefits of reaffirming the court’s gatekeeping responsibility. The proposed amendment does not alter the substantive admissibility standard but instead ensures its proper and consistent application.

For these reasons, HINJ respectfully urges the Court to adopt the proposed amendment to Rule 702.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Christine Buteas". The signature is written in a cursive, flowing style.

Chrissy Buteas
President and Chief Executive Officer