

NOTICE TO THE BAR

SPECIAL CIVIL PART – INCREASES IN THE JURISDICTIONAL LIMITS FOR SPECIAL CIVIL (DC) AND SMALL CLAIMS (SC) DOCKETS; AMENDMENTS TO COURT RULES 6:1-1 AND 6:1-2

The Supreme Court has approved increases in the jurisdictional limits for the Special Civil (DC) docket from \$15,000 to \$20,000, and for the Small Claims (SC) docket from \$3,000 to \$5,000. Claims for return of all or part of a security deposit may be filed in either docket within the parameters of the new jurisdictional limits. The Court's May 10, 2022 Order amending Rules 6:1-1 ("Scope and Applicability of Rules") and 6:1-2 ("Cognizability") to reflect the updated jurisdictional limits is attached. The amendments are effective July 1, 2022.

The Supreme Court Special Civil Part Practice Committee recommended the increases in jurisdictional limits as part of its 2018-2020 report. In acting on the Committee's recommendation, the Court considered a comparative study of jurisdictional limits in courts of limited jurisdiction throughout the United States, and other states' recent expansion of their limits. In 2021, New Jersey ranked 49th out of 50 states with the second lowest jurisdictional limits in the country.

Questions regarding this notice may be directed to Taironda E. Phoenix, Assistant Director for Civil Practice at (609) 815-2900 ext. 54900 or taironda.phoenix@njcourts.gov.



Glenn A. Grant
Administrative Director of the Courts

Dated: May 11, 2022

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to 6:1-1(c) (“Scope and Applicability of Rules”) and 6:1-2(a) (“Matters Cognizable in the Special Civil Part”) of the Rules Governing the Courts of the State of New Jersey are adopted to be effective July 1, 2022.

For the Court,



Chief Justice

Dated: May 10, 2022

6:1-1. Scope and Applicability of Rules

The rules in Part VI govern the practice and procedure in the Special Civil Part, heretofore established within and by this rule continued in the Law Division of the Superior Court.

(a) Jurisdictional References...no change.

(b) Caption...no change.

(c) Fees. The fees charged for actions in the Special Civil Part shall be in accordance with N.J.S.A. 22A:2-37.1 and R. 1:43 (insofar as applicable), provided that the face of the pleading and summons alleges the amount in controversy does not exceed [~~\$15,000~~] \$20,000, and the fees for actions which are not filed in the Special Civil Part shall be in accordance with N.J.S.A. 22A:2-6 et seq. Checks for fees and all other deposits shall be made payable to the Treasurer, State of New Jersey.

(d) Filings...no change.

(e) Services of Process and Enforcement of Judgments...no change.

(f) Judgments...no change.

(g) Forms...no change.

Note: Caption amended and paragraphs (a) through (g) adopted November 7, 1988 to be effective January 2, 1989; paragraph (c) amended July 17, 1991 to be effective immediately; paragraph (c) amended July 13, 1994 to be effective September 1, 1994; paragraph (c) amended July 12, 2002 to be effective September 3, 2002; paragraph (c) amended July 27, 2006 to be effective September 1, 2006; paragraphs (e) and (g) amended July 9, 2008 to be

effective September 1, 2008; paragraph (e) amended July 19, 2012 to be effective September 4, 2012; paragraph (g) amended August 1, 2016 to be effective September 1, 2016; paragraph (f) and (g) amended March 7, 2017 to be effective immediately; paragraphs (c), (f), and (g) amended July 27, 2018 to be effective September 1, 2018; paragraph (c) amended May 10, 2022 to be effective July 1, 2022.

6:1-2. Cognizability

(a) Matters Cognizable in the Special Civil Part. The following matters shall be cognizable in the Special Civil Part, except as otherwise specifically provided in R. 4:3-1(a)(4):

(1) Civil actions (exclusive of professional malpractice, probate, and matters cognizable in the Family Part of the Chancery Division or Tax Court) seeking legal relief when the amount in controversy does not exceed ~~[\$15,000]~~ \$20,000;

(2) Small claims actions, which are defined as all actions in contract and tort (exclusive of professional malpractice, probate, and matters cognizable in the Family Division or Tax Court) and actions between a landlord and tenant for rent, return of all or part of a security deposit, or money damages, when the amount in dispute, including any applicable penalties, does not exceed, exclusive of costs, the sum of ~~[\$3,000]~~ \$5,000. [Small claims also include actions for the return of all or part of a security deposit when the amount in dispute, including any applicable penalties, does not exceed, exclusive of costs, the sum of \$5,000.] The Small Claims Section may provide such ancillary equitable relief as may be necessary to effect a complete remedy. Actions in lieu of prerogative writs and actions in which the primary relief sought is equitable in nature are excluded from the Small Claims Section;

(3) Summary landlord/tenant actions;

(4) Summary actions for the possession of real property pursuant to N.J.S.A. 2A:35-1 et seq., where the defendant has no colorable claim of title or possession, or pursuant to N.J.S.A. 2A:39-1 et seq.;

(5) Summary proceedings for the collection of statutory penalties not exceeding \$15,000 per complaint.

(b) Distinct Negligence Claims...no change.

(c) Waiver of Excess...no change.

Note: Adopted November 7, 1988 to be effective January 2, 1989; caption added to paragraph (a) and paragraph (a) amended July 17, 1991 to be effective immediately; paragraphs (a)(1) and (2) amended July 14, 1992 to be effective September 1, 1992; paragraphs (a)(1) and (2) amended July 13, 1994 to be effective September 1, 1994; paragraphs (a)(1) and (a)(2) amended July 12, 2002 to be effective September 3, 2002; paragraph (a)(2) amended July 28, 2004 to be effective September 1, 2004; subparagraph (a)(4) and paragraph (c) amended July 27, 2006 to be effective September 1, 2006; subparagraphs (a)(1) and (a)(2) amended, new subparagraph (a)(4) adopted, former subparagraph (a)(4) redesignated as subparagraph (a)(5), and former subparagraph (a)(5) deleted July 19, 2012 to be effective September 4, 2012; paragraph (a) amended July 27, 2018 to be effective September 1, 2018; paragraph (a)(1) amended July 31, 2020 to be effective September 1, 2020; subparagraph (a)(1) and subparagraph (a)(2) amended May 10, 2022 to be effective July 1, 2022.