

Notice to the Bar, Supreme Court Filings, July 26, 1979

The Supreme Court, by the Chief Justice, has entered an order dated July 11, 1979, authorizing the Clerk of the Supreme Court to dismiss overdue petitions for certifications and appeals and to suppress late respondents' briefs. In addition, the Clerk has been authorized to reject briefs, appendices and other appellate papers which do not conform to the relevant requirements for appeals (R. 2:6) and petitions for certifications (R. 2:12), and to impose \$50 personal sanctions on attorneys responsible therefor. Any such nonconforming document shall not be accepted for filing unless it has been corrected and resubmitted together with the \$50 personal sanction. This procedure shall also be applicable to improperly filed notices of petition for certification or notices of appeal.

The order of the Supreme Court is intended to make explicit the Clerk's authority to enforce the procedural requirements of the Supreme Court.

It is the Court's purpose that the members of the bar who seek appellate review will make every effort to perfect their applications in a timely fashion and in conformity to the rules and that imposition of any of the penalties provided for by this order will serve to stimulate such compliance.

Questions on any aspect of this order and its impact on any pending matter may be addressed to the Office of the Clerk [in Trenton].

Stephen W. Townsend

Clerk, Supreme Court

SUPREME COURT OF NEW JERSEY

It is ORDERED that the Clerk of the Supreme Court is hereby authorized to

(1) enter orders dismissing appeals and petitions for certification where the party seeking affirmative appellate relief fails to file all briefs, appendices or other materials required under the rules within 7 days of their due date and there has been no prior formal application for extension of time;

(2) enter orders suppressing respondents' briefs for failure to file all briefs, appendices or other materials required under the rules within 7 days of their due date where there has been no prior formal application for extension of time;

(3) reject papers submitted which fail to comply with the relevant requirements of R. 2:6 and R. 2:12 and require that such deficiencies be corrected within 10 days and the corrected paper be accompanied by a \$50 personal sanction upon the attorney; and

(4) dismiss or suppress briefs, as appropriate, for an attorney's failure to correct noted deficiencies or pay the imposed sanction in accordance with paragraph (3) above.

Any party or attorney affected by actions of the Clerk under this order may seek relief from the Court on a formal motion for good cause shown.

For the Court:

Richard J. Hughes, C.J.