

# NOTICE TO THE BAR

## **NOTICE OF ARBITRATION HEARING REQUIRED BY RULE 4:21A-9**

As part of the July 19, 2012 omnibus rule amendment order, the Supreme Court adopted new Rule 4:21A-9, "Parties in Default," to be effective September 4, 2012. Paragraph (b) of that new rule provides that in a multiparty action, notice of an arbitration hearing is to be served no later than 30 days prior to the arbitration hearing on a defaulted party pursuant to Rule 4:43-1 or on a party with a default judgment on liability entered pursuant to Rule 4:43-2(b). Paragraph (b) of the new rule also provides that this required notice of arbitration hearing shall be "in the form set forth in Appendix XXVII to [the] Rules."

This Notice is to advise that the reference in new Rule 4:21A-9 to the notice of arbitration hearing form as being set forth in "Appendix XXVII" is incorrect. The required form is not at present included in the Rules Appendices. The correct Notice of Arbitration form for use in the situations covered by the new rule is published with this Notice. The Supreme Court Civil Practice Committee in its 2012-2014 rules cycle will recommend that this form be adopted as a new Appendix to the Rules. That will also require at that time a small conforming amendment to the appendix citation in Rule 4:21A-9.

Questions regarding the Notice of Arbitration Hearing form promulgated by this notice or regarding Rule 4:21A-9 in general may be directed to Kevin M. Wolfe, Esq., Assistant Director, Civil Practice Division, Administrative Office of the Courts, by telephone at 609-292-8470 or by e-mail at kevin.wolfe@judiciary.state.nj.us.

/s/ Glenn A. Grant

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

Dated: November 26, 2012

Attorney Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Attorney for: \_\_\_\_\_

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, CIVIL PART

\_\_\_\_\_ COUNTY  
DOCKET NUMBER: \_\_\_\_\_

Plaintiff,

v.

Defendants.

**Civil Action  
Notice Of Arbitration Hearing**

TO: \_\_\_\_\_

TAKE NOTICE that a  default /  default judgment on liability was entered against you on \_\_\_\_\_, 20 \_\_\_\_, in the above matter. An arbitration hearing in this matter is scheduled for \_\_\_\_\_  a.m./  p.m. on \_\_\_\_\_, 20 \_\_\_\_, at

\_\_\_\_\_  
(location)

You have the right to appear at the arbitration hearing and should take whatever action you deem appropriate with regard to the same.

At the conclusion of the arbitration hearing an award of monetary damages may be entered against you which may then result in a final judgment being entered against you by the court. If the arbitration date is rescheduled or cancelled, you will be notified by separate correspondence. If you have a new address, it is your responsibility to notify the undersigned immediately in writing of your new address.

\_\_\_\_\_  
Attorney for