

## NOTICE TO THE BAR AND PUBLIC

### FAMILY - REVISION TO PROCESS FOR TRANSFER OF CERTAIN DISSOLUTION (FM) CASES FROM THE MERCER VICINAGE — SERVICE OF PROCESS

The Supreme Court in its April 2, 2024 Order authorized the transfer of certain matrimonial dissolution (FM) cases filed in the Mercer Vicinage to three other Vicinages (Atlantic/Cape May, Burlington, and Middlesex) for handling through final disposition beginning April 15, 2024. This temporary measure is intended to allow the Mercer Vicinage to allocate its limited available judicial resources to address pending FM cases while ensuring timely handling of new filings.

The process as originally established required the court to effectuate service on the defendant of the Order to Transfer Venue and Notice of Case Transfer. The Court in the attached May 7, 2024 Order has revised that process so as to require instead that the plaintiff (or plaintiffs attorney) serve the defendant with those documents, as well as the complaint if it has not yet been served.

Questions about this notice or the Court's May 7, 2024 Order may be directed to the Family Practice Division of the Administrative Office of the Courts at (609) 815-2900, ext. 53350.

A handwritten signature in black ink, appearing to read "Glenn A. Grant", is written over a solid horizontal line.

Glenn A. Grant, J.A.D.  
Acting Administrative Director

Dated: May 7, 2024

## SUPREME COURT OF NEW JERSEY

The Mercer Vicinage continues to operate with a significant number of judicial vacancies. In light of the ongoing prioritization of cases involving detained criminal defendants, as well as emergent matters including domestic violence and child welfare matters, cases in the matrimonial dissolution (FM) docket have fallen into backlog.

More timely handling and resolution of dissolution cases is required. Some of the state's other Vicinages therefore will be called on to temporarily assist the Mercer Vicinage in expediting the resolution of its new FM filings. The Court directed this temporary measure in <https://www.njcourts.gov/sites/default/files/notices/2024/04/n240404b.pdf>, which is superseded by this Order solely for purposes of refining the method of service of process for these new FM filings (paragraphs 7 and 8 below). Accordingly, IT IS ORDERED that, effective immediately and pending further court order:

1. Matrimonial dissolution (FM) cases filed in the Mercer Vicinage on or after April 15, 2024, will be transferred to the Atlantic/Cape May,

Burlington, or Middlesex Vicinages for case management and disposition.

2. New complaints filed in the Mercer Vicinage will be promptly processed and docketed.
3. Complaints will be handled by the Mercer Vicinage only if a fully executed property settlement agreement or marital settlement agreement is filed with the complaint or received within 35 days after the filing of the complaint.
4. In general, the Mercer Vicinage will retain the complaint for 35 days, to allow time for the filing of an Answer. After the expiration of 35 days, the court will enter an Order to Transfer Venue to send the case to one of the receiving Vicinages.
5. The court will enter an Order to Transfer Venue without delay, and without waiting for the expiration of 35 days, if an Order to Show Cause or Notice of Motion is filed. Such Order to Show Cause or Notice of Motion will be handled by the receiving Vicinage.
6. Transferred cases will be evenly distributed among the designated three vicinages (Atlantic/Cape May, Burlington, and Middlesex).
7. All attorneys and parties will be notified of the transfer of new FM cases filed in the Mercer Vicinage through a Notice of Case Transfer.

That Notice of Transfer will include a copy of this Order along with a Family Division phone number for the receiving Vicinage.

8. The Court will send the Order to Transfer Venue and the Notice of Case Transfer to (1) plaintiff's attorney by electronic mail; and (2) self-represented plaintiffs by electronic and regular mail. The plaintiffs attorney or self-represented plaintiff shall serve the Order to Transfer Venue and Notice of Case Transfer (with a copy of this Order) on the defendant within seven (7) days of receipt. If the defendant has not by then been served with the Complaint for Divorce, the plaintiff shall also serve such complaint at the same time. The plaintiff's attorney or self-represented plaintiff shall file in the Mercer Vicinage proof that the defendant was served with the Order to Transfer Venue and Notice of Case Transfer (and the Complaint for Divorce where that was part of the same service).
9. The courts in the receiving Vicinages will conduct proceedings for transferred cases consistent with the framework established in this Court's October 27, 2022 Order. Consistent with the provisions of that Order, courts will have discretion to modify the format of proceedings and to accommodate parties in appearing either virtually or in person, as needed.

10. Matrimonial dissolution cases transferred from the Mercer Vicinage pursuant to this Order will be handled by the receiving Vicinage (Atlantic/Cape May, Burlington, and Middlesex) through the disposition of the case.

- a. Following disposition, such cases will be transferred by order back to the Mercer Vicinage after the expiration of 45 days, to allow time for the filing of an appeal.
- b. The order will provide that the case has been transferred back to the Mercer Vicinage for any and all future applications, including any motions for post-judgment relief.

11. The Judiciary will provide notice and plain language information, including in Spanish, about the temporary transfer of matrimonial dissolution (FM) cases filed in the Mercer Vicinage authorized by this Order, including on its public website, njcourts.gov.

For the Court,  


Chief Justice

Dated: May 7, 2024