

## NOTICE TO THE BAR

### FILING REQUIREMENTS REGARDING SUBSTITUTIONS OF ATTORNEY AND NOTICES OF APPEARANCE

This notice to the bar clarifies the filing requirements related to substitutions of attorney and notices of appearance.

#### **Substitution of Attorney Required for Firm Dissolution, Merger or Disbarment**

A substitution of attorney must be filed where (1) an attorney's practice or firm dissolves, (2) an attorney's practice or firm merges with another firm, and (3) an attorney is disbarred from practice resulting in the dissolution or merger of that practice.

Where a law firm or practice seeks to dissolve, all matters transferred to another attorney or law firm for representation require a substitution of attorney. All substitutions of attorneys filed with the court require a \$35 court filing fee for each matter pursuant to Rule 1:43.

Where a law firm or practice seeks to transfer more than 100 matters to one law firm or practice, the process will be managed by the Superior Court Clerk's Office, which will provide the firm with standard forms and instructions on how to complete the bulk substitution. This bulk substitution process does not affect the required filing fees, which remain \$35 for each case in which the attorney or firm is substituting.

#### **Law Firm Name Change; Requirement of Correspondence from Attorney**

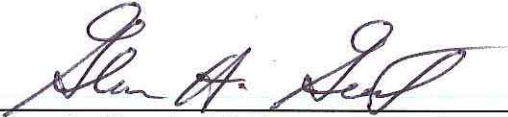
Where a law firm or practice seeks to change its name for reasons other than those set forth above, written correspondence is required from an attorney in the firm so notifying the Clerk of the Superior Court. In such situations a substitution of attorney is

not required to be filed on each matter where a firm name change is required. Law firms are required to comply with all requirements necessary to effectuate the name change throughout the courts electronic systems and databases. The law firm requesting the change will be responsible for the nominal cost of the programming necessary to complete the name change.

**Procedure Where Substitution of Attorney Cannot Be Obtained**

In instances where the substituting attorney is for whatever reason unable to obtain the required substitution transferring the case to him or her for representation, the filing of a notice of appearance will be sufficient to change the attorney of record with the court. The attorney in that situation will be required to pay the \$50 notice of appearance filing fee.

Questions regarding this notice may be directed to Michelle M. Smith, Clerk of the Superior Court, by email at [michelle.smith@njcourts.gov](mailto:michelle.smith@njcourts.gov) or by telephone at 609-421-6100.

  
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Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts

Dated: October 13, 2016