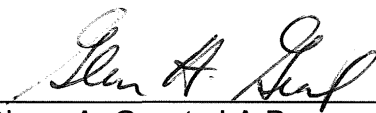


NOTICE TO THE BAR
ADOPTION OF AMENDMENTS TO RULE OF EVIDENCE 1001 (“DEFINITIONS”)
(TO BE EFFECTIVE JULY 1, 2018)

Pursuant to N.J.S.A. 2A:84A-35, attached is the Supreme Court’s September 15, 2017 Order amending N.J.R.E. 1001 (“Definitions”), as proposed by the Court’s Committee on the Rules of Evidence and subject to the terms of N.J.S.A. 2A:84A-36. The effective date of these amendments thus will be July 1, 2018.

This rule proposal was presented and discussed at a Judicial Conference on September 6, 2017 in accordance with the requirements of N.J.S.A. 2A:84A-34.

The amendments to N.J.R.E. 1001 clarify that the “original” of an electronic document is a printout or other output readable by sight. Subsection (c) broadens the definition of the term “original” to include a printout or “other output readable by sight” of electronically created documents. Subsection (d) clarifies that a “duplicate” is a counterpart other than an “original.” Thus, a single document could not constitute both an original and a duplicate.



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

Dated: September 15, 2017

SUPREME COURT OF NEW JERSEY

It is ORDERED that, pursuant to N.J.S.A. 2A:84A-33 through 2A:84A-36, the attached amendments to **N.J.R.E. 1001 (“Definitions”)** of the New Jersey Rules of Evidence are adopted to be effective July 1, 2018.

For the Court,



Chief Justice

Dated: September 15, 2017

NJRE 1001. DEFINITIONS

For purposes of this article the following definitions are applicable:

(a) ... No change

(b) ... No change

(c) Original. An "original" of a writing is the writing itself or any counterpart intended by the person or persons executing or issuing it to have the same effect. An "original" of a photograph includes the negative or any print therefrom. [If data are stored by means of a computer or similar device] With respect to electronically created documents, any printout or other output readable by sight, shown to reflect the data accurately, is an "original."

(d) Duplicate. A "duplicate" is a counterpart, other than an original, produced by the same impression as the original, or from the same matrix, or by means of photography, including enlargements and reductions, or by mechanical or electronic re-recording, or by chemical reproduction, or by other equivalent technique which accurately reproduces the original.

Note: Adopted September 15, 1992 to be effective July 1, 1993; paragraphs (c) and (d) amended September 15, 2017 to be effective July 1, 2018.