

Dissolution Cases C Dismissal of Inactive Cases

Directive #10-63
Issued by:

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Edward B. McConnell
Administrative Director

In connection with the regular dismissal of inactive matrimonial cases pursuant to *R. 1:13-7*, I would like to call special attention to the fact that a case should not be excluded from the dismissal list because a *pendente lite* order for support may have been entered. In many instances, after the initial step of getting such an order, attorneys fail to pursue the matter further. The rule prescribes that every case pending for more than six months "without any proceeding having been taken therein" shall be noticed for dismissal. It further provides that adjournments and extensions of time and applications, motions or hearings in connection therewith shall not be considered a proceeding taken within the meaning of the rule so as to exclude the case from automatic notice of dismissal. Of course a case approved for trial that merely awaits scheduling should not be routinely noticed.

Your cooperation will be very helpful.

EDITOR-S NOTE

The only change has been the replacement of *R. 1:30-3* with *R. 1:13-7*.