

RULE 4:71. Appeals From Local Agencies

4:71-1. Summary Action

If by statute a decision or action of any local officer, board, body or commission other than an inferior court may be appealed to or reviewed by the Superior Court when the action is not in lieu of prerogative writs, the same shall be brought before the Law Division of the Superior Court by a summary action pursuant to R. 4:67.

Note: Source-R.R. 4:90-1.

4:71-2. Order to Show Cause; Form, Service

The order to show cause issued under R. 4:67-2 shall briefly describe the decision or action complained of and state that the party appeals therefrom to the Superior Court and shall be served upon the parties to the proceeding and the authority whose decision or action is appealed from.

Note: Source-R.R. 4:90-2.

4:71-3. Filing of Record of Proceedings

In such action the said authority shall within 30 days after service upon it of the order to show cause file with the Superior Court a record of the proceedings under review. If a verbatim record of the testimony therein has been taken by the authority, the appellant shall, within 30 days after taking the appeal, unless such time is extended for good cause shown by the Superior Court, furnish and send to the Superior Court a transcript of the testimony, which shall be made a part of the record filed by the authority. By court order or by written stipulation of the parties, the record may be shortened by the elimination of any portion thereof or by a submission of a statement of facts. Unless the statute provides for a trial de novo, the appeal shall be tried on the record below.

Note: Source-R.R. 4:90-3.