

CHAPTER 4

RULES OF PRACTICE AND PROCEDURE

Authority

N.J.S.A. 10:5-6; 10:5-8(g), (h) and (i); and 10:5-18.

Source and Effective Date

R.1996 d.42, effective December 20, 1995.
See: 27 N.J.R. 4128(a), 28 N.J.R. 271(a).

Executive Order No. 66(1978) Expiration Date

Chapter 4, Rules of Practice and Procedure, expires on December 20, 2000.

Chapter Historical Note

Chapter 4, Rules of Practice and Procedure, was filed and became effective prior to September 1, 1969. Subchapter 13, Proposed Findings and Final Order, was repealed by R.1985 d.697, effective January 21, 1986. See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b). Pursuant to Executive Order No. 66(1978), Chapter 4 was readopted as R.1991 d.67, effective January 17, 1991. See: 22 N.J.R. 3689(a), 23 N.J.R. 608(a). Pursuant to Executive Order No. 66(1978), Chapter 4 was readopted as R.1996 d.42, effective December 20, 1995. See: Source and Effective Date. As part of R.1996 d.42, the Subchapter 14 heading, "Reopened Proceedings", was amended effective January 16, 1996. See: 28 N.J.R. 271(a). See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

13:4-1.1 Scope of rules

The following provisions shall constitute the practice and procedure and shall govern all proceedings in the Division on Civil Rights. When a case is transmitted to the Office of Administrative Law, or the Director elects to hear the contested case, the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1.1, et seq., shall govern proceedings in that case. Whenever these rules refer to procedures to be followed after transmittal to the Office of Administrative Law, such references shall also be deemed to apply to

instances where the Director elects to hear a contested case pursuant to N.J.S.A. 52:14F-8.

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

Added text "Where a case . . . to N.J.S.A. 52:14F-8."

Case Notes

Notice provisions of New Jersey's Tort Claims Act do not apply to claims under the New Jersey law against discrimination. *Fuchilla v. Layman*, 109 N.J. 319, 537 A.2d 652 (1988), certiorari denied 109 S.Ct. 75, 488 U.S. 826, 102 L.Ed.2d 51.

13:4-1.2 Liberal construction of provisions

(a) These provisions shall be liberally construed by the Director to permit the Division on Civil Rights to discharge its statutory functions and to secure just and expeditious determinations of all matters before the Division on Civil Rights.

(b) The Director may, upon notice to all parties, in the interest of justice, relax the application of these rules.

Case Notes

Application of the interrogatory default procedure rule may be relaxed by the Director in the interest of justice. *General Motors Corp. v. Blair*, 129 N.J.Super. 412, 324 A.2d 52 (App.Div.1974).

13:4-1.3 Practice where rules do not govern

(a) The Director may rescind, amend or expand these rules from time to time as necessary to comply with N.J.S.A. 10:5-1, et seq., and such new rules shall be filed with the Office of Administrative Law.

(b) In any matter that arises not governed by these rules, the Director shall exercise his or her discretion.

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

"Office of Administrative Law" substituted for "Secretary of State."

13:4-1.4 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Administrative law judge" means any person appointed pursuant to N.J.S.A. 52:14F-5(1).

"Attorney for the Division" means an attorney appointed or assigned by the Attorney General of New Jersey.

"Bureau Chief" means an executive employee of the Division on Civil Rights who shall exercise such powers of the Division as the Director may from time to time delegate to him or her.

"Complainant" means any person alleging discrimination under the Law Against Discrimination. (N.J.S.A. 10:5-1 et seq.)

"Director" means the Director of the Division on Civil Rights who shall act for the Attorney General of New Jersey as chief executive officer of the Division in his or her place and with his or her powers.

"Division" means the State Division on Civil Rights, Department of Law and Public Safety.

"Investigator" means any employee of the Division designated under the Department of Personnel as "Investigator, Division on Civil Rights."

"Office of Administrative Law" or "OAL" refers to the agency created by N.J.S.A. 52:14F-1 et seq.

"Office of the Division" means the offices located at 31 Clinton Street, Newark, New Jersey; 100 Hamilton Plaza, Paterson, New Jersey; 383 West State Street, Trenton, New Jersey; 101 Haddon Avenue, Camden, New Jersey; 1548 Atlantic Avenue, Atlantic City, New Jersey; and any additional offices which may from time to time be established.

"Respondent" means any party charged with unlawful discrimination under the Law Against Discrimination. (N.J.S.A. 10:5-1 et seq.)

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

Deleted definitions and added new.

Amended by R. 1991 d.67, effective February 19, 1991.

See: 22 N.J.R. 3689(a), 23 N.J.R. 608(a).

Definition of "field investigator" changed to "investigator", addresses corrected at "Office of the Division".

Amended by R.1995 d.243, effective May 15, 1995.

See: 26 N.J.R. 1942(a), 27 N.J.R. 2005(a).

Case Notes

Chief of enforcement bureau designated to conduct fact-finding conference could not conduct adjudicatory hearing under statutes permitting agency head to send case to Office of Administrative Law for adjudicatory hearing. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

Fact-finding conference could be employed solely as an investigative technique and not for adjudicatory purposes. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

Private clubs closely associated with public university did not have the right to a hearing before an administrative law judge prior to the transfer of their case to Office of Administrative Law. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

An administrative official could not resolve disputed adjudicative facts without a trial-type hearing. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

A proceeding to determine the existence of probable cause was an initial threshold procedure to determine whether the matter should be brought to a halt. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

SUBCHAPTER 2. INVESTIGATIONS

13:4-2.1 Director's investigations

(a) The Director, pursuant to N.J.S.A. 10:5-6; 10:5-8c, g, h, i, j; 10:5-9.1, may, on his or her own motion or on the motion of any person entitled to be a complainant under N.J.A.C. 13:4-3.3, conduct investigations to determine the extent to which industries, groups of industries, business persons, or groups of business persons, or other persons or groups of persons are complying with the Law Against Discrimination.

(b) In the conduct of such investigations, all investigatory powers granted by N.J.S.A. 10:5-8h-j shall be available to the Director.

(c) In connection with an investigation of the operation of any real property, as defined by N.J.S.A. 10:5-5n, the Director may require the submission of information concerning the race, creed, color, national origin, ancestry, handicap, marital status, sex, nationality, affectional or sexual orientation or familial status of the occupants of such real property, the terms and conditions on which the sale or lease of said real property is to be made to the general public, the vacancy rate of such real property subject to rent, the plans for advertising or notifying the public of the availability of said real property for rental or sale, the standard form documents used in the rental or sale of such real property, and such other information as may be reasonably necessary to carry out the provisions of the Law Against Discrimination.

(d) In connection with an investigation of any employer as defined by N.J.S.A. 10:5-5(e), the Director may require the submission of information concerning:

1. The race, creed, color, national origin, handicap, ancestry, age, marital status, sex, nationality, affectional or sexual orientation, atypical hereditary cellular or blood trait or military status of employees;
2. The employment records of employees;
3. The procedures for advertising or notifying the public of the availability of jobs;
4. The procedures for hiring or selecting employees;
5. The testing, seniority, promotion and discharge procedures; and

6. Such other information as may be reasonably necessary to carry out the provisions of the Law Against Discrimination.

(e) An investigation by the Division may be conducted either prior to or subsequent to the filing of a complaint.

As amended, R.1970 d.94, eff. August 5, 1970.
 See: 2 N.J.R. 76(b).
 R.1972 d.122, eff. June 26, 1972.
 See: 4 N.J.R. 195(a).
 Amended by R.1985 d.697, effective January 21, 1986.
 See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).
 Added words "creed, handicap, and nationality".
 Amended by R. 1991 d.67, effective February 19, 1991.
 See: 22 N.J.R. 3689(a), 23 N.J.R. 608(a).
 Statutory cite corrected.
 Amended by R.1995 d.243, effective May 15, 1995.
 See: 26 N.J.R. 1942(a), 27 N.J.R. 2005(a).

Case Notes

Lay teacher's maintenance of sex and age discrimination lawsuit against Catholic high school was not unconstitutional excessive entanglement between government and religion in violation of establishment clause. *Gallo v. Salesian Soc., Inc.*, 290 N.J.Super. 616, 676 A.2d 580 (A.D. 1996).

13:4-2.2 Discovery procedure for Director's investigations

All investigatory and discovery powers which the Division may otherwise utilize in the investigation of complaints as set forth in N.J.S.A. 10:5-1 et seq., and in these rules of practice and procedure at Subchapter 8 (Depositions and Interrogatories) and 9 (Subpoenas), including, but not limited to, the power to issue subpoenas, take depositions and serve interrogatories, may be utilized in the discretion of the Director during an investigation.

Case Notes

Held that State Supreme Court affirmation of finding, that employee charging discrimination was fired for cause, was not res judicata. *Wood v. Garden State Paper Co., Inc.*, 577 F.Supp. 632 (D.N.J.1983).

13:4-2.3 Fact-finding conference

(a) Fact-finding, as part of an investigation in a discrimination complaint, is subject to the following:

1. As part of its investigation, the Division may convene a fact-finding conference for the purpose of obtaining evidence, identifying the issues in dispute, ascertaining the positions of the parties and exploring the possibility of settlement. The fact-finding conference is not an adjudication of the merits of the complaint.
2. The Division shall provide the parties with written notice of the conference. Said notice shall identify the individuals requested to attend on behalf of each party, and any documents which any party is requested to provide within the specified time frame.

(b) The conference shall be conducted as follows:

1. The Division employee acting as fact-finder shall conduct and control the proceedings.

2. Upon prior notice to the Division, the parties may bring witnesses to the conference in addition to those whose attendance may be specifically requested by the Division, but the fact-finder shall have discretion over which witnesses shall be heard and the order in which they are heard. The fact-finder may exclude any witness or other person from the conference not limited to those who are not giving evidence, except that one representative of each party and counsel shall be permitted to remain throughout.

3. The Division may request the parties to provide affidavits from witnesses who appear at the fact-finding conference.

4. A party may be accompanied at a fact-finding conference by his/her attorney or another representative, and by a translator, if necessary.

5. An attorney for a party who has not previously entered his or her appearance shall do so at the outset of the conference.

6. Because the fact-finding conference is a means of investigation and not a hearing on the merits of a case, the parties shall not be entitled to cross-examine witnesses. All questioning shall be conducted by the fact-finder, unless in his or her discretion the fact-finder permits questions to be asked by other persons present at the conference.

7. During the conference, the fact-finder may allow a recess to permit the parties to discuss settlement.

(c) A record of the fact-finder conference shall be discovered as follows:

1. Following a Finding of Probable Cause or No Probable Cause, any reports of factual statements made at the fact-finding conference shall be discoverable by the parties.

2. Any records made of settlement discussions during the conference shall not be discoverable.

(d) Postponements of a fact-finding conference shall be subject to the following:

1. Postponements of a scheduled fact-finding conference will be granted only for good cause shown. Parties are discouraged from requesting adjournment from fact-finding conferences. Requests for adjournments should be directed to the branch manager. Except in extraordinary circumstances, requests for adjournments must be made, upon notice to all parties at least 10 working days prior to the conference.

2. If a party does not appear at a fact-finding conference without obtaining a postponement, the Division may proceed with the conference without the party.

(e) If the respondent or the complainant refuses or fails to attend a scheduled fact-finding conference, the Division may schedule an alternate conference date. The Division may subpoena any party or witness who has failed to attend the initially scheduled fact-finding conference. The Division may also subpoena any documents which either party was requested to bring, and fails to bring, to the fact-finding conference.

R.1983 d.385, September 19, 1983.

See: 15 N.J.R. 500(a), 15 N.J.R. 1604(a).

Amended by R. 1991 d.67, effective February 19, 1991.

See: 22 N.J.R. 3689(a), 23 N.J.R. 608(a).

Editorial change only.

Case Notes

It was not violation of due process to accord administrative determination, which had been affirmed by appellate division, full faith and credit. *Pittman v. La Fontaine*, D.N.J.1991, 756 F.Supp. 834.

Election to litigate her sexual harassment complaint through administrative procedure precluded employee from pursuing Title VII action in federal court. *Pittman v. La Fontaine*, D.N.J.1991, 756 F.Supp. 834.

Age discrimination law did not violate due process. *Ferrara v. Tappan Co.*, D.N.J.1989, 722 F.Supp. 1204.

Remand to Division on Civil Rights was required to determine whether student who obtained restraining order was prevailing party entitled to award of counsel fees. *Balsley by Balsley v. North Hunterdon Regional School Dist. Bd. of Educ.*, 117 N.J. 434, 568 A.2d 895 (1990).

High school student who brought successful sex discrimination claim before Commissioner of Education was entitled to seek award of counsel fees. *Balsley by Balsley v. North Hunterdon Regional School Dist. Bd. of Educ.*, 117 N.J. 434, 568 A.2d 895 (1990).

Chief of enforcement bureau designated to conduct fact-finding conference could not conduct adjudicatory hearing under statutes permitting agency head to send case to Office of Administrative Law for adjudicatory hearing. *Frank v. Ivy Club*, 228 N.J.Super. 40, 548 A.2d 1142 (A.D.1988), certification granted 117 N.J. 627, 569 A.2d 1330, reversed 120 N.J. 73, 576 A.2d 241, certiorari denied 111 S.Ct. 799, 498 U.S. 1073, 112 L.Ed.2d 860.

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SUBCHAPTER 3. COMMENCEMENT OF ACTION

13:4-3.1 Manner actions commenced

Any action may be commenced by the filing of a verified complaint at the offices or with any official or field investigator of the Division.

Amended by R.1985 d.697, effective January 21, 1986.
 See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).
 Substituted "investigator" for "representative".

Case Notes

Action held commenced within statutory 180 day period following discriminatory act due to continuing nature of the discrimination and the lack of prejudice to the respondent caused by the slightly out-of-time filing of the verified complaint. *Decker v. Bd. of Educ., City of Elizabeth*, 153 N.J.Super. 470, 380 A.2d 285 (App.Div.1977), certification denied 75 N.J. 612, 384 A.2d 842 (1978).

Limitations period for filing discrimination complaint was tolled by erroneous advice given complainant at time of filing. *Opatut v. Colts Neck Inn*, 95 N.J.A.R.2d (CRT) 93.

13:4-3.2 Preparing complaints

(a) The Division shall aid the complainant in the completion of the complaint except where aid is refused by the complainant or where the complainant appears at an office of the Division or before an officer of the Division with a completed complaint.

(b) Any person filing a complaint with the Division may file by submitting a single copy.

(c) If the complainant does not file at least two additional copies of the complaint and additional copies for each of the respondents, the Division shall duplicate enough copies of the complaint to insure the presence of the requisite number of copies.

Amended by R.1985 d.697, effective January 21, 1986.
 See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).
 Change heading.
 Amended by R.1996 d.42, effective January 16, 1996.
 See: 27 N.J.R. 4128(a), 28 N.J.R. 271(a).

13:4-3.3 Filing complaints and other pleadings; notices

(a) A complaint shall be deemed filed on the date it is received in any office of the Division, or on the date it is received by any official or field investigator of the Division.

(b) All pleadings may be filed in any office of the Division.

(c) The filing of a complaint or any other pleading shall be proven by the official stamp of the Division or by the signature of any official, employee or field investigator and his or her written notation indicating the date of receipt.

(d) Pleadings may be filed by submitting a single copy. The Division shall insure the distribution of the requisite number of copies of the pleadings.

(e) Upon receipt of the complaint, the Division shall provide the complainant with a form adopted by the Director, which notifies the complainant of his or her rights under the Law Against Discrimination, including the right to file a complaint in the Superior Court of New Jersey and be heard before a jury; the jurisdictional limitations of the Division; and any other provisions of the Law Against

Discrimination that may apply to the complaint. The jurisdictional limitations of the Division include the limitation of the Division on Civil Rights to only administer claims under the Law Against Discrimination, and the inability of the Division on Civil Rights to afford parties the opportunity of a jury trial in discrimination claims heard before the Office of Administrative Law.

Amended by R.1985 d.697, effective January 21, 1986.
 See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

Changed heading.

Amended by R.1995 d.243, effective May 15, 1995.
 See: 26 N.J.R. 1942(a), 27 N.J.R. 2005(a).
 Amended by R.1996 d.42, effective January 16, 1996.
 See: 27 N.J.R. 4128(a), 28 N.J.R. 271(a).

In (b) substituted "pleadings may" for "other pleadings shall" and in (d) deleted "other than the complaint" following "Pleadings".

Case Notes

Employment discrimination claim was time-barred. *Walden v. Hiram Walker, Inc.*, 92 N.J.A.R.2d (CRT) 95.

13:4-3.4 Form of complaints

(a) A complaint shall be filed upon a printed form approved by the Director.

(b) The complaint shall be entitled in the Department of Law and Public Safety, Division on Civil Rights, and shall set forth in the caption the names of the complainants and respondents.

Amended by R.1985 d.697, effective January 21, 1986.
 See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

Deleted text "or upon legal-size paper, and shall be typewritten or printed."

13:4-3.5 Contents of complaint

(a) The complaint shall set forth in separate numbered paragraphs the following:

1. The full name and address of all complainants;
2. The full name and address of all respondents, if known;
3. A statement of whether the race, creed, color, national origin, nationality, handicap, ancestry, marital status, sex, military status, affectional or sexual orientation, atypical hereditary cellular or blood trait, familial status or age of the complainant or of any person residing with or otherwise associated with the complainant, gave rise to the alleged discrimination;
4. A brief statement setting forth the facts deemed to constitute the alleged discrimination;
5. The section of the Law Against Discrimination allegedly violated;
6. A statement giving all pertinent facts as to whether any other action, either criminal or civil, has been instituted in the matter. Complainant shall notify the Division if at any time during the pendency of the complaint, he or

she files a complaint with any other agency or court concerning the matter which is the subject of the Verified Complaint;

7. Notarized signature and verification by the person or persons filing the complaint.

8. The county in which the alleged discrimination took place.

As amended, R.1970 d.94, eff. August 5, 1970.

See: N.J.R. 76(b).

As amended, R.1972 d.122, eff. June 26, 1972.

See: 4 N.J.R. 195(a).

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2682(a), 18 N.J.R. 198(b).

Added text to (a)6 "Complainant shall notify ... the Verified Complaint" and added (a)8.

Amended by R.1995 d.243, effective May 15, 1995.

See: 26 N.J.R. 1942(a), 27 N.J.R. 2005(a).

13:4-3.6 Service of complaints

The Division shall serve a copy of the complaint upon each of the respondents by registered or certified mail, return receipt requested, or by any other means provided by Rule 4:4-4 governing the New Jersey courts.

Amended by R.1996 d.42, effective January 16, 1996.

See: 27 N.J.R. 4128(a), 28 N.J.R. 271(a).

SUBCHAPTER 4. PARTIES

13:4-4.1 Aggrieved persons

(a) Any individual, or group of individuals, partnership, educational institution, association, labor organization, corporation, legal representative, trustee, trustee in bankruptcy, receiver or fiduciary may file or through an attorney at law, file a verified complaint for any practice violative of the Law Against Discrimination which affects the complainant, the complainant's family or any person whom the complainant represents.

(b) The enumeration in (a) above of parties who may file a complaint includes, but is not limited to, groups and associations dedicated to the elimination of discrimination in the sale and rental of real property, in the hiring and promotional practices of employers and unions, and in the operation of public accommodations.

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2862(a), 18 N.J.R. 198(a).

Added text "verified" in (a).

Amended by R.1996 d.42, effective January 16, 1996.

See: 27 N.J.R. 4128(a), 28 N.J.R. 271(a).

13:4-4.2 State officials who may file

(a) The Attorney General, the Director, the Commissioner of Labor, or the Commissioner of Education may also file a complaint alleging unlawful discrimination.

(b) The Director on his or her own behalf may file a complaint, intervene, or join as a complainant in any complaints filed by parties enumerated in N.J.A.C. 13:4-4.1 (Aggrieved persons) and by parties enumerated in this Section.

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2862(a), 18 N.J.R. 198(b).

Added text "intervene" in (b).

Case Notes

Discrimination action properly brought by Director, rather than aggrieved complainant, as provided by rule. Director, Div. on Civil Rights v. Slumber, Inc., 166 N.J.Super. 95, 398 A.2d 1345 (App.Div. 1979), appeal dismissed in part 81 N.J. 334, 407 A.2d 1208, modified in part 82 N.J. 412, 413 A.2d 603 (1980).

13:4-4.3 Rights of parties; notification of settlement

(a) Any aggrieved person enumerated in N.J.A.C. 13:4-4.1 (Aggrieved persons) and N.J.A.C. 13:4-4.2 (State officials) who files a complaint shall be considered a party to any proceeding in the Division resulting from the filing of such complaint and shall have the rights of a party enumerated by these rules and by the Law Against Discrimination.

(b) If any complainant enumerated in N.J.A.C. 13:4-4.1 (Aggrieved persons) and N.J.A.C. 13:4-4.2 (State officials who may file) files a complaint with the Division, on behalf of any individual or individuals, the proceeding initiated by such complaint shall, if the Director finds the continuation of the proceeding is in the public interest, proceed to conclusion, including the issuance of any lawful order by the Director, even if the grievances of any individual person represented by the above aggrieved persons have been satisfactorily ameliorated.

(c) All complainants and individuals on whose behalf a complaint has been filed pursuant to (b) above and (d) below shall be notified of any settlement of individual grievances and of the right to file a motion urging the Director to continue the proceeding.

(d) Where the Director has filed a complaint which seeks relief for one or more unnamed members of a protected class, the Director shall have the discretion to settle such complaint on such terms as the Director deems appropriate.

Amended by R.1985 d.697, effective January 21, 1986.

See: 17 N.J.R. 2862(a), 18 N.J.R. 198(b).

Added text "who files a complaint" in (a); and "on behalf of any individual or individuals," in (b). Deleted old text and substituted new in (d).

Amended by R.1995 d.243, effective May 15, 1995.

See: 26 N.J.R. 1942(a), 27 N.J.R. 2005(a).

Case Notes

Discrimination complainant's only right in course of representation by Division on Civil Rights is to be notified if Director settles case on complainant's behalf. Wood v. Garden State Paper Co., Inc., 577 F.Supp. 632 (D.N.J.1983).

Attorney fees awarded to successful civil rights claimant when counsel's time records adequate to support award. *Lewis v. Jersey City Police Department*, 96 N.J.A.R.2d (CRT) 1.