NOTICE TO THE BAR

COVID-19 – LANDLORD/TENANT – RELAXATION OF RULE 1:40-12(a)(4) TO EXPAND POOL OF SETTLORS FOR PRETRIAL/SETTLEMENT CONFERENCES

The Supreme Court has relaxed Rule 1:40-12(a)(4) ("Special Civil Part Settlors") so as to expand resources for settling landlord/tenant matters during COVID-19. The Court's September 30, 2020 Order is attached.

The New Jersey courts have committed to supporting tenants and landlords seeking to resolve eviction matters without trial during the ongoing COVID-19 pandemic. To that end, the Court has relaxed Rule 1:40-12(a)(4) to modify training requirements for individuals willing to serve as settlors for landlord/tenant matters. The Court's action will supplement the pool of qualified landlord/tenant settlors by engaging certain qualified groups, as follows:

1. Retired judges not serving on recall – with no additional training required;

2. Newly admitted attorneys who served as Judiciary law clerks during the 2019-2020 term – with five hours of specialized landlord/tenant training (in addition to the six hours of mediation training completed during their recent law clerkship); and

3. New Jersey attorneys in good standing willing to volunteer their services – with an abbreviated requirement of six hours of pretrial/settlement conference training (including two hours of observation with an experienced landlord/tenant settlor) plus five hours of landlord/tenant training.

The Judiciary will provide additional information and free virtual training programs for attorneys interested in volunteering their services as landlord/tenant settlors.

Questions may be directed to the Civil Practice Division at (609) 815-2900 x54900.

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

Dated: October 9, 2020

SUPREME COURT OF NEW JERSEY

In response to the ongoing COVID-19 public health emergency, the Supreme Court has suspended landlord/tenant trials while authorizing pretrial/settlement conferences in which trained neutrals (landlord/tenant settlors) assist parties in attempting to resolve eviction complaints.

To maximize opportunities to amicably resolve the growing number of eviction complaints filed before and during COVID-19, the Court is enlisting additional categories of qualified individuals to serve as landlord/tenant settlors, subject to appropriate training as applicable.

Accordingly, it is ORDERED, pursuant to N.J. Const., Art. VI, sec. 2, par. 3, that effective immediately and until further order:

1. Rule 1:40-12(a)(4) ("Special Civil Part Settlors") of the Rules Governing the Courts of the State of New Jersey is relaxed and supplemented so as to permit the following individuals to serve as landlord/tenant settlors:
    a. Retired or former New Jersey Supreme Court justices and retired Superior Court judges not serving on recall;
    b. New Jersey attorneys in good standing who served as Judiciary law clerks and completed the six hours of general complementary dispute resolution training pursuant to Rule 1:40-12(b)(6) during

the 2019-2020 term, subject to completion of five hours of substantive and procedural training in landlord/tenant law; and

c. Other licensed New Jersey attorneys in good standing, subject to completion of (i) six hours of pretrial/settlement conference training that includes two hours of observation with an experienced landlord/tenant settlor, and (ii) five hours of substantive and procedural training in landlord/tenant law.

2. All services of landlord/tenant settlors shall be provided without compensation.

For the Court,

Chief Justice

Dated: September 30, 2020