

NOTICE TO THE BAR

Rules Committees On Staggered Cycles

The Supreme Court, in order to better distribute its workload, has determined to allocate the Rules Committees over a staggered two-year cycle, both in terms of reports and appointments. This allocation also includes the Program and Jury Charge Committees as to appointments and as to reports for those committees that submit reports. The Rules Committees and Program/Jury Charge Committees are defined in the Operational Guidelines for Supreme Court Committees (last amended in 1998).

The Court's allocation of the committees, which is effective immediately, is set forth below. The Court based the allocation on a combination of two basic factors. One factor is the historical size of each committee's report, with an attempt here to divide the reports so that the volume is generally equalized in each of the alternating years to the extent possible. The second factor is subject matter relatedness. Thus, for example, Civil and Special Civil will be reporting in the same year, and Criminal and Municipal will be reporting in the same year.

Up to this point the committees have been operating on a two-year cycle that began September 1, 2004 and runs through August 31, 2006, with committee reports due (for those that are required to submit reports) by January 15, 2006. Under the allocation to the staggered two-year cycle, only half of the committees thus will be required to submit their reports in January 2006 (with the Court to act on those reports in June 2006); the other half will not submit their reports until January 2007 (with Court action in June 2007). Of course, those 2007-reporting committees will be provided the opportunity to submit to the Court any emergent rule proposals that cannot wait another year. That also means that the membership terms of those serving on the committees not reporting until January 2007 will be extended by one year, through August 31, 2007 (with those committees in essence becoming 2004-2007 committees). Thereafter the next two-year term of appointment to those committees will be for September 1, 2007 through August 31, 2009. The next term of appointment to the committees reporting in January 2006 will be unchanged – September 1, 2006 through August 31, 2008. Thus, half of the Rules Committees will be appointed to two-year terms in even years and the other half to two-year terms in odd years. The Court has similarly allocated the Program and Jury Charge Committees for purposes of staggered appointments.

The following Rules Committees will remain on the current schedule, with their reports to be submitted in January 2006 (and the current ending date for the members' terms of appointment remaining unchanged – August 31, 2006):

Civil Practice Committee
Special Civil Part Practice Committee
Tax Court Committee
Professional Responsibility Rules Committee

Note: The membership and term of appointment of the Professional Responsibility Rules Committee are separately set by the Court; that committee's inclusion in this allocation to a staggered two-year term thus covers only its reporting requirement, not the terms of appointment of its members.

The following Rules Committees will be extended an additional year, with their reports to be submitted in January 2007 (and the ending date for the current members being extended by one year, to August 31, 2007):

Criminal Practice Committee Family Practice Committee
Municipal Court Practice Committee
Committee on the Rules of Evidence
Committee on Complementary Dispute Resolution

As for allocation of the Program and Jury Charge Committees (as set forth in the Operational Guidelines) for purposes of their terms of appointment (and also for any reporting requirement), the following committees will stay on the current cycle (with the terms of the present members to expire on August 31, 2006; the subsequent appointment term will run from September 1, 2006 through August 31, 2008):

Arbitration Advisory Committee
Committee on Judicial Salaries and Pensions
Committee on Model Jury Charges, Civil
Committee on Women in the Courts

The remaining Program and Jury Charge Committees, as follows, will move to an odd-year reappointment/appointment schedule, with the terms of the current members extended to August 31, 2007; the subsequent appointment term will run from September 1, 2007 through August 31, 2009):

Committee on Judicial Education
Committee on Model Jury Charges, Criminal
Committee on Minority Concerns
State Domestic Violence Working Group

This refinement of the committee reporting and appointment cycle will necessitate concomitant revisions to the Operational Guidelines for Supreme Court Committees.

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