

NOTICE TO THE BAR

Appellate Division Announces Online Access to Unpublished Opinions

The Supreme Court has approved posting of all Appellate Division opinions, including unpublished opinions, on the Judiciary's web site for access by attorneys and the public. The unpublished opinions, like published opinions, will be available on the Supreme/Appellate Opinions page of the Judiciary's web site href="/".

Attorneys are reminded of the provisions of R. 1:36-3 which are not affected by this new procedure in posting of unpublished opinions. That rule provides:

No unpublished opinion shall constitute precedent or be binding upon any court. Except for appellate opinions not approved for publication that have been reported in an authorized administrative law reporter, and except to the extent required by res judicata, collateral estoppel, the single controversy doctrine or any other similar principle of law, no unpublished opinion shall be cited by any court. No unpublished opinion shall be cited to any court by counsel unless the court and all other parties are served with a copy of the opinion and of all other relevant unpublished opinions known to counsel including those adverse to the position of the client.

Counsel are reminded of the significance of the last sentence of R. 1:36-3 when citing unpublished opinions to the court.

EDWIN H. STERN
Presiding Judge for Administration
Appellate Division
Dated: September 16, 2005

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