

NOTICE TO THE BAR

LANDLORD TENANT – ESTABLISHMENT OF STATEWIDE LANDLORD TENANT LEGAL SPECIALIST PROGRAM

The Supreme Court has authorized the establishment of a statewide Landlord Tenant Legal Specialist program, as recommended by the Judiciary Special Committee on Landlord Tenant (“Special Committee”). This new program will support the review and administrative processing of landlord tenant actions, including the more than 55,500 pending eviction cases and 194,000 cases expected to be filed after the expiration of the moratorium on residential evictions. The Court’s June 3, 2021 Order is attached.

The remainder of the recommendations of the Special Committee – and the public comments and oral testimony on those recommendations – continue to be under consideration by the Court.

Questions about landlord tenant actions should be directed to the Civil Practice Division of the Administrative Office of the Courts at (609) 815-2900 x54900. Questions about recruitment for landlord tenant legal specialist positions should be directed to the Human Resources Division of the Administrative Office of the Courts at (609) 815-2900 option 5.



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

Dated: June 4, 2021

SUPREME COURT OF NEW JERSEY

IT IS ORDERED, pursuant to N.J. Const. (1947), Art. VI, sec. 2, par. 3, that effective immediately and until further order, the provisions of Parts IV and VI of the Rules of Court, and any other applicable rules, are relaxed and supplemented so as to authorize the establishment of a statewide Landlord Tenant Legal Specialist program in furtherance of the review and administrative processing of landlord tenant actions in the Superior Court, Civil Division, Special Civil Part, as further described below.

Program Administration

1. The Landlord Tenant Legal Specialist program will operate in accordance with all Supreme Court Orders and subject to guidance provided by the Administrative Director of the Courts.
2. The qualifications and compensation for Landlord Tenant Legal Specialists will be established by the Administrative Director of the Courts, subject to the approval of the Supreme Court.
3. The Landlord Tenant Legal Specialist program will be administered at the vicinage level under the authority of the Assignment Judge.
 - a. The Assignment Judge will appoint the Landlord Tenant Legal Specialist(s) for the vicinage using the regular recruitment and appointment process for vicinage staff.
 - b. The Civil Division Manager, or designee, will supervise the vicinage's Landlord Tenant Legal Specialist(s).

Jurisdiction; Duties and Responsibilities

4. The Landlord Tenant Legal Specialists will be authorized to perform non-judicial administrative functions so as to advance due process and procedural fairness. Those duties will include but are not limited to the following:
 - a. To review landlord tenant pleadings and case-related information for the purpose of determining compliance with legal requirements, including the provisions of federal and state statutes, Court Rules, and federal and state Executive Orders;
 - b. To conduct case management conferences for the purpose of collecting and confirming information, including as to the claims and defenses of the parties, with this information to be included in the case file and accessible to the parties and the court;
 - c. To conduct settlement conferences for the purposes of (1) assisting the parties in identifying any options for a resolution without trial; (2) facilitating resolution of the matter; and (3) memorializing in written form and recorded verbatim on the record any settlement reached by the parties, which settlement may be subject to review by the court.
 - d. In any post-judgment applications, to conduct conferences as necessary for the purpose of collecting and confirming information, and facilitating resolution of the applications; and
 - e. In all matters, to supplement the case file and share with the court information provided by the parties, except for any information provided during mediations or settlement conferences.

The provisions of this order will remain in effect pending further court order.

For the Court,

A handwritten signature in blue ink, appearing to read "Shelton", is written over the text "For the Court,".

Chief Justice

Dated: June 3, 2021