

NOTICE TO THE BAR

SEPTEMBER 7 JUDICIAL CONFERENCE ON AMENDMENTS TO THE RULES OF EVIDENCE – PROPOSED FORFEITURE BY WRONGDOING EXCEPTION TO THE HEARSAY RULE – REQUESTS TO SPEAK

As set forth in the Notice to the Bar previously issued on August 2, 2010, the Judiciary is convening a Judicial Conference on Tuesday, September 7, 2010 pursuant to N.J.S.A. 2A:84A-34 to discuss proposed amendments to the Rules of Evidence. The specific proposed amendment that will be considered at this session will be forfeiture by wrongdoing as an additional exception to the hearsay rule (N.J.R.E. 804), as recommended by the Supreme Court Committee on the Rules of Evidence. The Committee addressed this topic at the request of the Supreme Court, following up on the Court's 2009 decision in State v. Byrd, 198 N.J. 319 (2009). As summarized by the Court in that decision, the forfeiture by wrongdoing exception "will allow the admission of a witness's statement offered against a party who has engaged, directly or indirectly, in wrongdoing that was intended to, and did, procure the unavailability of the witness." 198 N.J. at 324.

The September 7 Judicial Conference will be at the New Jersey Law Center on Ryders Lane in New Brunswick and will begin at 5:30 p.m. Anyone who wishes to speak at this session should so notify the Acting Administrative Director of the Courts by Friday, September 3, 2010 at the address set forth below. The request to speak must identify the individual who seeks to speak and whether the speaker will be representing an organization. Please note that the limit on each speaker's presentation is five minutes. The address is:

Hon. Glenn A. Grant, Acting Administrative Director
Attention: Judicial Conference 2010
Hughes Justice Complex
P.O. Box 037
Trenton, New Jersey 08625-0037

Requests to speak at the Judicial Conference also may be made by e-mail to the following address: Comments.mailbox@judiciary.state.nj.us.

/s/ Glenn A. Grant

Glenn A. Grant, J.A.D.
Acting Administrative Director

Dated: August 20, 2010