

NOTICE TO THE BAR

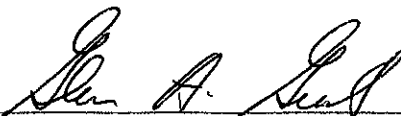
RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION PROGRAM – PROGRAM MODIFICATIONS – TIMING OF REQUESTS FOR MEDIATION

The Supreme Court Order of February 27, 2013, which accompanies this Notice, relaxes and supplements *Rules* 4:4-4 and 4:64-1(d) so as to further modify the New Jersey Residential Mortgage Foreclosure Mediation Program that was established by November 17, 2008 Supreme Court Order and amended by October 3, 2012 Order.

The Court's Order effects two modifications to the program, both effective April 1, 2013. First, regarding the timing of requests for mediation, mortgagor-defendants after that date must request foreclosure mediation within 60 days of the service of the summons and complaint. Second, the order eliminates the requirement that a notice of foreclosure mediation availability be served with the notice of motion for judgment and the requirement that the lender/plaintiff certify that such notice was served with the notice of motion for judgment. This does not relieve the lender/plaintiff from the requirement that it provide a certification that the notice of foreclosure mediation availability was served with the summons and complaint when filing a request for entry of judgment.

Additionally, a revised Request for Mediation form and informational and instructional materials on the Foreclosure Mediation Program reflecting these program modifications are posted on the "Civil Forms" page (<http://www.judiciary.state.nj.us/forms.htm#civil>) of the Judiciary's Internet web site (njcourts.com).

Questions concerning this Notice or the Foreclosure Mediation Program should be directed to Leslie A. Santora, Esq., Chief, Civil Court Programs, Civil Practice Division, Administrative Office of the Courts, at 609-292-8470 or leslie.santora@judiciary.state.nj.us.



Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: March 13, 2013

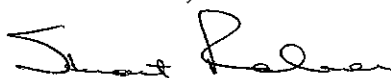
SUPREME COURT OF NEW JERSEY

The New Jersey Judiciary having implemented an effective Residential Mortgage Foreclosure Mediation Program in 2009, and the Court having made certain refinements to the Program regarding the timing of requests for foreclosure mediation by Order dated October 3, 2012, and the Court having concluded that further refinements to the Program are necessary;

It is ORDERED, pursuant to N.J. Const. (1947), Art. VI, § 2, par. 3, that effective April 1, 2013 and until further Order, Rule 4:4-4 is relaxed and supplemented so as to require that the Notice of Foreclosure Mediation Availability (Form 11284), the Foreclosure Mediation Financial Worksheet (Form 11269), and the Borrower Instructions and Mediation Request (Form 11270) be served with all residential mortgage foreclosure complaints and summonses informing defendants that foreclosure mediation may be requested up to 60 days after the service of the summons and residential mortgage complaint, and that, if a request for mediation is not served by that date, mediation will not be available to the defendants absent exceptional circumstances; this supersedes the portion of the October 3, 2012 Order that relaxed and supplemented Rule 4:4-4; and

It is FURTHER ORDERED that effective April 1, 2013, those portions of the October 3, 2012 Order that relaxed and supplemented Rule 4:64-1(d) so as (a) to require serving the Notice of Foreclosure Mediation Availability, Foreclosure Mediation Financial Worksheet and combination HUD-Certified Housing counselor Instruction Form and Foreclosure Mediation Recommendation Statement with the notice of motion for judgment and proof of amount due, and (b) to require including with the proofs submitted in support of a residential mortgage foreclosure a certification that those forms were served with the notice of motion for judgment, are rescinded.

For the Court,



Chief Justice

Dated: February 27, 2013