NEW JERSEY STATE BAR ASSOCIATION

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October 29, 2026

Honorable Michael J. Blee, J.A.D.
Acting Administrative Director of the Courts
Administrative Office of the Courts
Richard J. Hughes Justice Complex
25 Market Street, P.O. Box 037
Trenton, New Jersey 08625-0037

Re: Settlement and Trial Blitzes in the Family Part – Request for Meeting, Interim Moratorium, and Establishment of a Task Force

Dear Judge Blee:

On behalf of the New Jersey State Bar Association (NJSBA), I write to raise continuing concerns with settlement and trial blitzes in the Family Part. I want to assure you that the NJSBA shares and appreciates the laudable goals of the blitz initiatives to ensure that cases are resolved in a timely and appropriate manner; however, our members who practice in family law continue to express concerns about how the blitzes are being conducted in some vicinages and the resulting impact on litigants and attorneys.

When you graciously met with us last May on trial blitzes in the Family Part, the NJSBA raised three primary concerns: the notice period given to attorneys and litigants, the handling of reasonable adjournment requests, and the scheduling of multiple cases for the same attorney at the same time. We greatly appreciated your candor in acknowledging that there was room for improvement and your willingness to work to address the concerns raised.

In the months since that meeting, though, those same concerns have not abated. To the contrary, the NJSBA has received feedback that appears to reflect an ongoing, chronic and systemic problem in multiple counties throughout the state. I have attached a summary of the specific feedback we have received as Exhibit A, and outline the concerns below.

THE NJSBA'S CONCERNS ABOUT THE BLITZ SCHEDULE

The examples in Exhibit A, and the many others reported by our members, give rise to the following concerns, which apply regardless of docket type:

- **Lack of Statewide Uniformity.** An overarching concern is that there is no uniform approach to blitzes. Practices vary widely from county to county in terms of case selection, notice, submission requirements, attendance obligations, and the handling of adjournments. Our Family Law Section has gathered information about the practices in vicinages around the state. A summary of that information is attached as Exhibit B.

  The patchwork of procedures means that an attorney who practices in several counties, as most family law attorneys do, may be subject to entirely different notice periods, submission deadlines, attendance requirements, and adjournment standards from one courthouse to the next. In addition, the scheduling of blitzes in different counties often overlap each other, or require attorneys to be present at a blitz for several weeks in the same month or in consecutive months, taking them away from other matters requiring equal attention. This will be compounded by the reports we have received that vicinages are being told they are expected to hold four blitzes per year.

- **Inadequate Notice.** Rule 4:36-3 requires that the parties be given no less than 10 weeks' notice of the initial trial date. Trial blitz orders received three weeks before trial, as in Camden County, or 20 days, as in Ocean County, do not comport with that Rule. Without proper notice, attorneys cannot prepare thoroughly and litigants' due process rights are compromised. Short notice also places an inordinate burden on attorneys, who already have deadlines, court dates, depositions, conferences, and mediations scheduled on the days they are not in trial.

- **Lack of Case Management.** Cases are being noticed for settlement or trial blitzes without having had a judge manage the case for several months, if not for more than a year. The response provided from the Judiciary is that the lawyers should effectively be managing the cases themselves and be aware that a trial date will eventually arrive whether case management occurred or otherwise. The lack of case management seemingly stems from a variety of factors including, but not limited to, limited judge availability or judicial rotations where several judges may preside over a case during its life cycle.

- **Detrimental Effect on Litigants.** Many practitioners reported that their clients felt pressured by judges to settle issues such as a business valuation, alimony figure, child support amount and the like in a seemingly random manner as opposed to finalizing their discovery, expert reports, and negotiating in good faith. A few attorneys reported meeting with potential clients seeking to "undo" their settlements that were obtained during a blitz, which they claim were entered under duress. Many of these litigants spent significant fees preparing for a trial or settlement only to come back day after day to have little to no judicial assistance to settle their matter. As a result, litigants are being left with a less than favorable impression of our judicial system.

- **Cost and Burden for Litigants.** Complying with a blitz order – preparing trial briefs, witness and exhibit lists, multiple hard-copy exhibit binders, and custody plans, and having counsel, parties, and experts available in person every day for up to a week or more – imposes an extraordinary cost on families, many of whom are of modest means. Experts involved in multiple matters on the same blitz may be unable to comply with one-hour appearance requirements. If a case is neither settled nor reached during the blitz, it is unclear how quickly a new trial date will be assigned, and the costly trial submissions may be stale by then.

- **Reasonable Adjournment Requests are Being Denied.** Directive #09-26, the Statewide Adjournment Protocol issued July 8, is intended to "assure fairness, transparency, consistency, and efficient case management throughout all trial divisions," and Rule 4:36-3(b) provides that a first request to adjourn a trial date based on the unavailability of a party, witness, or attorney ordinarily will be granted. Yet blitz orders routinely provide that adjournments will not be granted absent "extenuating circumstances," and in

some vicinages, adjournment requests must be directed to the Presiding Judge rather than to the judge who is actively managing the case and is familiar with it.

- **Cases Not Ready for Trial.** Cases are being listed for trial blitzes while discovery is incomplete, expert reports are outstanding, threshold motions are pending, or counsel has just been substituted, and in some instances before the parties have ever attended an Early Settlement Panel (ESP) or an Intensive Settlement Conference (ISC). Forcing such cases into a trial setting does not promote settlement; it promotes motion practice, adjournment requests, and, potentially, further backlog due to post judgment motions resulting from decisions made before the parties are truly ready to settle.

- **Multiple Cases for the Same Attorney.** Scheduling a single attorney for multiple cases in the same settlement or trial blitz or in overlapping blitzes in different counties does not allow the attorney to prepare properly for each case or dedicate the necessary time to each client. It raises serious ethical concerns under the Rules of Professional Conduct regarding competence, diligence, and conflicting obligations to multiple clients, as well as confidentiality concerns when multiple clients appear with the same attorney at the same time. And because most attorneys practice in multiple counties, appearing for one or two weeks on a single blitz case delays every other matter the attorney is handling, which can increase the backlog rather than reduce it.

- **Severe Consequences for Noncompliance.** Blitz orders commonly provide that any issue not briefed with specificity is deemed waived and that pleadings may be stricken. That standard is vague, invites inconsistent application, and exposes attorneys to malpractice claims through no fault of their own when submissions must be prepared on compressed timelines. The consequences are not theoretical: in one vicinage's June 2026 blitz, 14 of the 22 cases that remained on the blitz list were dismissed for failure to comply with the blitz submission requirements.

- **Unique Burden on Solo and Small-Firm Practitioners.** The requirement to be physically present for a week or more, day after day, in the event a case is reached falls hardest on solo and small-firm practitioners, who have no colleagues available to cover their other matters and, in some cases, can be detrimental to their practice.

- **Attorney Wellness.** We applaud the Judiciary's focus on attorney wellness, including the July 8 Notice to the Bar confirming that the courts are "committed to supporting attorney well-being, including through adherence to reasonable scheduling protocols." The blitzes, as currently implemented in several vicinages, are difficult to reconcile with that commitment. The constant stream of settlement and trial blitz notices, county after county, is having a significant negative impact on the mental health of family law attorneys. Preparing for a blitz on short notice, on top of an attorney's other cases, requires attorneys to take substantial time away from their personal needs and their families, leaving some attorneys describing themselves as "exhausted" or "demoralized."

NJSBA REQUESTS

In light of the foregoing, the NJSBA respectfully requests the following:

1. A Meeting with the AOC

The NJSBA respectfully requests a meeting at your earliest convenience to address the settlement and trial blitzes. Building on our May meeting, we would like to share our members' full feedback, better understand the Judiciary's objectives and the data underlying the blitz initiative, and work together toward solutions.

2. An Interim Moratorium on Trial Blitzes and a Two-Day Limit on Settlement Blitzes

Pending that meeting, the NJSBA respectfully requests a moratorium on all Family Part trial blitzes. A brief pause would allow the Judiciary and the Bar to address these issues deliberately and would prevent further harm to litigants whose cases are being forced to trial without adequate notice or preparation. We further request that any settlement blitz be limited to no more than two days. Requiring attorneys and their clients to appear in person for five consecutive days for a settlement conference, as occurred recently in Somerset County, removes attorneys from all of their other professional obligations for an entire week and imposes substantial costs on clients, without a corresponding benefit; the one-day model previously used in Middlesex shows that a shorter settlement blitz can be effective.

3. Establishment of a Task Force

The NJSBA respectfully requests that the Judiciary establish a task force to study the settlement and trial blitzes and to make recommendations for statewide guidelines governing how, and under what circumstances, blitzes should continue. We suggest that the task force include Family Part presiding judges, Family Part judges, Family Division managers, representatives of the AOC, and representatives designated by the NJSBA, together with any other stakeholders the Judiciary deems appropriate. Among the issues the task force could address are: (a) uniform minimum notice periods consistent with Rule 4:36-3; (b) case selection criteria, including readiness for trial and the status of discovery, expert reports, and pending motions; (c) uniform standards for adjournment requests, including requests based on attorney scheduling conflicts; (d) the scope and timing of required pre-trial submissions and the consequences for noncompliance; (e) daily attendance requirements; (f) the scheduling of cases that are not reached during a blitz; (g) the impact on self-represented litigants; and (h) the collection of data on outcomes.

4. A Settlement Blitz Before Any Trial Blitz

The NJSBA respectfully requests that no case be scheduled for a trial blitz unless it has first been scheduled for a settlement blitz, and that any case scheduled for a trial blitz must first have exhausted all available settlement options, including appearing before an Early Settlement Panel, economic mediation, custody and parenting time mediation where applicable, and an Intensive Settlement Conference. As the Essex and Morris county results show, most cases resolve through settlement when the parties are given a meaningful opportunity to do so. Trials should be the last resort in family matters, not the first.

5. One Case per Attorney at a Time

The NJSBA respectfully requests that no attorney be scheduled for more than one blitz case at a time, whether within a single county or across counties. An attorney cannot ethically or effectively prepare for and try multiple family matters simultaneously. A one-case-per-attorney rule would protect each litigant's right to prepared and attentive counsel, eliminate the confidentiality concerns that arise when multiple clients appear with the same attorney, reduce last-minute adjournment requests, and ultimately make the blitzes more productive.

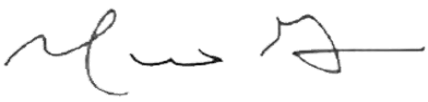
6. NJSBA Meeting with Family Part Presiding Judges

Finally, the NJSBA respectfully requests that NJSBA representatives be permitted to attend the next meeting of the Conference of Family Part Presiding Judges to discuss the blitz issues raised herein directly with the presiding judges. A direct dialogue between the presiding judges and the bar would allow both perspectives to be heard, would help identify the practices that are working well in certain vicinages, and would greatly assist in developing practical, consistent procedures across the state.

These are real issues affecting real families and attorneys throughout New Jersey. The NJSBA is committed to working with the Judiciary to reduce the backlog in a manner that preserves due process, ensures adequate notice, and protects the well-being of the attorneys who serve New Jersey's families. Family law attorneys already contribute to that effort every day by volunteering as Early Settlement Panelists, Blue Ribbon Panelists, economic mediators, and panelists at the blitzes discussed in this letter. Some vicinages have also already successfully utilized models that reflect those goals. The one-day ISC model previously used in Middlesex County, the Blue-Ribbon Panels in Passaic County, and Mercer County's request for the Bar's input before planning its 2027 blitzes all reflect the kind of thoughtful, collaborative approach that we believe should be adopted statewide.

Thank you for your consideration of these requests and for your continued leadership and partnership with the Bar. I look forward to hearing from you and to meeting with you at your earliest convenience. Please do not hesitate to contact me directly.

Respectfully,



Norberto A. Garcia, Esq.
President

cc: G. Glennon Troublefield, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director

EXHIBIT A - EXAMPLES OF FAMILY PART BLITZ EXPERIENCES

The following are just some of the examples reported to the NJSBA since our May meeting. Each implicates issues concerning proper notice, multiple cases scheduled at the same time, and pressure felt by litigants to resolve their case often without full discovery or expert reports:

- **Camden County – Trial notice of three weeks.** By Pre-Trial Order dated September 25, 2026, which counsel did not receive until September 28, 2026 – the same day she filed a substitution of attorney in the matter – a case was listed for an in-person trial blitz from October 19 through October 23, 2026, with updated Case Information Statements, witness lists, exhibit lists, and complete hard-copy exhibit binders all due by October 8, 2026 – just ten days after counsel received the Order, and only three weeks before trial. The Order required all parties and counsel to appear each day of the blitz until the case was heard, settled, or dismissed, required experts and non-party witnesses to be available on one hour's notice, and provided that adjournments would not be granted absent extenuating circumstances. An adjournment request was granted as new counsel did not even have the file.
- **Camden County – Case with no discovery listed for trial.** Another attorney received the same trial blitz notice for October 19, 2026, in a case originally filed by a self-represented litigant. A default hearing had been scheduled, at which the Court identified issues with notice, documentation, and a party's military status. The parties then retained counsel and the default was vacated. The first Case Management Order was not filed until August 2026, and the parties have not yet engaged in discovery.
- **Essex County – Multiple Cases on Trial Blitz.** One attorney reported receiving trial blitz notices in five cases for the January 2027 trial blitz.
- **Middlesex County – Shifting Scheduling Requirements.** An attorney received a trial blitz notice to appear one day during a particular week, but when the attorney appeared, they were told they were required to appear *every day* that week, wreaking havoc on the attorney's schedule for the week.

- **Morris County – Joint, consensual adjournment request denied in a case that had never been to ESP, mediation, or an ISC.** Two cases were listed for the Morris County trial blitz beginning September 28, 2026, even though neither was procedurally ready for trial due to changes in counsel, discovery issues, delays in the adjudication of motions, and other reasons. One was adjourned; the other was not. In the second matter, both counsel and both parties jointly requested an adjournment by letter dated September 3, 2026. The complaint had been filed in May 2024; the early stages of the case were consumed by related criminal complaints and a court-ordered custody evaluation; and plaintiff's current counsel was not substituted in until February 2026, after plaintiff had been forced to proceed self-represented because she could not afford new counsel. Upon receiving the file, new counsel learned that neither party had formally answered discovery and that the parties had never attended an Early Settlement Panel, post-ESP mediation, or an ISC. The defendant is a minority shareholder in several closely held family businesses, financial discovery remained outstanding and was the subject of pending motions before the managing judge, and the plaintiff's expert could not be retained until the parties obtained a home equity line of credit to pay for the expert. Counsel explained that this was the first trial listing, that an adjournment based on the unavailability of an expert ordinarily is to be granted under Rule 4:36-3(b), and that the request complied with Directive #09-26, the Statewide Adjournment Protocol issued July 8, 2026. Counsel was told that the request had to be directed to the Presiding Judge rather than to the judge actively managing the case, even though a motion to adjourn was already pending before that judge. The adjournment was denied. The case ultimately settled on the eve of the trial blitz – but only after the parties, who had to obtain a home equity line of credit simply to retain an expert, incurred the expense of preparing for a trial that could not fairly have proceeded.
- **Morris County – Case without discovery or settlement events listed for trial.** By Order dated July 17, 2026, another case was listed for the September 28 through October 8, 2026 trial blitz, with trial submissions due September 18. Both counsel had only recently been retained (in October 2025 and February 2026), a motion to disqualify counsel had paused the

proceedings, and upon receipt of the file new counsel learned that discovery had never been exchanged and that the parties had never attended post-ESP mediation or a single ISC. The managing judge was actively case managing the matter, with case management conferences held in April, June, and July 2026, and the parties were scheduled to exchange discovery on July 24 and attend mediation on July 29, 2026. Counsel requested removal from the blitz so the parties could take advantage of the dispute resolution options available to them and the request was denied.

- **Morris County – Three trials on the same day, twice in one year.** On July 20, 2026, a practitioner in a small firm without associates received three trial notices on substantially contested matters, all scheduled for trial on the same day in the September 28 blitz. This was the second time this had happened: on December 1, 2025, he received three trial notices for three highly contested matters, again all scheduled for the same day (February 2, 2026). He described the experience as consuming "every waking moment" as he ran parallel tracks trying to settle the matters while simultaneously preparing each for trial and he was sanctioned by a court in the vicinage for failing to finalize QDROs in other matters during that period.
- **Morris/Sussex – Insufficient judicial resources.** Attorneys report being scheduled for a trial blitz with ten cases ready to begin trial but only one judge available in Sussex County, leaving attorneys, litigants, and witnesses to return day after day without being reached. Additionally, the success of the trial blitz was reduced to an email that was circulated indicating 7 cases were tried, but it has been reported that at least some of those cases were not tried to conclusion over the two weeks. In one case, which settled on the eve of the blitz, the practitioner called to follow up on the signing of the Judgment of Divorce three weeks after the settlement was submitted and was told there was a backlog and to be patient.
- **Somerset County – Multiple notices and cases not ready for an ISC.** An attorney received three ISC blitz notices on September 24, 2026 (dated September 17, 2026), two for cases for which she is the attorney of record and one in which she is co-counsel, each requiring in-person appearances at the Somerset County Courthouse from October 19 through October 23, 2026

– less than one month's notice, for a five-day settlement blitz. Two of those cases were not ready for an ISC:

In the first case, the notice required an updated Case Information Statement, a draft Marital Settlement Agreement, and a statement of settlement proposals and outstanding issues. However, the case is awaiting the scheduling of a plenary hearing on the validity of an agreement concerning the termination date of the marriage – a threshold issue that must be resolved before the remaining issues in the divorce can be addressed. An adjournment request is pending.

The second case has a signed Marital Settlement Agreement and was originally scheduled for an uncontested divorce hearing in June 2026. One of the parties has since moved to vacate the Agreement, and the motions on that issue are not scheduled to be heard until November 13, 2026 – after the scheduled ISC.

- **Somerset County – No Available Judges**. Several attorneys represented they appeared in Somerset County for a settlement blitz the week of October 19, 2026 despite their cases not being ready for trial due to pending summary judgment motions, outstanding discovery issues, outstanding expert reports, and other various deficiencies that make settlement impossible. These attorneys were told that they would not be released and would have to come back to court each day for settlement conferences, yet there were not enough judges available to conference with them promptly. One attorney reported not seeing a judge until 3:30 p.m. on the first day. Another attorney was excused for Wednesday and when she returned on Thursday, the judge's staff advised there was a domestic violence calendar and questioned why she was there. Multiple attorneys reported they were told to "pick a number" to settle the case. Further, when some practitioners asked for a trial date, they were advised that the next available dates are August 2027.
- **Somerset County – Discovery Incomplete**. In one case, there were four depositions pending and a motion had been filed the Friday before the blitz. The case was conferenced at 10 a.m., only for the parties and counsel to be

told that the judge had no authority to release them, and the case was not conferenced again until 2:55 p.m.

- **Somerset County** – **Motion for Summary Judgment**. In another case, there is a summary judgment motion pending, which if granted would dispose of the case. The attorneys were told to "pick a number" to settle case; however, if the summary judgment is granted, the "number" would be zero.
- **Somerset County – Multiple Notices for Same Attorney**. One litigant drove up to attend the blitz from Florida and the attorney for the client had three other matters on that day and was unable to appear on this case until after 3 p.m. and their case had not been called as of that time.
- **Somerset County** – **Outright Refusal to Comply with the Statewide Adjournment Protocol in Directive #09-26.** One attorney in both of her cases jointly requested to be excused from the blitz. Within moments of the letter being uploaded, the requests were denied. Other attorneys reported that they received no response for weeks to their requests to be excused until the Friday before the blitz when they were told where to report on Monday.
- **Overlapping obligations across counties.** One attorney reported that, in a single month, she has a trial in Monmouth County and a trial blitz in Morris County, and she has already received several settlement blitz notices for the following month.

EXHIBIT B – FAMILY PART BLITZ PRACTICES BY COUNTY

- **Trial blitzes** are being conducted in Camden, Essex, Morris, Sussex, and Ocean Counties. In Morris/Sussex, the vicinage has conducted trial blitzes in June and in the weeks of September 28 and October 5, 2026, has scheduled further trial blitzes for a week in January 2027 and a week in April 2027, and has advised that trial blitzes will continue throughout the year. In Ocean County, attorneys received another batch of trial blitz notices for November by email dated October 5, 2026, and have been told that trial blitzes will occur multiple times per year going forward. In Essex County, there is also a trial blitz scheduled for the week of January 11, 2027.
- **Intensive settlement conference (ISC) blitzes only** are being conducted in Somerset, Hunterdon and Warren, where every adjournment request is individually reviewed by the Presiding Judge. Until recently, Middlesex County conducted one-day ISC blitzes (with a second day only if progress is being made) for cases that will be aging by June 30, 2027, with cases hand-selected and no advance submissions required. The Morris/Sussex Vicinage will conduct an ISC blitz the week of December 7, 2026, for cases that are 18 months or older. Somerset County has another blitz scheduled for November 30 through December 4, 2026, and one more scheduled before August 2027.
- **Atlantic County** has not scheduled trial blitzes and instead scheduled ISCs between April and June to coincide with the regular court calendar reporting deadlines.
- **Burlington, Mercer, Monmouth, Passaic, Union, and Hudson Counties** are not currently conducting blitzes. Instead, those counties are relying on other tools, including ISCs with a retired Presiding Judge of the Family Part (Burlington), Intensive Settlement Panel sessions in October, January, and April (Monmouth), and Blue Ribbon Panels with retired judges, which have been successful in resolving older cases (Passaic). Notably, the Mercer County Family Part has advised the Bar that it is planning blitzes for 2027 and has asked for the Bar's input on how to plan them in a "conscientious and respectful manner." We commend that approach, and it is precisely the kind of collaboration we hope to establish statewide.