

**SUPERIOR COURT OF NEW JERSEY**  
**UNION VICINAGE**  
UNION COUNTY COURT HOUSE, ELIZABETH, NEW JERSEY 07207  
(908) 659-4787

**CHAMBERS OF**  
**WALTER R. BARISONEK, A.J.S.C.**  
**RETIRED**



**SPECIAL MASTER**  
**RECALL JUDGE**

Administrative Order 0-1-2010  
Docket # F-238-11

April 25, 2011

IN THE MATTER OF RESIDENTIAL MORTGAGE FORECLOSURE PLEADINGS AND  
DOCUMENT IRREGULARITIES

TO: Foreclosure Plaintiff's Filing 200 or more residential mortgages foreclosure action in 2010

Please submit the following information in certification/affidavit form to me within twenty (20)  
business days following your individual conference

The individual answering the following questions must base their answers upon personal  
knowledge or information gained through a personal review of business records which records  
would be admissible in evidence in a New Jersey Court.

- 1) If you act in any capacity as a servicer of residential mortgages for your own institution  
or any other entity, you must answer the following questions to show whether you have  
processes and procedures in place to ensure that the information contained in any  
certification/affidavit submitted to the Court under Rule 4:64-1 et seq is accurate and  
reliable
  - a) State what processes and procedures you have to ensure that the certifications/affidavits  
submitted are based upon that person's personal knowledge or that person's review of  
business records which records would be admissible in evidence in a New Jersey Court.  
Describe the processes and procedures in detail and attach a copy of any documents that  
establish the processes and procedures
  - b)
    - i State the processes and procedures you have in place to ensure that the individual who  
executes the certification/affidavit executed it according to law, and that the signature is a  
valid lawful signature.
    - ii State the processes and procedures in place to ensure that the person executing the  
certification/affidavit, pursuant to paragraph (a), has the authority to act in behalf of the  
plaintiff/servicer.

- c) State in detail your record keeping system to ensure that there is accurate up-to date entries of payments, loan history, assignments, or of any other transaction involving the mortgage. If you are currently making or anticipate making changes, state the changes to be made and when they will be implemented.
  - d) State the review process you have in place to ensure that any certification/affidavit submitted to the Court is accurate, based upon current information and that the person executing the document relied upon personal knowledge and/or business records which would be admissible in a New Jersey Court. If you are currently making or anticipate making any changes, state the changes to be made and when they will be implemented.
  - e) State in detail any training programs you have in place for individuals completing certifications/affidavits to ensure that their knowledge of the contents of the certification/affidavit is based upon personal knowledge or business records which would be admissible in a New Jersey Court.
  - f) Describe in detail the process you have in place to ensure that foreclosure counsel is provided with current accurate information to support the preparation of any documentation counsel will be submitting to the Court pursuant to Court Rule.
  - g) State the review process you and foreclosure counsel have in place for the final review of documents to be submitted to the Court pursuant to Rule 4.64-1 et. seq..
  - h) State whether you utilized or intend on utilizing any independent auditor to review the process and procedures mentioned in the above answers to ensure that you are in compliance with the mandates of Court Rule 4:64-1 et. seq.
2. If you are a plaintiff in uncontested residential foreclosure matters and any other entity, not a part of these proceedings or part of the "Big Six", acts as a servicer on those mortgages, secure the information requested in Question #1 from the entity that provides the servicing.

Unless you file a motion to seal pursuant to Rule 1:38-11, any submissions pursuant to this directive must be filed with the Clerk of the Court in Trenton with a copy to me. If you wish to invoke a claim of confidentiality, your motion under Rule 1.38-11 must be filed either before or at the time you send me your submissions required under this directive. If you file a motion under Rule 1:38-11 you should still send your submissions under this directive to me but do not send them to the Clerk in Trenton. I will then schedule your motion for an ex-parte hearing.



Walter R. Barisonok, A J S C. Ret  
Special Master

WRB:ard