

## Supreme Court of New Jersey

It is ORDERED that the attached amendments to the Rules Governing the Courts of the State of New Jersey are adopted to be effective September 1, 2023.

For the Court,



Chief Justice

Dated: August 4, 2023

**The Rules and Appendices Amended and Adopted by this Order Are as Follows:**

1:38-3

1:40-4

3:4-2

3:10-9 (new)

3:21-8

3:30-1 (new)

3:30-2 (new)

5:8D (new)

5:10-3

5:10-4

5:10-17

5:20-3

5:21-1

5:26 (new)

7:4-1

7:9-6 (new)

7:10-2

Appendix to Part VII, Guideline 4

Appendix XIX (deleted)

Appendix XXVIII-A

Appendix XXVIII-B

1:38-3. Court Records Excluded from Public Access

The following court records are excluded from public access:

(a) General. ... no change

(b) Internal Records. ...no change

(c) Records of Criminal and Municipal Court Proceedings.

(1) ... no change

(2) ... no change

(3) ... no change

(4) ... no change

(5) Records relating to participants in recovery [drug] court programs and programs approved for operation under R. 3:28 (Pre-trial Intervention), and reports made for a court or prosecuting attorney pertaining to persons enrolled in or applications for enrollment in such programs, but not the fact of enrollment and the enrollment conditions imposed by the court;

(6) ... no change

(7) ... no change

(8) ... no change

(9) ... no change

(10) ... no change

(11) ... no change

(12) ... no change

(13) ... no change

(14) ... no change

(15) ... no change

(d) Records of Family Part Proceedings. ... no change

(e) Records of Guardianship Proceedings. ...no change

(f) Records of Other Proceedings. ...no change

Note: New Rule 1:38-3 adopted July 16, 2009 to be effective September 1, 2009; subparagraph (b)(1) amended December 9, 2009 to be effective immediately; paragraphs (e) and (f) amended January 5, 2010 to be effective immediately; subparagraph (c)(11) amended, subparagraph (c)(12) adopted, and subparagraph (d)(10) amended February 16, 2010 to be effective immediately; subparagraph (d)(1) amended June 23, 2010 to be effective July 1, 2010; paragraph (e) amended October 26, 2010 to be effective immediately; paragraph (e) amended February 28, 2013 to be effective immediately; subparagraph (d)(12) amended July 9, 2013 to be effective September 1, 2013; subparagraphs (f)(2) and (f)(5) amended, and new subparagraph (f)(9) added December 9, 2014 to be effective immediately; subparagraph (d)(2) amended July 27, 2015 to be effective September 1, 2015; subparagraph (b)(1) amended May 30, 2017 to be effective immediately; paragraph (a) and subparagraphs (d)(1) and (d)(13) amended July 28, 2017 to be effective September 1, 2017; subparagraphs (c)(1), (d)(1), (d)(2), (d)(5), (d)(6), (d)(9), and (f)(6) amended May 15, 2018 to be effective immediately; new subparagraph (c)(13) adopted July 27, 2018 to be effective September 1, 2018; new subparagraph (c)(14) adopted and subparagraph (f)(5) amended September 12, 2018 to be effective immediately; new subparagraph (f)(10) adopted April 23, 2019 to be effective May 1, 2019; new subparagraph (d)(18) adopted July 29, 2019 to be effective September 1, 2019; new subparagraphs (c)(15) and (d)(19) adopted February 5, 2021 to be effective February 15, 2021; subparagraph (c)(4) amended, subparagraph (d)(19) amended, new subparagraph (d)(20) adopted, and subparagraph (f)(10) amended July 30, 2021 to be effective September 1, 2021; new subparagraph (f)(11) adopted February 28, 2022 to be effective May 1, 2022; paragraph (a) amended August 4, 2022 to be effective January 1, 2023; subparagraph (c)(5) amended August 4, 2023 to be effective September 1, 2023.

1:40-4. Mediation - General Rules

(a) Referral to Mediation. ...no change.

(b) Compensation and Payment of Mediators Serving in the Civil and Family Economic Mediation Programs. ...no change.

(c) Evidentiary Privilege. ...no change.

(d) Confidentiality. ...no change.

(e) Limitations on Service as a Mediator. ...no change.

(f) Mediator Disclosure of Conflict of Interest. ...no change.

(g) Conduct of Mediation Proceedings. ...no change.

(h) Termination of Mediation. ...no change.

(i) Final Disposition. If the mediation results in the parties' total or partial agreement, that [said] agreement must be reduced to writing, signed by each party, and furnished to each party. The agreement need not be filed with the court, but both roster and non-roster mediators shall report the status of the matter to the court by submission of the Completion of Mediation form. If an agreement is not reached, the matter shall be referred back to the court for formal disposition. In Family Economic Mediations, regardless of the mediation's outcome, the economic mediator shall submit to the court a Completion of Mediation form. The Completion of Mediation form referenced in this paragraph shall be in a form prescribed by the Administrative Director of the Courts.

Note: Adopted July 14, 1992 to be effective September 1, 1992; paragraph (c)(3) amended and paragraph (c)(4) adopted June 28, 1996 to be effective September 1, 1996; paragraphs (a) and (c)(2) amended and paragraph (c)(3)(v) adopted July 10, 1998 to be effective September 1, 1998; caption amended, paragraph (a) amended and redesignated as paragraphs (a) and (b), paragraphs (b), (c), (d), (e), and (f) amended and redesignated as paragraphs (c), (d), (e), (f), and (g) July 5, 2000 to be effective September 5, 2000; paragraphs (d)(2) and (d)(3) amended July 28, 2004 to be effective September 1, 2004; paragraph (b) amended July 27, 2006 to be effective September 1, 2006; new paragraph (c) adopted, former paragraph (c) redesignated as paragraph (d) and amended, former paragraph (d) redesignated as paragraph (e), new paragraph (f) adopted, former paragraph (e) redesignated as paragraph (g) and amended, former paragraph (f) redesignated as paragraph (h), and former paragraph (g) redesignated as paragraph (i) June 15, 2007 to be effective September 1, 2007; paragraph (b) amended and new subparagraph (f)(3) adopted July 16, 2009 to be effective September 1, 2009; paragraph (b) amended, subparagraph (e)(1) deleted, subparagraphs (e)(2), (e)(3) and (e)(4) amended and redesignated as subparagraphs (e)(1), (e)(2) and (e)(3), subparagraphs (f)(1) and (f)(3) amended, paragraph (g) amended, subparagraphs (h)(1) and (h)(2) amended, and paragraph (i) amended July 27, 2015 to be effective September 1, 2015; paragraph (b) amended July 28, 2017 to be effective September 1, 2017; paragraph (i) amended August 4, 2023 to be effective September 1, 2023.

3:4-2. First Appearance After Filing Complaint; Prehearing Rights Advisement

(a) Time of First Appearance. ...no change

(b) First Appearance; Where Held. ...no change

(c) Discovery. ...no change

(d) Procedure in Indictable Offenses. At the defendant's first appearance before a judge, if the defendant is charged with an indictable offense, the judge shall provide the following information but may omit the information in subparagraphs (1) through (5) when that information has been provided at a prehearing rights advisement conducted pursuant to paragraph (h) of this Rule:

(1) give the defendant a copy of the complaint and inform the defendant of the charge;

(2) inform the defendant of the right to remain silent and that any statement may be used against the defendant;

(3) inform the defendant of the right to retain counsel and, if indigent, the right to be represented by the public defender;

(4) ask the defendant specifically whether he or she wants counsel and record the defendant's answer on the complaint;

(5) provide the defendant who asserts indigence with an application for public defender services, which the defendant shall complete and submit at that time for immediate processing by the court, unless the defendant affirmatively and knowingly

waives the right to counsel;

(6) inform the defendant that there is a pretrial intervention program and where and how an application to it may be made;

(7) inform the defendant that there is a recovery [drug] court program and where and how to make an application to that program;

(8) inform the defendant of his or her right to have a hearing as to probable cause and of his or her right to indictment by the grand jury and trial by jury, and if the offense charged may be tried by the court upon waiver of indictment and trial by jury, the court shall so inform the defendant. All such waivers shall be in writing, signed by the defendant, and shall be filed and entered on the docket. If the complaint charges an indictable offense which cannot be tried by the court on waiver, it shall not ask for or accept a plea to the offense;

(9) set conditions of pretrial release, when appropriate as provided in Rule 3:26, unless a motion for pretrial detention has been filed or granted; and,

(10) schedule a pre-indictment disposition conference to occur no later than 45 days after the date of the first appearance.

(e) Procedure in Non-Indictable Offenses. ...no change

(f) Trial of Indictable Offenses in Municipal Court. ...no change

(g) Waiver of First Appearance by Written Statement. Unless otherwise ordered by the court, a defendant charged on a complaint-summons (CDR-1) for an indictable offense and who is represented by an attorney and is not incarcerated may



waive the first appearance by electronically filing, at or before the time fixed for the first appearance, a written statement in a form prescribed by the Administrative Director of the Courts, signed by the attorney, certifying that the defendant [has]:

(1) has received a copy of the complaint and has read it or the attorney has read it and explained it to the defendant;

(2) understands the substance of the charge;

(3) has been informed of the right to remain silent and that any statement may be used against the defendant;

(4) has been informed that there is a pretrial intervention program and where and how an application to it may be made;

(5) has been informed of the right to have a hearing as to probable cause, the right to indictment by the grand jury and trial by jury, and if applicable, that the offense charged may be tried by the court upon waiver of indictment and trial by jury, if in writing and signed by the defendant;

(6) has been informed of the date of the pre-indictment disposition conference held pursuant to Rule 3:4-6, which shall occur no later than 45 days after the date of the first appearance; and

(7) has been informed that there is a recovery [drug] court program and where and how to make an application to that program.

The written statement waiving the first appearance shall be electronically filed with the court, and notification provided to the County Prosecutor or the Attorney

General, if the Attorney General is the prosecuting attorney.

(h) Prehearing Rights Advisement. ...no change

Note: Source -- R.R. 3:2-3(b), 8:4-2 (second sentence). Amended July 7, 1971 effective September 13, 1971; amended April 1, 1974 effective immediately; text of former Rule 3:4-2 amended and redesignated paragraphs (a) and (b) and text of former Rule 3:27-1 and -2 amended and incorporated into Rule 3:4-2, July 13, 1994 to be effective January 1, 1995; paragraphs (a) and (b) amended June 28, 1996 to be effective September 1, 1996; paragraph (b) amended January 5, 1998 to be effective February 1, 1998; caption amended, paragraphs (a) and (b) deleted, new paragraphs (a), (b), (c), and (d) adopted July 5, 2000 to be effective September 5, 2000; new paragraph (e) adopted July 21, 2011 to be effective September 1, 2011; paragraph (a) amended, new paragraph (b) added, former paragraphs (b), (c), and (e) amended and redesignated as paragraphs (c), (d), and (f), and former paragraph (d) redesignated as paragraph (e) April 12, 2016 to be effective September 1, 2016; paragraphs (a) and (b) amended, subparagraph (c)(1) amended, new subparagraphs (c)(1)(A) and (c)(1)(B) adopted, subparagraphs (c)(9) and (c)(10) amended, new subparagraph (c)(11) adopted, subparagraphs (d)(3) and (d)(4) amended, and new subparagraph (d)(5) adopted August 30, 2016 to be effective January 1, 2017; paragraph (a) amended December 6, 2016 to be effective January 1, 2017; subparagraph (c)(1) amended May 10, 2017 to be effective immediately; paragraph (f) amended July 28, 2017 to be effective September 1, 2017, subparagraph (a)(1) amended, paragraph (b) amended, new paragraph (c) adopted, former paragraph (c) amended and redesignated as paragraph (d), former paragraph (d) amended and redesignated as paragraph (e), former paragraph (e) redesignated as paragraph (f), and former paragraph (f) redesignated as paragraph (g) July 27, 2018, to be effective September 1, 2018; caption amended, paragraphs (a)(1), (d), (e) amended, and new paragraph (h) adopted May 26, 2020 to be effective June 8, 2020; subparagraph (d)(7) and paragraph (g) amended August 4, 2023 to be effective September 1, 2023.

3:10-9. Notice of Intention to Proffer Affidavit Regarding Search of Firearm Permit Database

Whenever the State intends to offer an affidavit that a defendant's name does not appear in a firearm permit database at trial for an alleged commission of a firearms offense under Chapter 39 of Title 2C, notice of an intent to proffer that affidavit shall be conveyed to defendant at least 30 days prior to trial.

A defendant who intends to object to the admission of such affidavit into evidence shall give notice of objection within 10 days after receiving the State's notice of intent to proffer the affidavit. Whenever a notice of objection is given, the State shall produce a witness who has knowledge and can testify to how the search of the firearm permit database was performed and the results of that search. In the event the person who conducted the search is unavailable, an individual who personally witnessed the search or re-conducted the search can be presented.

If there is no notice of objection, the affidavit shall be admitted into evidence without the need to produce a witness with knowledge of the search that was performed.

Failure to comply with the time limitations regarding the notice of objection required by this rule shall constitute a waiver of any objections to the admission of the affidavit. The time limitations set forth in this rule shall not be relaxed except upon a showing of good cause.

For purposes of this rule, "affidavit" includes a certification in lieu of oath

pursuant to Rule 1:4-4(b).

Note: Adopted August 4, 2023 to be effective September 1, 2023.

3:21-8. Credit for Confinement Pending Sentence and Re-Sentence

(a) ...no change

(b) While committed to a residential treatment facility, the defendant shall receive credit on the term of a custodial sentence for each day during which the defendant satisfactorily complied with the terms and conditions of Recovery [Drug] Court "special probation" pursuant to N.J.S.A. 2C:35-14 or Recovery [Drug] Court probation pursuant to N.J.S.A. 2C:45-1. The court, in determining the number of credits for time spent in a residential treatment facility, shall consider the recommendations of the treatment provider.

Note: Source -- R.R. 3:7-10(h) (first sentence); amended July 13, 1994 to be effective September 1, 1994; caption amended and text designated as paragraph (a), paragraph (b) adopted July 28, 2017 to be effective September 1, 2017; paragraph (b) amended August 4, 2023 to be effective September 1, 2023.

RULE 3:30. EXPUNGEMENTS [new]

3:30-1. Expungement of Records

(a) Expungement.

(1) Defined. An expungement is the extraction, sealing, impounding, or isolation of all records on file within any court, detention or correctional facility, or law enforcement or criminal justice agency concerning a person's detection, apprehension, arrest, detention, trial, or disposition of an offense within the criminal justice system.

(2) Ineligible. A conviction for a crime that is not subject to expungement pursuant to subsection b or c of N.J.S.A. 2C:52-2 cannot be expunged.

(b) Applying for an Expungement. Persons shall apply electronically for an expungement of a crime, disorderly persons offense, petty disorderly persons offense, municipal ordinance violation, juvenile delinquency matter, contempt of a domestic violence restraining order, or violation of probation in the Judiciary's computerized system for expungements, except for the expungements that do not require a petition pursuant to R. 3:30-2(b)(1) and (c)(1).

(c) Notice of Petition. Notice and a copy of the expungement petition shall be transmitted electronically by the system to the county prosecutor and other law enforcement authorities in the county where the conviction was entered, except that a petition seeking expungement of marijuana and hashish offenses pursuant to

N.J.S.A. 2C:52-5.1 shall be transmitted directly to the court for a determination.

(d) Response by the Prosecutor. Within 60 days of notice of the petition, the county prosecutor shall submit a response electronically in the Judiciary's computerized system for expungements, which response shall indicate whether that office objects to the petition and shall set forth the reasons for any objection.

(e) Reply to Objection. Notice of an objection by the prosecutor shall be electronically transmitted to the petitioner or the attorney of record, and to the Office of the Public Defender if there is no private attorney. Within 30 days of notice of the objection, the petitioner or counsel on their behalf may submit a response electronically in the Judiciary's computerized system for expungements.

(f) Judicial Determination. Copies of the court's order on the petition shall be electronically available in the system to the person who is the subject of the expungement petition, counsel for the petitioner, and the applicable law enforcement and criminal justice agencies.

(g) Records. When an expungement is granted, the records of the applicable law enforcement and criminal justice agencies shall be handled in accordance with N.J.S.A. 2C:52-15. Expunged records may be used for the authorized purposes set forth in chapter 52 of Title 2C.

(h) Motions to Vacate Expungement Order. The prosecutor pursuant to N.J.S.A. 2C:52-26 may file a motion to vacate an expungement order in the county

where the expungement was granted within 5 years of the expungement. Copies of the motion to vacate shall be provided to the petitioner or attorney of record, and the Office of the Public Defender if there is no private attorney. Within 30 days of notice of the motion to vacate, the petitioner or counsel on their behalf may file a response with the court and provide a copy to the prosecutor. The court shall schedule a hearing on the motion as soon as reasonably practicable.

Note: Adopted August 4, 2023 to be effective September 1, 2023.



3:30-2. Expungements for Marijuana/Hashish Offenses, Recovery Court, Dismissals/Acquittals, and Clean Slate

(a) Expungements Limited to Certain Marijuana or Hashish Offenses.

(1) Applying. Persons may apply electronically for an expungement of the specific marijuana or hashish offenses pursuant to N.J.S.A. 2C:52-5.1 in the Judiciary's computerized system for expungements. The system shall electronically transmit the proposed court order directly to the court for a determination to grant or deny the expungement.

(2) Judicial Determination. Copies of the court order shall be electronically available in the Judiciary's computerized system for expungements to the person who is the subject of the expungement, counsel for the petitioner, and the applicable law enforcement and criminal justice agencies.

(3) Objection by the Prosecutor. Within 30 days of the order, the prosecutor may file an objection, using the Judiciary's computerized system for expungements, requesting that the court vacate the expungement based on a statutory disqualification that existed at the time the expungement was granted. Copies of the objection shall be provided to the petitioner or attorney of record, and to the Office of the Public Defender if there is no private attorney. Within 30 days of the objection, the petitioner or counsel on their behalf may file a response and provide a copy to the prosecutor. The court shall schedule a hearing and make

the determination whether to vacate the expungement as soon as reasonably practicable.

(b) Recovery Court Expungements.

(1) Requested Prior to Graduation. The procedures in this subparagraph apply only to persons requesting a recovery court expungement prior to graduation from Recovery Court.

(A) Proposed Order. The Office of the Public Defender or counsel on behalf of a person in Recovery Court may submit a proposed order for a recovery court expungement electronically in the Judiciary's computerized system for expungements.

(B) Response by the Prosecutor. Within 60 days of receipt of the proposed order, the county prosecutor shall submit a response electronically in the Judiciary's computerized system, which response shall indicate whether that office objects to the requested expungement and shall set forth the reasons for the objection.

(C) Judicial Determination. Copies of the court's order shall be electronically available in the Judiciary's computerized system for expungements to the parties and to the applicable law enforcement and criminal justice agencies.

(2) Requests for an Expungement After Graduation. Persons who previously graduated from Recovery Court may apply electronically in the Judiciary's

computerized system for expungements for a recovery court expungement pursuant to paragraph (b) of R. 3:30-1, and the petition shall be processed in accordance with paragraphs (c) through (f) of that rule.

(3) Restoring Records to Public Access After a Recovery Court

Expungement. When a person is subsequently convicted of a crime after having been discharged from Recovery Court and having had their prior records expunged pursuant to N.J.S.A. 2C:35-14(m)(1), the prosecutor may request that the court restore the person's full record of arrests and convictions to public access pursuant to N.J.S.A. 2C:35-14(m)(4).

(c) Expungements of Arrests Not Resulting in Conviction.

(1) Dismissals or Acquittals After June 15, 2020. Except for the reasons set forth herein, the court shall submit an order for expungement electronically in the Judiciary's computerized system for expungements without undue delay where the dismissal, acquittal, or discharge without a finding of guilt of a crime, disorderly persons offense, petty disorderly persons offense, municipal ordinance violation, juvenile delinquency matter, contempt of domestic violence restraining order, or violation of probation was ordered on or after June 15, 2020. The court order will be electronically available to the defendant or defense counsel, and to the applicable law enforcement and criminal justice agencies.

(A) Plea Bargain. An expungement shall not be ordered where the dismissal, acquittal, or discharge resulted from a plea-bargaining agreement involving the conviction of other charges. This bar does not apply once the conviction of other charges is itself expunged.

(B) Not Guilty by Reason of Insanity. An expungement shall not be granted if the dismissal, discharge, or acquittal resulted from a determination that the person was insane or lacked the mental capacity to commit the crime charged.

(2) Dismissals or Acquittals Prior to June 15, 2020. Persons seeking an expungement for a dismissal, acquittal, or discharge without a finding of guilt for a crime, disorderly persons offense, petty disorderly persons offense, municipal ordinance violation, juvenile delinquency matter, contempt of domestic violence restraining order, or violation of probation that occurred prior to June 15, 2020 may apply electronically in the Judiciary's computerized system for expungements pursuant to paragraph (b) of R. 3:30-1. The requested expungement shall be processed in accordance with paragraphs (c) through (f) of R. 3:30-1.

(3) Dismissals Due to Diversionary Programs. Six months after entry of a court order for dismissal due to completion of the pretrial intervention program, the conditional dismissal program, or the conditional discharge program, persons may apply electronically in the Judiciary's computerized system for expungements for an expungement in accordance with paragraph (b) of R. 3:30-1. Persons may

apply electronically in the Judiciary's computerized system for expungements for an expungement at any time following entry of the order for dismissal of charges upon completion of the veterans diversion program if the expungement was not ordered by the court at the time of the dismissal. Upon submission of the petition electronically, the requested expungement shall be processed in accordance with paragraphs (c) through (f) of R. 3:30-1.

(d) Clean Slate.

(1) Applying. Persons may apply electronically in the Judiciary's computerized system for expungements for a clean slate expungement of one or more crimes, one or more disorderly persons or petty disorderly persons offenses, or a combination of one or more crimes and offenses in this State. The person may apply regardless of whether the person would otherwise be ineligible pursuant to N.J.S.A. 2C:52-14(e) for having had a previous criminal conviction expunged, or due to having been granted an expungement pursuant to this or any other provision of law. The petition shall be submitted to the county in which the most recent conviction for a crime or offense was adjudged using the Judiciary's computerized system for expungements.

(2) Ineligible. A person convicted for a crime that is not subject to expungement pursuant to subsection b or c of N.J.S.A. 2C:52-2 is ineligible to apply for a clean slate expungement.

(3) Time Period to Apply. The person, if eligible, may apply for the expungement after the expiration of ten years from the date of the person's most recent conviction, payment of any court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later.

(4) Outstanding Court-Ordered Financial Assessment. Notwithstanding the ten-year requirement in this paragraph, if, at the time of application, a court-ordered financial assessment is not yet satisfied due to reasons other than willful noncompliance, but the ten-year period is otherwise satisfied, the person may submit the expungement application. If the expungement is granted, the court shall enter a civil judgment for the unpaid portion of the court-ordered financial assessment in the name of the Treasurer, State of New Jersey and transfer collection and disbursement responsibility to the State Treasurer for the outstanding amount in accordance with N.J.S.A. 2C:52-23.1.

Note: Adopted August 4, 2023 to be effective September 1, 2023.

Rule 5:8D. Parenting Coordinators [new]

(a) Applicability. The court may appoint a Parenting Coordinator in dissolution and non-dissolution matters, but only after entry of (1) a pendente lite order or a temporary or final custody order, and (2) a parenting plan (which plan may be set forth in the body of the order rather than as a separate document).

(b) Definition and Role of the Parenting Coordinator. A Parenting Coordinator is a neutral individual appointed by the court to assist in implementing the parties' parenting plan (as referenced in subparagraph (a)(2)) by facilitating the resolution of day-to-day parenting issues in a timely manner when the parties cannot resolve issues on their own. The Parenting Coordinator should provide guidance and direction to the parties with the children's best interests as the primary focus by reducing conflict and fostering sound decisions that will aid positive child development. The goals of the Parenting Coordinator shall be to aid the parties in monitoring and effectuating the existing parenting plan (as referenced in subparagraph (a)(2)); to reduce misunderstandings and miscommunication between the parents; to help reduce litigation filed with the Family Part; to clarify priorities of the parents and their children; to explore possibilities for compromise; and to develop methods of communication that promote collaboration in parenting. The Parenting Coordinator should facilitate decision-making by the parties whenever practicable and make recommendations when the parties cannot agree.

(c) Appointment

(1) Appointment from the Statewide Roster of Approved Parenting Coordinators. The Administrative Director of the Courts shall maintain a statewide roster of approved Parenting Coordinators. On motion by a party or on the court's own motion, the court may appoint a Parenting Coordinator from the statewide roster upon a finding of good cause. The parties also may consent to the appointment of a Parenting Coordinator from the statewide roster without a finding of good cause.

(2) Appointment Not from the Statewide Roster. On request by one or both parties for the appointment of an individual not on the statewide roster and with the consent of the parties, the court may appoint any individual to serve as a Parenting Coordinator. No such non-roster appointment of a Parenting Coordinator shall be made in any case in which a domestic violence restraining order is in effect.

(d) Guidelines and Form of Order. The Administrative Director of the Courts shall issue (1) guidelines covering the operation of Parenting Coordinators appointed pursuant to this Rule, and (2) a form of order for the appointment of a Parenting Coordinator. The guidelines shall include, but not be limited to, the following: the authority, qualifications, and training requirements of a Parenting Coordinator; appointment and termination of a Parenting Coordinator; communication by the Parenting Coordinator with the parties and with the court;



procedures to be followed when a domestic violence restraining order is in effect;  
and the policy as to the Parenting Coordinator's impartiality. The Guidelines and  
the form of appointment order shall be posted on the Judiciary's website at  
<https://www.njcourts.gov/courts/family>.

Note: Adopted August 4, 2023 to be effective September 1, 2023.

5:10-3. Contents of Complaint.

(a) Complaint. The complaint shall state:

(1) . . . no change.

(2) . . . no change.

(3) . . . no change.

(4) . . . no change.

(5) . . . no change.

(6) . . . no change.

(7) . . . no change.

(8) . . . no change.

(9) . . . no change.

(10) . . . no change.

(11) . . . no change.

(12) . . . no change.

(13) . . . no change.

(14) . . . no change.

(15) . . . no change.

(16) That [neither] the child [nor the child's biological parents are members or eligible to be members of a federally recognized Indian tribe in accordance with

the requirements] is not an Indian child as defined by the federal Indian Child Welfare Act, as set forth in R. 5:10-6.

(17) . . . no change.

(b) Domestic Agency Adoptions; Attachments. . . .no change.

(c) Private Adoptions; Attachments. . . .no change.

(d) Affidavit of Verification and Non-Collusion. no change.

Note: Source - R. (1969) 4:94-2(c), (d), (e). Adopted December 20, 1983, to be effective December 31, 1983; text designated as paragraph (a), former paragraphs (a), (b), and (c) redesignated as subparagraphs (a)(1), (a)(2), and (a)(3), new subparagraph (a)(4) adopted, former paragraphs (d) through (n) redesignated as subparagraphs (a)(5) through (a)(15), new subparagraphs (a)(16) and (a)(17) adopted, and new paragraphs (b), (c), and (d) adopted July 21, 2011 to be effective September 1, 2011; subparagraph (b)(5)(G) amended July 9, 2013 to be effective September 1, 2013; subparagraph (a)(16) amended August 4, 2023 to be effective September 1, 2023.

5:10-4. Surrogate Action.

(a) Review of Complaint Prior to Docketing. . . . no change.

(b) Jurisdiction.

(1) . . . no change.

(2) . . . no change.

(3) In private placement adoptions, the court shall assign a date for the preliminary or final hearing. The Surrogate shall attach to the court's order a form promulgated by the Administrative Director of the Courts for parents in an adoption proceeding that informs the child's parents whose parental rights are subject to termination how to object to the adoption, as to their right to legal counsel, and how to apply for a court-appointed attorney. The signed order and form shall be returned to the plaintiff for service of the notice of the hearing pursuant to N.J.S.A. 9:3-45, and for service of the appropriate form on the child's parents unless service shall not be made on a birth parent pursuant to N.J.S.A. 9:3-45(b). Service of the form on the child's parent whose rights are not being terminated shall not be required.

(4) . . . no change

Note: Source - R. (1969) 4:94-3. Adopted December 20, 1983, to be effective December 31, 1983; caption amended, former text redesignated as paragraph (b), paragraph (b) caption adopted, paragraph (b) amended, and new paragraph (a)

adopted July 21, 2011 to be effective September 1, 2011; former subparagraph (b)(3) redesignated as subparagraph (b)(4) and new subparagraph (b)(3) adopted May 30, 2017 to be effective immediately; subparagraph (b)(3) amended July 29, 2019 to be effective September 1, 2019; subparagraph (b)(3) amended July 30, 2021 to be effective September 1, 2021; subparagraph (b)(3) amended August 4, 2023 to be effective September 1, 2023.

5:10-17. Co-parent Adoption Complaints.

(a) Verification of Complaint. . . .no change.

(b) Venue. . . .no change.

(c) Contents of Complaint. . . .no change.

(d) Documents to be Filed with the Complaint. . . .no change.

(e) Home Study, [or] Background [Check] Checks [or] and Affidavit of Non-Military Service. No home study, background [check] checks, Social Security numbers, or [Affidavit] Affidavits of Non-Military Service [is] are required when filing a complaint or when issuing a judgment of adoption.

(f) Surrogate Action on the Complaint. . . .no change.

(g) Notice Requirements. . . .no change.

(h) Final Hearing. . . .no change.

Note: Adopted July 30, 2021 to be effective September 1, 2021; paragraph (e) amended August 4, 2023 to be effective September 1, 2023.

5:20-3. Warrant.

(a) When Issued.

(1) Complaint-warrant. A complaint-warrant may only be issued pursuant to

R. 5:21-1.

(2) Bench warrant. [In lieu of summons the] The judge may issue a warrant if the nature of the case requires the immediate custody of the juvenile. A warrant may also issue if any person or persons fail to appear as required by summons.

(b) Execution. . . .no change.

Note: Source-R. (1969) 5:8-5(a) and (c). Adopted December 20, 1983, to be effective December 31, 1983; paragraph (a) amended and renumbered as subparagraph (a)(2) with caption added, and new subparagraph (a)(1) caption and text adopted August 4, 2023 to be effective September 1, 2023.

5:21-1. Taking into Custody, Initial Procedure.

(a) General. [A law enforcement officer may take into custody without process a juvenile who the officer has probable cause to believe is delinquent as defined by N.J.S. 2A:4A-23. When a juvenile has been taken into custody for delinquency, a complaint, if not already filed, shall immediately be filed as provided by R. 5:20-1.] The taking of a juvenile into custody shall not be construed as an arrest but shall be deemed a measure to protect the health, morals and well-being of the juvenile, and the person taking the juvenile into custody shall immediately notify the juvenile's parents, guardian, or other custodian.

(b) Juvenile in Custody. A law enforcement officer may take a juvenile into custody without process when the officer has probable cause to believe that the juvenile is delinquent as defined by N.J.S.A. 2A:4A-23. When a juvenile has been taken into custody for delinquency and detention is being considered, law enforcement shall immediately apply for a complaint-warrant as provided by R. 5:20-1. When a juvenile is taken into custody pursuant to this paragraph, the procedure set forth in paragraph (d) of this Rule shall be followed.

(c) Juvenile Not in Custody. When a juvenile is not in custody and law enforcement is seeking to detain the juvenile for a delinquent act, law enforcement must apply for a complaint-warrant as provided by R. 5:20-1. The draft complaint-warrant shall be reviewed by the County Prosecutor or an assistant prosecutor prior



to seeking permission of the court to take the juvenile into custody. The court shall determine, in the presence of the County Prosecutor or assistant prosecutor, whether there is sufficient evidence of probable cause that the juvenile committed the act of delinquency and whether the severity of the offense justifies bringing the juvenile into custody. If the court finds no probable cause, a complaint shall not be issued. If the court finds probable cause but denies the request to take the juvenile into custody, the matter may proceed as a complaint-summons. If the court finds probable cause and authorizes law enforcement to take a juvenile into custody, a complaint-warrant shall be issued, and the procedure set forth in paragraph (d) of this Rule shall be followed.

(d) Request for Detention. When a juvenile has been taken into custody, law enforcement must contact court intake services pursuant to N.J.S.A. 2A:4A-34. Court intake services shall complete a juvenile detention screening tool in a form prescribed by the Administrative Director of the Courts to assist in the determination of whether to detain or to release the juvenile. If detention is authorized, a complaint-warrant shall be issued. If detention is not authorized, a complaint-summons may be issued.

Note: Source-R. (1969) 5:8-2(a) (first and second sentence), (e). Adopted December 20, 1983, to be effective December 31, 1983; amended July 13, 1994 to be effective September 1, 1994; existing text amended and designated as paragraph (a) with caption added, new paragraphs (b), (c), (d) caption and text adopted August 4, 2023 to be effective September 1, 2023.

RULE 5:26. EXPUNGEMENT OF FAMILY COURT RECORDS [new]

Expungement of Family Court records, including juvenile delinquency matters, contempt of domestic violence restraining orders matters, and violations of probation, shall be administered in accordance with the procedures set forth in R. 3:30-1 and R. 3:30-2.

Note: Adopted August 4, 2023 to be effective September 1, 2023.

7:4-1. Right to Pretrial Release

(a) Defendants Charged on Complaint-Warrant (CDR-2) with Disorderly Persons Offenses. ...no change

(b) All Other Defendants. All defendants other than those set forth in paragraph (a) shall have a right to bail before conviction on such terms as, in the judgment of court, will insure the defendant's presence when required, having regard for the defendant's background, residence, employment and family status and, particularly, the general policy against unnecessary sureties and detention; in its discretion, the court may order defendant's release on defendant's own recognizance and may impose terms or conditions appropriate to such release.

Additionally, law enforcement officers who encounter defendants on outstanding municipal court bench warrants are authorized to effectuate the immediate release of defendants on defendant's own recognizance pursuant to procedures promulgated by the Administrative Director of the Courts. All other defendants include: (i) those charged on an initial Complaint-Warrant (CDR-2) with a petty disorderly persons offense or other non-disorderly persons offense within the jurisdiction of the municipal court, and (ii) all defendants brought before the court on a bench warrant for failure to appear or other violation, including defendants initially charged on a Complaint-Warrant (CDR-2) and those initially charged on a summons. Defendants issued a bench warrant who were charged with a disorderly

persons offense on an initial Complaint-Warrant (CDR-2) may also be subject to reconsideration of conditions of release pursuant to Rule 7:4-9.

(c) Domestic Violence; Conditions of Release. ...no change

(d) Issuance of Restraining Orders by Electronic Communication. ...no change

Note: Source-R. (1969) 7:5-1, 3:26-1(a). Adopted October 6, 1997 to be effective February 1, 1998.; text designated as paragraph (a), paragraph (a) caption adopted, new paragraphs (b) and (c) adopted July 9, 2013 to be effective September 1, 2013; caption amended, new paragraph (a) adopted, former paragraph (a) redesignated as paragraph (b) and caption and text amended, and former paragraphs (b) and (c) redesignated as paragraphs (c) and (d) August 30, 2016 to be effective January 1, 2017; paragraphs (a) and (b) caption and text amended November 14, 2016 to be effective January 1, 2017; subparagraph (d)(1) amended July 29, 2019 to be effective September 1, 2019; paragraph (b) amended August 4, 2023 to be effective September 1, 2023.

7:9-6. Expungement of Municipal Court Records (new)

(a) Expedited Expungements. Municipal court records relating to an arrest or charge under the laws of this State or of any governmental entity thereof, for a crime, disorderly persons offense, petty disorderly persons offense, or a municipal ordinance violation, statutorily authorized for an expungement where that charge has been adjudicated by way of a dismissal, acquittal, or was discharged without a conviction or finding of guilt, shall be expunged in accordance with the procedures set forth in R. 3:30-1 and R. 3:30-2.

(b) Expungement Orders Issued by the Superior Court. The municipal court shall expunge all municipal court records pursuant to an expungement order issued by the Superior Court in accordance with the procedures set forth in R. 3:30-1 and R. 3:30-2.

Note: Adopted August 4, 2023 to be effective September 1, 2023.

7:10-2. Post-Conviction Relief

(a) Petition for Relief. ...no change

(b) Limitations and Exclusiveness. ...no change

(c) Grounds. ...no change

(d) Bar of Grounds Not Raised in Prior Proceedings; Exceptions. ...no change

(e) Assignment of Counsel. ...no change

(f) Procedure. ...no change

(g) Petition to Obtain Relief from an Enhanced Custodial Term Based on a Prior Uncounseled Conviction.

(1) Venue. A post-conviction petition to obtain relief from an enhanced custodial term based on a prior conviction in which a defendant was not represented by counsel and not advised of the right to counsel or, if indigent, of the right to have counsel assigned shall be brought in the court where the prior conviction was entered.

(2) Time for Filing. ...no change

(3) Procedure. A petition for post-conviction relief sought under this [section] paragraph shall be in writing and shall conform to the requirements of Rule 7:10-2(f). In addition, the moving papers in support of such an application shall include, if available, records related to the underlying conviction, including, but not limited to, copies of all complaints, applications for assignment of counsel,

waiver forms and transcripts of the defendant's first appearance, entry of guilty plea and all other municipal court proceedings related to the conviction sought to be challenged. The petitioner shall account for any unavailable records by way of written documentation from the municipal court administrator or the custodian of records, as the case may be.

(4) Grounds. A post-conviction petition to obtain relief from an enhanced custodial term based on a prior conviction is cognizable only where a defendant was not represented by counsel and was not advised of the right to counsel or, if indigent, of the right to have counsel assigned.

(5) [(4)] Appeal. Appeals from a denial of post-conviction relief from the effect of a prior conviction shall be combined with any appeal from proceedings involving the repeat offense. Appeals by the State may be taken under R. 3:23-2(a).

Note: Source-Paragraph (a): R. (1969) 3:22-1; paragraph (b)(1),(2): R. (1969) 3:22-12; paragraph (b)(3): R. (1969) 3:22-3; paragraph (c): R. (1969) 7:8-1, 3:22-2; paragraph (d)(1): R. (1969) 3:22-4; paragraph (d)(2): R. (1969) 3:22-5; paragraph (e): R. (1969) 3:22-6(a),(c),(d); paragraph (f)(1): R. (1969) 3:22-7; paragraph (f)(2): R. (1969) 3:22-8; paragraph (f)(3): R. (1969) 3:22-9; paragraph (f)(4): R. (1969) 3:22-10; paragraph (f)(5): R. (1969) 3:22-11. Adopted October 6, 1997 to be effective February 1, 1998; new subparagraph (f)(2)(G) and new paragraph (g) adopted June 15, 2007 to be effective September 1, 2007; paragraph (g)(2) amended July 16, 2009 to be effective September 1, 2009; paragraph (g)(2) caption and text amended August 7, 2019 to be effective immediately; paragraph (g) caption amended, subparagraph (g)(1) and (g)(3) amended, new subparagraph (g)(4) added, and former subparagraph (g)(4) redesignated as subparagraph (g)(5) August 4, 2023 to be effective September 1, 2023.

## APPENDIX TO PART VII

### GUIDELINES FOR OPERATION OF PLEA AGREEMENTS IN THE MUNICIPAL COURTS OF NEW JERSEY

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#### GUIDELINE 4. LIMITATION.

No plea agreements whatsoever will be allowed in [drunken] driving while under the influence of liquor or drugs [or certain drug] offenses (N.J.S.A. 39:4-50).

[Those offenses are:

A. Driving while under the influence of liquor or drugs (N.J.S.A. 39:4-50)

and,

B. Possession of marijuana or hashish (N.J.S.A. 2C:35-10a(4)); being under the influence of a controlled dangerous substance or its analog (N.J.S.A. 2C:35-10b); and use, possession or intent to use or possess drug paraphernalia, etc. (N.J.S.A. 2C:36-2).]

No plea agreements will be allowed in which a defendant charged for a violation of N.J.S.A. 39:4-50 with a blood alcohol concentration of 0.10% or higher seeks to plead guilty and be sentenced under section a(1)(i) of that statute (blood alcohol concentration of .08% or higher, but less than 0.10%).

If a defendant is charged with a second or subsequent offense of driving while under the influence of liquor or drugs (N.J.S.A. 39:4-50) and refusal to provide a breath sample (N.J.S.A. 39:4-50.4a) arising out of the same factual



transaction, and the defendant pleads guilty to the N.J.S.A. 39:4-50 offense, the judge, on recommendation of the prosecutor, may dismiss the refusal charge. A refusal charge in connection with a first offense N.J.S.A. 39:4-50 charge shall not be dismissed by a plea agreement, although a plea to a concurrent sentence for such charges is permissible.

Except in cases involving an accident with an injury or those that occur when school properties are being utilized, if a defendant is charged with driving while under the influence of liquor or drugs (N.J.S.A. 39:4-50(a)) and a school zone or school crossing violation under N.J.S.A. 39:4-50(g), arising out of the same factual transaction, and the defendant pleads guilty to the N.J.S.A. 39:4-50(a) offense, the judge, on the recommendation of the prosecutor, may dismiss the N.J.S.A. 39:4-50(g) charge.

[If a defendant is charged with more than one violation under Chapter 35 or 36 of the Code of Criminal Justice arising from the same factual transaction and pleads guilty to one charge or seeks a conditional discharge under N.J.S.A. 2C:36A-1, all remaining Chapter 35 or 36 charges arising from the same factual transaction may be dismissed by the judge on the recommendation of the prosecutor.]

Nothing contained in these limitations shall prohibit the judge from considering a plea agreement as to the collateral charges arising out of the same

factual transaction connected with any [of the above enumerated offenses in sections A and B of this Guideline] driving under the influence of liquor or drugs offense (N.J.S.A. 39:4-50).

The judge may, for certain other offenses subject to minimum mandatory penalties, refuse to accept a plea agreement unless the prosecuting attorney represents that the possibility of conviction is so remote that the interests of justice require[s] the acceptance of a plea to a lesser offense.

Note: Guidelines and Comment adopted June 29, 1990, simultaneously with former Rule 7:4-8 (“Plea Agreements”) to be effective immediately; as part of 1997 recodification of Part VII rules, re-adopted without change as Appendix to Part VII and referenced by Rule 7:6-2 (“Pleas, Plea Agreements”), October 6, 1997 to be effective February 1, 1998; Guideline 4 amended July 5, 2000 to be effective September 5, 2000; Guidelines 3 and 4 amended July 28, 2004 to be effective September 1, 2004; Guideline 4 amended June 7, 2005 to be effective July 1, 2005; Guideline 4 amended June 15, 2007 to be effective September 1, 2007; Guideline 3 amended July 16, 2009 to be effective September 1, 2009; Guideline 3 amended July 30, 2021 to be effective September 1, 2021; Guideline 4 amended August 4, 2023 to be effective September 1, 2023.

[Appendix XIX – Mediation of Economic Aspects of Family Actions-  
“Completion of Mediation” Form (deleted)]

Note: Form adopted as Appendix XIX July 16, 2009 to be effective September 1, 2009; amended July 30, 2021 to be effective September 1, 2021; deleted August 4, 2023, to be effective September 1, 2023.

**NOTICE:** This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



## Tax Court of New Jersey Case Information Statement (CIS-LP) (App. XXVIII-A)

Instructions: To be attached to face of complaint (type or print)

|   |       |                    |                  |
|---|-------|--------------------|------------------|
| Attorney Name (List your information if you are not represented by an attorney) |       | Attorney ID Number |                  |
| Street  |       | E-mail Address     |                  |
| City  | State | Zip                | Telephone Number |

**Part A. Check one of the following case types and the filing fee**

|  |  |
|--|--|
| <input type="checkbox"/> Direct Appeal                         | <input type="checkbox"/> Added or Omitted Assessment |
| <input type="checkbox"/> Appeal from County Tax Board Judgment | <input type="checkbox"/> Farmland Qualification      |
| <input type="checkbox"/> Correction of Error                   | <input type="checkbox"/> Farmland Rollback           |
| <input type="checkbox"/> Exemption                             | <input type="checkbox"/> Other                       |

**NOTE:** To be in the Small Claims Division, the property must be: a class 2 property (1-4 family residence), a class 3A farm residence, to correct an error pursuant to N.J.S.A. 54:51A-7 or the prior year's taxes were less than \$25,000. See *Rule 8:11-(a)(2)*.

Check for Small Claims Division

|                            |             |                                |
|----------------------------|-------------|--------------------------------|
| Filing Fee Submitted<br>\$ | Check/other | Attorney Charge Account Number |
|----------------------------|-------------|--------------------------------|

**Part B. Fill in the following for all cases.**

|   |   |   |       |
|---|---|---|-------|
| 1. Plaintiff  |   | Defendant                                   |       |
| 2. County   | Block   | Lot   | Unit  |
| 3. Assessment year(s) in contest                          |   |   |       |
| 4. Property Address                                       |   |   |       |
| 5. Property Type (check one)                              |   |   |       |
| <input type="checkbox"/> 1-4 Family Residence (class 2)   | <input type="checkbox"/> Business Personal Property                         | Percentage                                  | _____ |
| <input type="checkbox"/> Casino                           | <input type="checkbox"/> Commercial   |   |       |
| <input type="checkbox"/> Condominium                      | <input type="checkbox"/> Farm Residence (class 3A)                          |   |       |
| <input type="checkbox"/> Farmland                         | <input type="checkbox"/> Hotel  |   |       |
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Multi-Unit Residential (over 4 Units)              |   |       |
| <input type="checkbox"/> Nursing Home                     | <input type="checkbox"/> Pipeline   |   |       |
| <input type="checkbox"/> Senior Citizen/Veteran Deduction | <input type="checkbox"/> Tax Exempt   |   |       |
| <input type="checkbox"/> Vacant Land                      | <input type="checkbox"/> Vacant land used as part of a 1-4 family residence |   |       |
| <input type="checkbox"/> Other _____                      |   |   |       |
| 6. Is plaintiff the                                       |   |   |       |
| <input type="checkbox"/> Owner                            | <input type="checkbox"/> Tenant   | <input type="checkbox"/> Contract Purchaser |       |
| <input type="checkbox"/> Court Appointed Rent Receiver    | <input type="checkbox"/> Municipality                                       | <input type="checkbox"/> Other _____        |       |

7. Is an exemption claimed?

Yes  No  Type \_\_\_\_\_

If more than one assessed property is included in the complaint, are they contiguous and in common ownership?

Yes  No

Attach individual Case Information Statements for each separately assessed parcel. If multiple condominium units, attach the Condominium/Multiple Assessment Schedule.

**Part C. Fill in the following for all Case Types except Farmland Rollback**

Assessment for the year set forth in No. 3 above

| Original Assessment |          | County Tax Board Assessment |          |
|---------------------|----------|-----------------------------|----------|
| Land                | \$ _____ | Land                        | \$ _____ |
| Improvements        | \$ _____ | Improvements                | \$ _____ |
| Exemption           | \$ _____ | Exemption                   | \$ _____ |
| Total               | \$ _____ | Total                       | \$ _____ |

**Part D. Fill in the following only for Farmland Rollback**

| Year | Non-Qualified Assessed Value | Qualified Assessed Value | Assessment Subject to Rollback |
|------|------------------------------|--------------------------|--------------------------------|
|      | \$ _____                     | \$ _____                 | \$ _____                       |
|      | \$ _____                     | \$ _____                 | \$ _____                       |
|      | \$ _____                     | \$ _____                 | \$ _____                       |

**Part E. Fill in the following:**

**Note:** For *Direct Appeals* - The total assessment must be over \$750,000 to qualify. The Improvement total for Part E should be the Original Improvement\* and the added, omitted or omitted/added assessment for 12 months, not the prorated assessment. See Court Rule 8:2(c.)

**For Added Assessment ONLY**

Said property is the subject of an added assessment for the assessment year \_\_\_\_\_ as follows:

| Original Assessment                     |          | County Tax Board Judgment               |          |
|---|----------|---|----------|
| Improvements*                           | \$ _____ | Improvements                            | \$ _____ |
| Prorated Assessment<br>for _____ months | \$ _____ | Prorated Assessment<br>for _____ months | \$ _____ |

**For Omitted or Omitted/Added Assessment ONLY**

Said property is the subject of an omitted or omitted/added assessment for the assessment year \_\_\_\_\_ as follows:

| Original Assessment                      |          | County Tax Board Judgment               |          |
|--|----------|---|----------|
| Land                                     | \$ _____ | Land                                    | \$ _____ |
| Improvements*                            | \$ _____ | Improvements                            | \$ _____ |
| Prorated Assessment.<br>for _____ months | \$ _____ | Prorated Assessment<br>for _____ months | \$ _____ |

[Do you or your client have any needs under the Americans with Disabilities Act?  Yes  No]  
[If yes, please identify any requirements or accommodations you may require.] The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at [nccourts.gov](http://nccourts.gov).

Will an interpreter be needed?  Yes  No If yes, for what language \_\_\_\_\_

**Please Note:** Only an interpreter registered with the Administrative Office of the Courts may be used during a court proceeding.


I certify that confidential personal identifiers have been removed from documents now submitted to the court, and will be removed from all documents submitted in the future in accordance with Rule 1:38-7(b)

Dated \_\_\_\_\_

Signed (must be signed by each plaintiff) \_\_\_\_\_

Make Filing Fee checks payable to: **Treasurer, State of New Jersey**  
**Mailing Address:** Tax Court Management Office, P.O. Box 972, Trenton, NJ 08625-0972

**NOTICE:** This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

| Tax Court of New Jersey   |  |   |                    |
|---|--|---|--------------------|
| Case Information Statement  |  |   |                    |
| Correction of Error in Assessment (CIS-C/E) (App. XXVIII-B)   |  |   |                    |
|   |  |   |                    |
| Instructions: To be attached to face of complaint (type or print)   |  |   |                    |
| Attorney Name (List your information if you are not represented by an attorney)   |  |   | Attorney ID Number |
| Street  |  | E-mail Address                              |                    |
| City  | State  | Zip   | Telephone Number   |
| <p><b>NOTE:</b> To be in the Small Claims Division, the property must be: a class 2 property (1-4 family residence), a class 3A farm residence, <u>to correct an error pursuant to N.J.S.A. 54:51A-7</u> or the prior year's taxes were less than \$25,000. See <i>Rule 8:11-(a)(2)</i>.</p> <input type="checkbox"/> Check for Small Claims Division |  |   |                    |
| Filing Fee Submitted<br>\$  | Check / other  | Attorney Charge Account #                   |                    |
| <b>Part A. Fill in the following:</b>   |  |   |                    |
| 1. Plaintiff  |  | Defendant                                   |                    |
| 2. County   | Block  | Lot   | Unit               |
| 3. Assessment year(s) in contest  |  |   |                    |
| 4. Property Address   |  |   |                    |
| 5. Property Type (check one)  |  |   |                    |
| <input type="checkbox"/> 1-4 Family Residence (class 2)   | <input type="checkbox"/> Business Personal Property            | Percentage _____                            |                    |
| <input type="checkbox"/> Casino   | <input type="checkbox"/> Commercial                            |   |                    |
| <input type="checkbox"/> Condominium  | <input type="checkbox"/> Farm Residence (class 3A)             |   |                    |
| <input type="checkbox"/> Farmland   | <input type="checkbox"/> Hotel                                 |   |                    |
| <input type="checkbox"/> Industrial   | <input type="checkbox"/> Multi-Unit Residential (over 4 Units) |   |                    |
| <input type="checkbox"/> Nursing Home   | <input type="checkbox"/> Pipeline                              |   |                    |
| <input type="checkbox"/> Senior Citizen/Veteran Deduction   | <input type="checkbox"/> Tax Exempt                            |   |                    |
| <input type="checkbox"/> Other _____  | <input type="checkbox"/> Vacant Land                           |   |                    |
| 6. Is plaintiff the   |  |   |                    |
| <input type="checkbox"/> Owner  | <input type="checkbox"/> Tenant                                | <input type="checkbox"/> Contract Purchaser |                    |
| <input type="checkbox"/> Court Appointed Rent Receiver  | <input type="checkbox"/> Municipality                          | <input type="checkbox"/> Other _____        |                    |
| 7. Type of error (check one)  |  |   |                    |
| <input type="checkbox"/> Typographical  | <input type="checkbox"/> Transposition                         | <input type="checkbox"/> Other _____        |                    |

|   |  |
|---|--|
| 8. Is any action pending before the Tax Court for above property for a prior year(s)?<br>Year(s) _____  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9. Is the Verified Affidavit complete and attached to complaint?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>[Do you or your client have any needs under the Americans with Disabilities Act?    <input type="checkbox"/> Yes    <input type="checkbox"/> No]</p> <p>[If yes, please identify any requirements or accommodations you may require.] <u>The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at <a href="http://njcourts.gov">njcourts.gov</a>.</u></p> |  |
| <p>Will an interpreter be needed?    <input type="checkbox"/> Yes    <input type="checkbox"/> No    If yes, for what language _____</p> <p><b>Please Note:</b> Only an interpreter registered with the Administrative Office of the Courts may be used during a court proceeding.</p>   |  |
| <p>I certify that confidential personal identifiers have been removed from documents now submitted to the court, and will be removed from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i></p>  |  |
| Dated _____   | Signed <u>(must be signed by each plaintiff)</u>         |
| <p>Make Filing Fee checks payable to: <b>Treasurer, State of New Jersey</b></p> <p><b>Mailing Address:</b> Tax Court Management Office, P.O. Box 972, Trenton, NJ 08625-0972</p>  |  |