



# News Release

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## **Judiciary Announces Program for Complex Business Litigation**

Chief Justice Stuart Rabner has announced that the Judiciary will begin accepting cases into the Complex Business Litigation Program effective Jan. 1, 2015.

The new program will provide a forum for the resolution of complex business, commercial and construction cases that meet the \$200,000 threshold amount for damages.

“The program was developed to meet the legitimate needs of New Jersey’s thriving business community,” said Chief Justice Rabner. “Litigants in these cases and the court system overall will benefit from having a core group of dedicated judges manage complex business disputes. We also expect that this new approach will help to continue to develop a body of authoritative case law that will aid all parties in business litigation.”

The program is the culmination of the Judiciary’s efforts to streamline and expedite service to litigants in complex business cases. It incorporates the recommendations made by the Working Group on Business Litigation that Chief Justice Rabner formed in the fall of 2013.

Chaired by Bergen Vicinage Assignment Judge Peter E. Doyne, the working group recommended the expansion of a pilot program operating in the Bergen and Essex vicinages in which a single judge with experience in complex civil litigation oversees the resolution of each commercial matter from beginning to end. The working group also recommended that each eligible case be identified early on and that arbitration or mediation be encouraged, but not required, of the parties.

They also suggested that judges in those cases be encouraged to post online written decisions in cases that might be of special interest to the business community. Those cases can help serve to guide businesses facing similar issues in the future.

Each case filed in the Complex Business Litigation Program will be reviewed promptly to ensure that it meets the criteria for inclusion. Parties in cases less than \$200,000 can make a motion to have their dispute included in the program if there are compelling issues, such as complex factual or legal issues; a large number of parties or complex discovery issues such as multiple witnesses or large numbers of documents; potential to impact the business beyond the particular case; or a significant interpretation of a business or commercial statute.

A party can make a motion for the removal of the case if the party believes it does not meet the criteria. Although cases in the program are not part of the Judiciary's mandatory civil mediation and arbitration programs, the designated Complex Business Litigation Program judge in each vicinage will encourage the parties to engage in mediation when appropriate.

The judge assigned to the program in each vicinage will receive additional training in relevant areas of the law, such as the Uniform Commercial Code, securities, anti-racketeering, and business valuation. They also will receive additional training in effective case and trial management, e-discovery, and other relevant topics. The list of assigned judges is attached.

Each participating judge will be expected to issue at least two written opinions annually, which will be posted at njcourts.com. Together with the previously posted business-related decisions, the opinions will comprise a substantial legal resource for the business community.

Because the Complex Business Litigation Program will be implemented statewide, the Supreme Court agreed to conclude the earlier Essex-Bergen pilot program and the General Equity complex business pilot program created in 2004. All current complex commercial (case type 508) and construction (case type 513) cases will be reviewed for inclusion in the new program.

Prior efforts to ensure the prompt and effective resolution of business disputes include the electronic docketing and filing of certain civil cases, specialized programs for complementary dispute resolution such as arbitration and mediation, a section for business decisions posted on njcourts.com, and web-based access to civil case information and judgment liens.

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Vicinage	Complex Business Litigation Judge(s)
1. Atlantic/Cape May	Judge J. Christopher Gibson (primary) Judge James P. Savio (backup)
2. Bergen	Judge Robert C. Wilson
3. Burlington	Civil Presiding Judge Marc M. Baldwin
4. Camden	Judge Michael J. Kassel
5. Essex	Judge James S. Rothschild, Jr.
6. Hudson	Judge Barry Sarkisian
7. Mercer	General Equity Presiding Judge Paul Innes
8. Middlesex	Assignment Judge Travis L. Francis
9. Monmouth	Judge Katie A. Gummer
10. Morris/Sussex	General Equity Presiding Judge Stephan C. Hansbury
11. Passaic	Judge Thomas J. LaConte
12. Union	Judge Thomas J. Walsh
13. Somerset/Hunt./War.	Assignment Judge Yolanda Ciccone
14. Ocean	Civil Presiding Judge Craig L. Wellerson
15. Cumberland/Glou/Sal	Judge Richard J. Geiger