

SUPREME COURT OF NEW JERSEY

NOTICE TO THE BAR

SUPREME COURT OF NEW JERSEY Re: Notice Requirements to Corporate Surety Companies, Licensed Insurance Producers and Limited Insurance Representatives Regarding Bail Forfeitures and Judgments

It is ORDERED that effective January 2, 2001, Rules 1:13-3(e), 3:26-6(a) and 7:4-5 are relaxed and supplemented to set forth requirements for notice to corporate surety companies, licensed insurance producers, and limited insurance representatives when a court orders bail forfeited or enters a judgment of default that could preclude a corporate surety company's licensed insurance producers and limited insurance representatives from writing bail in the Superior and Municipal Courts; and it is further

ORDERED that notice of forfeiture under Rule 3:26-6(a) shall include notice that failure to satisfy a judgment entered under Rule 3:26-6(c) will result in the removal of the names of all of the corporate surety company's licensed insurance producers and limited insurance representatives from the Bail Registry maintained by the Clerk of the Superior Court pursuant to Rule 1:13-3(e); and it is further

ORDERED that the notice of forfeiture under Rule 3:26-6(a) shall be served by ordinary mail on the corporate surety company, the licensed insurance producer, and the limited insurance representative(s) named on the Bail Recognizance at the address recorded in the Bail Registry; and it is further

ORDERED that judgments entered pursuant to Rule 3:26-6(c) will include notice that failure to satisfy the judgment will result in removal of the names of all of the corporate surety company's licensed insurance producers and limited insurance representatives from the Bail Registry; and it is further

ORDERED that a copy of a judgment entered pursuant to Rule 3:26-6(c) will be served by ordinary mail on the corporate surety company, the licensed insurance producer, and the limited insurance representative(s) named in the judgment at the address recorded in the Bail Registry; and it is further

ORDERED that when bail is ordered forfeited pursuant to Rule 7:4-5(a), the municipal court administrator or deputy court administrator shall serve notice by ordinary mail on the defendant and the surety, including any corporate surety company, licensed insurance producer, and limited insurance representative(s) whose names appear on the Bail Recognizance, that judgment will be entered as to any outstanding bail, absent a written objection, seeking to set aside the forfeiture, within 45 days of the notice; and it is further

ORDERED that whenever notice of forfeiture is issued pursuant to Rule 7:4-5(a) to a corporate surety company, licensed insurance producer, and limited insurance representative(s) named on the Bail Recognizance, the notice shall be sent to the address of the corporate surety company, licensed insurance producer, and limited insurance representative(s) recorded in the Bail Registry; and it is further

ORDERED that whenever notice of forfeiture is issued pursuant to Rule 7:4-5(a) to a corporate surety company, licensed insurance producer, or limited insurance representative(s), the notice of forfeiture shall provide that failure to pay the bail or file a timely written objection seeking to set aside the forfeiture will result in the entry of a judgment and removal from the Bail Registry of the names of all of the corporate surety company's licensed insurance producers and limited insurance representatives in accordance with Rule 1:13-3(e); and it is further

ORDERED that a copy of a judgment entered pursuant to Rule 7:4-5(c) against a corporate surety company will be served by ordinary mail on the corporate surety company, the licensed insurance producer, and the limited insurance representative(s) named in the judgment at the address recorded in the Bail Registry; and it is further

ORDERED that judgments entered pursuant to Rule 7:4-5(c) will include notice that failure to satisfy the judgment will result in removal of the names of all of the corporate surety company's licensed insurance producers and limited insurance representatives from the Bail Registry; and it is further ORDERED that on receipt of a judgment entered pursuant to Rule 3:26-6(c) or 7:4-5(c), the Clerk of the Superior Court will serve notice, by certified mail, return receipt requested, on the corporate surety company, whose name appears on the judgment, at the address of the corporate surety company recorded in the Bail Registry that failure to satisfy the judgment within 15 days of the date of the notice will result in the removal of the names of all of the corporate surety company's licensed insurance producers and limited insurance representatives from the Bail Registry until such time as the judgment has been satisfied; and it is further

ORDERED that Rules 3:26-6 and 7:4-5 shall be interpreted to require the court to review a timely filed objection on its merits and, in the discretion of the court, for good cause shown, to order a prejudgment hearing thereon; and it is further

ORDERED that Directive #5-00 be revised and reissued to comply with the provisions of this Order.

For the Court

/s/ Deborah T. Poritz

C.J.

Dated: November 1, 2000.

[Notices to the Bar](#)