

NOTICE TO THE BAR

PUBLICATION FOR COMMENT

PROPOSED AMENDMENTS TO THE RULE GOVERNING APPOINTMENT OF SPECIAL ETHICS MASTERS (R. 1:20-6)

The Supreme Court is seeking comments on proposed amendments to Rule 1:20-6(b) so as to provide that the selection of special ethics masters and the maintenance of the list of those qualified to serve in that capacity will be handled by the Supreme Court Clerk. Those functions are presently performed by the Director of the Office of Attorney Ethics.

The proposed rule amendment is published with this Notice. Those seeking to comment on the proposal must do so by November 1, 2010, in writing to the following address:

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Rules Comments (Re: Special Ethics Master Rule)
Hughes Justice Complex; P.O. Box 037
Trenton, New Jersey 08625-0037

or electronically to: Comments.Mailbox@judiciary.state.nj.us.

The Supreme Court will not consider comments submitted anonymously. Thus, those submitting comments by mail should include their name and address (and those submitting comments by e-mail should include their name and e-mail address). The identity of those commenting and the substance of those comments may be subject to public disclosure after the Court has acted on the proposal.

/s/ Glenn A. Grant

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

Dated: September 21, 2010

1:20-6. Hearings

(a) Hearing Panels. ...No change.

(b) Special Ethics Masters.

(1) Qualifications. ...No change.

(2) Appointment; Compensation. . . . No change.

(3) Designation; Oversight. When, in the judgment of the Director, a hearing may reasonably be expected to take three days or more, or where the case should be heard continuously from day to day until conclusion, or when the Director believes it is in the interest of justice to do so, the Director may request designation of a special ethics master to try the case. An Ethics Committee chair may request the Director to [appoint] request the appointment of a special ethics master. The Director shall determine the appropriateness of such an appointment pursuant to the above criteria and other relevant considerations[.], and shall notify the Clerk of the Supreme Court of that determination. Upon receipt of that notification, the Clerk of the Supreme Court shall select a special ethics master from a list of qualified individuals maintained and approved by the Supreme Court. The Director shall render appropriate administrative and legal services to special ethics masters.

(4) Powers and Authority. ...No change.

(c) Hearings Involving Unethical Conduct; When Required. ...No change.

(d) Abstention and Request for Disqualification. ...No change.

Note: Adopted January 31, 1995 to be effective March 1, 1995; paragraph (c) amended July 25, 1995 to be effective immediately; paragraph (b)(2) amended July 5, 2000 to be effective September 5, 2000; paragraphs (a)(1), (a)(2), and (c)(2)(E)(i) amended July 12, 2002 to be effective September 3, 2002; paragraphs (a) and (b) amended, paragraph (c) caption and text amended, former paragraph (d) deleted and new paragraph (d) adopted July 28, 2004 to be effective September 1, 2004; new paragraph (e) adopted July 27, 2006 to be effective September 1, 2006; subparagraph (c)(2)(F) amended August 1, 2006 to be effective September 1, 2006; subparagraphs (b)(1) and (c)(2)(A) amended July 9, 2008 to be effective September 1, 2008; paragraph (b)(3) amended _____, 2010 to be effective _____, 2010.