

# NOTICE TO THE BAR

## eCourts CIVIL – AFFIDAVIT OF MERIT FUNCTIONALITY

In *A.T. v. Cohen*, \_\_\_ N.J. \_\_\_, 2017 N.J. LEXIS 1383 (Dec. 14, 2017), the Supreme Court noted that the Judiciary's eCourts Civil application would be updated to issue notices to attorneys regarding their obligation to file an affidavit of merit in medical and professional malpractice cases, and to address the scheduling of *Ferreira* conferences. This Notice is to advise that the functionality requested by the Court has been implemented in eCourts Civil.

Pursuant to *N.J.S.A. 2A:53A-27*, an affidavit of merit must be filed within 60 days of the filing of the first answer to the complaint in a medical or professional malpractice case. After the filing of an answer in these case types, the following notices will issue from eCourts to electronic filers:

- Notice advising that an affidavit of merit is required to be filed, and the failure to do so will result in dismissal of the complaint with prejudice;
- Notice that a case management conference (*Ferreira* conference) will be scheduled unless the conference is waived by consent and agreement that there are no objections to the adequacy of the affidavit of merit; and
- Notice of the scheduling of the *Ferreira* conference, if not waived.

Questions regarding eCourts Civil, including Affidavit of Merit functionality, may be directed to Taironda E. Phoenix, Chief, Civil Court Programs, by phone at 609-815-2900 ext. 54900 or by email to [taironda.phoenix@njcourts.gov](mailto:taironda.phoenix@njcourts.gov).

/s/ Glenn A. Grant

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

Dated: February 6, 2018