

## **RULE 6:11. Small Claims Section; Practice**

The general rules of practice and procedure in the Special Civil Part, including the provisions of R. 1:40-6, shall apply to the Small Claims Section except that any authorized officer or employee may prosecute and defend on behalf of a party which is a business entity, whether formally incorporated or not, claims originating with and not held by transfer or assignment to that business entity, provided that such officer or employee is neither a suspended or disbarred attorney nor one who has resigned. This exception shall apply to every action cognizable in the Small Claims Section whether or not the complaint has been filed in the Small Claims Section. Notice in the Small Claims Section shall be by summons as provided by R. 6:2-1, and actions in such Section shall be disposed of on the return day unless adjourned by the court. Upon the filing of a counterclaim for a sum in excess of the monetary limit of the Small Claims Section, the action shall be transferred to the Special Civil Part proper upon payment by the defendant of the required fees.

**Note:** Source-R.R. 7:17-1, 7:17-2, 7:17-3. Amended June 29, 1973 to be effective September 10, 1973; amended November 27, 1974 to be effective April 1, 1975; amended November 1, 1985 to be effective January 2, 1986; amended November 7, 1988 to be effective January 2, 1989; amended July 14, 1992 to be effective September 1, 1992.