

## NOTICE TO THE BAR

### **RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION PROGRAM – CHANGE REGARDING TIMING OF REQUESTS FOR MEDIATION**

This Notice announces a change regarding the timing of requests for mediation through New Jersey's Residential Mortgage Foreclosure Mediation Program. Effective October 3, 2012, a request for mortgage foreclosure mediation must be served by the date of entry of final judgment, absent exceptional circumstances. The change was effected by the Supreme Court's October 3, 2012 rule relaxation order relating to Rules 4:4-4 and 4:64-1(d); that order is published with this Notice.

An updated "New Jersey Foreclosure Mediation" program description booklet, a revised form to request foreclosure mediation ("Mediation Request Statement"), and additional updated informational and instructional materials regarding the Foreclosure Mediation Program are posted on the Judiciary's Internet web site ([www.njcourts.com](http://www.njcourts.com)).

Questions about the Foreclosure Mediation Program in general or about the change announced in this Notice may be directed to Leslie A. Santora, Esq., Chief of Civil Court Programs, Civil Practice Division, in the Administrative Office of the Courts by telephone at 609-292-8470 or by e-mail at [leslie.santora@judiciary.state.nj.us](mailto:leslie.santora@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: October 9, 2012

## SUPREME COURT OF NEW JERSEY

The New Jersey Judiciary having implemented an effective Residential Mortgage Foreclosure Mediation Program in 2009, but that Program being in need of certain refinements in order to improve its effectiveness, pursuant to N.J. Const. (1947), Art. VI, § 2, par. 3, IT IS ORDERED that effective immediately and until further order, Rules 4:4-4 and 4:64-1 (d) of the Rules Governing the Courts of the State of New Jersey are relaxed and supplemented, as set forth below:

- **Rule 4:4-4** is relaxed and supplemented so as to require that the Notice of Foreclosure Mediation Availability, Foreclosure Mediation Financial Worksheet, and combination HUD-Certified Housing Counselor Instruction Form and Foreclosure Mediation Recommendation Statement be served with all residential mortgage foreclosure complaints and summonses and 60 days thereafter informing defendant that Foreclosure Mediation will be available until entry of final judgment; if a request for mediation is not served by that date mediation will no longer be available to defendant homeowner, absent exceptional circumstances; and
- **Rule 4:64-1(d)** is relaxed and supplemented so as to require that the Notice of Foreclosure Mediation Availability, Foreclosure Mediation Financial Worksheet, and combination HUD-Certified Housing Counselor Instruction Form and Foreclosure Mediation Recommendation Statement be served with the Notice to Enter Judgment informing defendant that Foreclosure Mediation will be available until entry of final judgment, and if a request for mediation is not served by that date, mediation will no longer be available to defendant, absent exceptional circumstances.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: October 3, 2012