

Creating a State Agency Appeal in eCourts Appellate Filing Tips



Contents

Creating a State Agency Appeal	1
File New Case Page	1
Finality Question.....	1
Case Details Page	2
State Agency Inaction	2
State Regulation and Enacted Rules	2
Filing Time	3
State Agency Inaction	3
State Regulations and Enacted Rules	3
Transcripts	4
List of Parties	4
Respondent Party.....	4
Proof of Service	4
State Agencies Represented by the Attorney General.....	5
State Agencies Not Represented by the Attorney General.....	5

Creating a State Agency Appeal

The following are tips specific to state agency appeals. For instructions on filing actions not included in this guide, refer to the "Creating a Civil Appeal" filing tips guide.

File New Case Page

- Select "STATE AGENCY" from the Case Type dropdown and enter the agency case/file number.

Select the Case Type to start an appeal process and enter the Trial Court/Agency Docket #.

*CASE TYPE: STATE AGENCY ▼

Type a free form docket number. If one does not exist, enter N/A:

Finality Question

Is the order you are appealing from FINAL?

- Select **Yes** if you have a **final** order/judgement, then select why the appeal is final in Part 2
- Select **No** if the order/judgment is **not final**.

GETTING STARTED

Finality Question

PART 1

Read Carefully: Choose Yes or No from one of the options below. The answer determines whether you are creating a Notice of Appeal (R. 2:2-3) or a Motion for Leave to Appeal from an interlocutory order (R. 2:2-4; R. 2:5-6).

IS THE ORDER/JUDGMENT YOU ARE APPEALING FINAL?

- Yes, the ORDER/JUDGMENT is final (closed below or appealable as of right) and falls under one of the following categories below. (R. 2:2-3). **This will create a system generated Notice of Appeal.**
- No, the ORDER/JUDGMENT is not final (not closed below or appealing an interlocutory order). **This will create a system generated Motion For Leave to Appeal.**

OR, IS THE ORDER/JUDGMENT YOU ARE APPEALING PRE-TRIAL DETENTION?

- Yes, the ORDER/JUDGMENT being appealed is from an order **GRANTING** Pre-Trial Detention. **This will create a system generated Notice of Appeal.**
- No, the ORDER/JUDGMENT being appealed is from an order **DENYING** Pre-Trial Detention. **This will create a system generated Motion For Leave to Appeal.**

PART 2

Choose One button from the following to indicate why the appeal is final.

FROM THE REVIEW OF:

- Final decisions or actions of any **STATE ADMINISTRATIVE AGENCY** or officer,
- The validity of any rule promulgated by such agency or officer (See **R. 2:2-3** for exceptions)

Return to Case List

Continue

Case Details Page

DATE OF ORDER/JUDGMENT/DECISION ON APPEAL – Enter the date of the agency decision.

State Agency Inaction

If your appeal is regarding a state agency inaction, enter the date that you sent your letter/request to the state agency in the "Date of Order/Judge/Decision on Appeal" field.

State Regulation and Enacted Rules

If you are appealing a state regulation or an enacted Rule, enter the date it went into effect in the "Date of Order/Judge/Decision on Appeal" field.

CASE CAPTION – Enter the full and complete caption **as it appears on the order/decision**. For examples as to format, click the hyperlink below the text box.

NOTE Appeals for the Division of Pensions and Benefits should be captioned [Appellant Name] v. Board of Trustees, [Pension Fund name]. The party name should identify the Board of Trustees that issued the decision on appeal.

STATE AGENCY – Use the dropdown to select the appropriate agency. Be sure to review the entire list to ensure the correct agency is selected. If the agency is not listed, select OTHER.

TRIAL COURT JUDGE - This field is only required for certain state agencies such as Workers Compensation. Note this field is searchable by clicking on the field and typing in the box. If the Judge is not listed in the dropdown, contact the eCourts Appellate Help Line at 609-815-2950 x52590.

GETTING STARTED CASE DATA

Case Details - STATE AGENCY

*STATE AGENCY DOCKET# 123456 [EDIT DOCKET NUMBER](#)

*DATE OF ORDER/JUDGMENT/DECISION ON APPEAL: DATE OF ORDER BEING APPEALED: This date is the date that made the case final or in interlocutory matters it is the date of the interlocutory order. The date is used for the calculation of time.

* IF APPEALING ADDITIONAL ORDER DATES (if different from this date), those are required to be added on the Additional Case Details page. See R. 2:5-1(e)(3). All orders listed must be uploaded. All orders listed on the notice of appeal must be the same orders listed on the case information statement.

*CASE CAPTION NOTE: Enter the full and complete caption as it appears on the order being appealed or last amended complaint without et al or abbreviations, including all parties involved.

5000 characters left

For Case Caption samples, [click here](#).

*CASE TYPE STATE AGENCY

*STATE AGENCY

TRIAL COURT JUDGE

Fields marked with * are REQUIRED.

[Return to Case List](#) [Previous](#) [Save](#) [Continue](#)

Filing Time

YOUR APPEAL IS OUT OF TIME – If the appeal is filed out of time, you must choose to file a Motion to File As Within Time or select the appropriate exemption. If an exemption is selected, an As Within Time Certification will be automatically inserted on the List of Documents screen.

State Agency Inaction

If your appeal is due to State Agency inaction, select "Other" under Exemptions. In the text box, indicate the appeal is regarding state agency inaction. Check off the box under the text box to ensure that the system does not require substantiating documents.

State Regulations and Enacted Rules

If you are appealing a state regulation or an enacted rule, select "Other" under Exemptions. In the text box, indicate the appeal is regarding a state regulation or enacted rule. Check off the box under the text box to ensure that the system does not require substantiating documents.

GETTING STARTED | **CASE DATA**

Filing Time - 45 Day Rule

YOUR APPEAL IS OUT OF TIME:

Appeals must be filed within 45 days from Judgments, Orders, Decisions and Actions (R.2:4-1).

Good cause and in absence of prejudice applies (R.2:4-4).
**I AM FILING A MOTION TO FILE AS WITHIN TIME WITH SUPPORTING DOCUMENT.
(A motion and supporting document will be added to the list of documents section.)**

Exemptions (R.2:4-3), Select reasons that apply from the list below.

Death of aggrieved party. (R.2:4-3(a))

Death, disbarment, resignation, or suspension of the attorney of record. (R.2:4-3(a))

STATE AGENCY: Timely filing and service of an application for reconsideration made to the Appellate Division from a state administrative agency (R.2:11-6). **Supporting documentation is required. A miscellaneous submission entry will be added to the list of documents section.**

Other: Time was extended due to Supreme Court order, delayed service of trial court order, or other court approved protocol.
Explain your reason in the text box below, attach a copy of the Supreme Court order or other substantiating documentation.

Check here if no order or substantiating document is available. **If the box is not checked, a miscellaneous submission entry will be added to the list of documents section.**

Note: A motion for reconsideration stops the time running. Please calculate your time from the date the motion was made and then add to it the time after the order on reconsideration is filed. This will give you the accurate time. Both the original order and the order on reconsideration must be uploaded.

[Return to Case List](#) | [Previous](#) | [Continue](#)

Transcripts

TRANSCRIPT REQUEST FORM – Select the appropriate answer. If you are ordering transcripts, the system will send a copy of the form to the state agency. You must contact their office to discuss payment and their ordering process. If "Other" was selected as the state agency, the transcript request form was NOT forwarded, and you must contact the agency.

GETTING STARTED CASE DATA

Transcript Request Form Verification

A certified transcript is required for each hearing date. **All dates must be entered below including those already in your possession.**

If you are not ordering the transcripts, please select the reason from the drop down list.

I am not ordering transcripts because

I am ordering transcripts or adding the dates of those in my possession.

Return to Case List Previous Continue

List of Parties

Respondent Party

Certain state agencies will prefill the Organization Name field and the appropriate D.A.G. from the Attorney General's Office under the attorney section. Review the information that is prefilled and hit Continue.

GETTING STARTED CASE DATA PARTY/ATTORNEY

Add Respondent Party

Select from the following options:

This entity is an INDIVIDUAL This party is filing as [PRO SE](#)
 ORGANIZATION
 INITIALS ONLY
 STATE OF NEW JERSEY

Role of party in the Trial court/Agency: PLAINTIFF
 DEFENDANT
 OTHER STATE AGENCY

Status of party as of date of appeal: Participated below
 Dismissed with Prejudice
 Dismissed without Prejudice
 Defaulted below
 New Party
 Settled (Party will not be participating in appeal)

* Party Name: ORGANIZATION NAME DIVISION OF CONSUMER AFFAIRS

Respondent Attorney(s) Information:

Attorney name	MELISSA H RAKSA	Attorney Role (Req.)	ATTORNEY OF RECORD	
FIRM ID	FIRM NAME	ADDRESS	PHONE	EMAIL
<input checked="" type="radio"/> L0000101	ATTORNEY GENERAL LAW (e)	TEST L-ID ATTN 25 MARKET STREET, PO BOX 112 TRENTON, NJ 08625	609-984-3900	MELISSA@TEST.COM TESTINGUPDATINGEMAIL@TEST.COM

Case Specific Email: DOLAPPEALS@LPS.STATE.NJ.US, DOLAPPEALS@LPS.STATE.NJ.US

Cancel Continue Add

Proof of Service

Ecourts Appellate assumes service to the state agency and will electronically forward copies of the case initiating documents. If you selected "Other" as the state agency, the filer is responsible for serving the agency and uploading proof of the same.

State Agencies Represented by the Attorney General

Agriculture	Banking & Insurance
Board of Review, Department of Labor	Building Authority
Cannabis Regulatory Commission	Catastrophic Illness Commission
Children and Families	Civil Service Commission
Commission for Blind & Visually Impaired	Community Affairs
Corrections	Council on Affordable Housing (COAH)
Delaware and Raritan Canal Commission	Division of Behavioral Health Services
Division of Civil Rights	Division of Consumer Affairs
Division of Developmental Disabilities	Division of Disability Services
Division of Family Development	Division of Mental Health and Addiction Services
Division of Pensions and Benefits	Division of State Police
Division of Taxation	Economic Development Authority
Education	Environmental Protection
Executive Branch/Governor	Government Records Council
Health	Higher Education
Homeland Security	Housing & Mortgage Finance Agency
Human Services	Labor & Workforce Development
Law & Public Safety	Medical Assistance & Health Services
Military & Veterans Affairs	Motor Vehicle Commission
Office of the Attorney General	Pinelands Commission
Professional Boards and Advisory Committees	Public Employees Retirement System
Public Utilities	Purchase & Property
Racing Commission	Real Estate Commission
Second Injury Fund	State Parole Board
State Police Retirement System	State, Dept of/Elections
Teachers Pension & Annuity Fund	Transportation
Treasury	Victims of Crimes Compensation Agency

State Agencies Not Represented by the Attorney General

Alcoholic Beverage Control
Casino Control Commission
Casino Reinvestment Development Authority
Division of Gaming Enforcement, Athletic Control Board
Division of Rate Counsel
Division of State Police (Disciplinary Actions)
Election Law Enforcement
Investigations, State Commission of
New Jersey Sports and Exposition Authority
Office Of Administrative Law
Police & Firemen's Retirement System
Port Authority of NY & NJ
Public Defender
Public Employment Relations Commission (PERC)
School Development Authority
School Ethics Commission
State Commission of Investigations
Transportation Trust Fund Authority
Turnpike Authority
Waterfront Commission
Workers Compensation (unless the case is from the Second Injury Fund)