

A message from the Chief Justice

“The program was developed to meet the legitimate needs of New Jersey’s thriving business community. Litigants in these cases and the court system overall will benefit from having a core group of dedicated judges manage complex business disputes. We also expect that this new approach will help to continue to develop a body of authoritative case law that will aid all parties in business litigation.”

– *Chief Justice Stuart Rabner*



STUART RABNER
CHIEF JUSTICE

GLENN A. GRANT
ADMINISTRATIVE DIRECTOR OF THE COURTS

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NEW JERSEY JUDICIARY

Complex Business Litigation Program

For more information about New Jersey’s Complex Business Litigation Program go to www.njcourts.gov and search for the Complex Business Litigation Program.



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What is the Complex Business Litigation Program?

The Complex Business Litigation Program (“CBLP”) is designed to streamline and expedite service to litigants in complex business litigation. Under the program, cases are individually managed by a judge with specialized training on complex business issues. The Supreme Court established the program, which became effective on Jan. 1, 2015, to resolve complex business, commercial and construction cases. On Sept. 1, 2018, rules governing the practice and procedure in CBLP cases became effective.

How does the program operate?

Cases are automatically placed in the program where the amount in controversy is at least \$200,000 and the case is designated by the attorneys or parties as complex commercial or complex construction case types. The assignment judge or Complex Business Litigation judge reviews a case to determine if it is appropriate for the program.

A party to a case that is not presumptively assigned to the program but involves complex business related issues and/or an amount in controversy less than \$200,000 can file a motion with the Complex Business Litigation judge for inclusion in the program.

Cases in the program are not part of the Judiciary’s mandatory civil mediation and arbitration programs. A Complex Business Litigation judge, however, may encourage the parties to mediate their cases.

What types of cases are appropriate for the program?

The program includes cases arising from business or commercial transactions or construction projects that involve potentially significant damages awards. Program cases may have complex or novel factual or legal issues; large numbers of separately represented parties; large numbers of lay and expert witnesses; a substantial amount of documentary evidence, including electronically stored information; or, require a substantial amount of time to complete trial.

Examples of the types of cases suitable for the program include: non-consumer Uniform Commercial Code transactions, intellectual property disputes, contract disputes, business torts, unfair competition disputes, and actions to establish a constructive trust or impose an equitable lien to satisfy damages.

The specialized judges’ expertise enables these complex cases to proceed more smoothly through the litigation process.

What types of cases are *not* appropriate for the program?

The program does not include matters that are handled by general equity, such as corporate governance disputes, dissolution, shareholder derivative suits, receiverships, or matters primarily involving consumers, labor organizations, personal injury or condemnation.

Complex Business Litigation Judges

In each vicinage, a judge is designated to handle all CBLP cases from commencement of the

lawsuit to its conclusion. These designated judges are proficient in commercial and business law, and receive extensive specialized training on an ongoing basis in all areas related to business litigation.

Complex Business Litigation Opinions

The Judiciary posts on its website a specialized catalog of business-related opinions that offer insight into selected business law categories, including leading and recent cases issued by the New Jersey Supreme Court, the Appellate Division and Superior Court, as well as opinions authored by Complex Business Litigation judges.

This online resource is updated regularly and intended to provide attorneys and litigants access to the growing body of business-related case law in New Jersey.

For those opinions, go to www.njcourts.gov and search for business opinions. To receive email notifications of new CBLP opinions, email CBLP.Mailbox@njcourts.gov

CBLP Resources

For more information about the Rules of court, go to www.njcourts.gov and search Rules of Court. (CBLP Rules 4:102 through 4:105)

For more information about CBLP Guidelines, go to www.njcourts.gov and search CBLP Guidelines.

For more information about CBLP Model Forms and Orders go to www.njcourts.gov and search CBLP Model Forms and Orders.