

NOTICE TO THE BAR

RELAXATION OF RULE 1:11-2 TO REQUIRE A NOTICE OF APPEARANCE WHERE AN ATTORNEY INITIALLY APPEARS IN A MATTER

By Order dated February 10, 2015, the Supreme Court has supplemented and relaxed the provisions of Rule 1:11-2 (“Withdrawal or Substitution”) so as to require an “attorney retained by a client who had appeared pro se” to file a Notice of Appearance, rather than a Substitution of Attorney. A copy of the Court’s rule relaxation order is attached.

The import of the Court’s order is that a Notice of Appearance pleading must be used whenever an attorney first appears in a matter at any time other than the filing of the initial complaint or the answer. For an attorney filing a complaint or initial answer, the attorney’s appearance already is entered as a matter of course and no separate Notice of Appearance filing is required. For matters where a party initially appeared pro se and subsequently is represented by counsel, a Notice of Appearance pleading and the filing fee for a Notice of Appearance (\$50, except for the Special Civil Part, which is \$30) would thus be required by counsel seeking to appear on behalf of that party.

A Substitution of Attorney pleading should be used only in those situations (1) where an attorney seeks to withdraw from a matter or (2) where one attorney is being substituted for another attorney in the matter. A Substitution of Attorney pleading is filed with the Clerk of Court or designee and must be accompanied by the \$35 filing fee.

For questions regarding this notice or the appended Supreme Court order, please contact Michelle M. Smith, Clerk of the Superior Court, by telephone at 609-421-6100 or by email at michelle.smith@judiciary.state.nj.us.

/s/ Glenn A. Grant

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

Dated: February 20, 2015

SUPREME COURT OF NEW JERSEY

Pursuant to N.J. Const. Art. VI., sec. 2 par. 3, it is ORDERED that the provisions of Rule 1:11-2 (“Withdrawal or Substitution”) of the Rule Governing the Courts of the State of New Jersey are supplemented and relaxed so as to require an “attorney retained by a client who had appeared pro se” to file a Notice of Appearance, rather than a Substitution of Attorney.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: February 10, 2015