

## NJ Courts Implement Complex Business Litigation Program

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### RELATED ATTORNEYS

Sean Mack

### RELATED PRACTICE AREAS

Litigation

After many years of discussion and consideration, Chief Justice Rabner announced on November 13, 2014, that effective January 1, 2015, the New Jersey judiciary will accept cases into a new program for the resolution of complex business, commercial and construction cases. The program is designed to assist New Jersey businesses effectively resolve their disputes through the use of individualized case management by selected judges and by continuing “to develop a body of authoritative case law that will aid all parties in business litigation.” (New Jersey Courts, Press Release, 11/13/14)

To be eligible for the program, the case must be a business, commercial or construction case involving damages in excess of \$200,000. If the damages are less than \$200,000 a party can make a motion to have their case handled under the program. The motion will need to demonstrate that there is compelling reason for inclusion under the program. Examples of compelling reasons may be: the existence of complex legal or factual issues; substantial complex discovery issues involving multiple parties, witnesses or voluminous documents; the case requires the interpretation of a significant business or commercial statute; or resolution of the case may have a business impact beyond the parties to the dispute.

Under the program, a single judge, with experience in complex civil litigation, will oversee the resolution of each commercial matter from start to finish. Arbitration or mediation will be encouraged, but not required. Each of the Assigned Complex Business Litigation judges will receive special training on relevant areas of the law, including the UCC, securities, business valuation, as well as training on case management and e-discovery.

The assigned commercial judges are encouraged to post on the Judiciary's website written decisions that may help guide other businesses facing similar issues.

Effective January 2015, the assigned Complex Business Litigation judges in each vicinage are:

Vicinage	Complex Business Litigation Judge(s)
Atlantic/Cape May	Judge J. Christopher Gibson (primary)
Bergen	Judge James P. Savio (backup)
Burlington	Judge Robert C. Wilson
Civil Presiding	Judge Marc M. Baldwin
Camden	Judge Michael J. Kassel
Essex	Judge James S. Rothschild, Jr.
Hudson	Judge Barry Sarkisian
Mercer	General Equity Presiding Judge Paul Innes
Middlesex	Assignment Judge Travis L. Francis
Monmouth	Judge Katie A. Gummer
Morris/Sussex	General Equity Presiding Judge Stephan C. Hansbury
Passaic	Judge Thomas J. LaConte
Union	Judge Thomas J. Walsh
Somerset/Hunt./War.	Assignment Judge Yolanda Ciccone
Ocean	Civil Presiding Judge Craig L. Wellerson
Cumberland/Glou/Sa	Judge Richard J. Geiger