SENATE, No. 1987

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED FEBRUARY 26, 2018

Sponsored by:

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Authorizes business entities to designate representatives in court proceedings without the necessity for representation by an attorney.

CURRENT VERSION OF TEXT

As introduced.



S1987 DOHERTY

1	AN ACT concerning certain court appearances and supplementing
2	Title 2A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

 1. Notwithstanding the provisions of any other law or rule to the contrary, a business entity may designate any person to appear, and to file any paper, in any action in any court of this State on behalf of that business entity. A person may be designated to represent a business entity in accordance with this act only with the unaninimous consent of all stockholders or all partners and upon their written resolution.

2. This act shall take effect immediately.

STATEMENT

This bill would authorize a business entity to designate any person to appear, and to file any paper, in any action in any court of this State on behalf of that business entity. The bill provides that a person could be designated to represent a business entity only with the unanimous consent of all stockholders or all partners and upon their written resolution. Currently, R.1:21-1(c) prohibits business entities, other than sole proprietors, from designating representatives to appear in court on behalf of the entities and requires that such entities be represented by an attorney.

The sponsor was prompted to introduce this bill by the plight of a constituent, the sole owner of a small corporation, who was denied the right to appear in court on behalf of his company. Pursuant to the Court Rule, the judge insisted that the constituent incur the expense of hiring an attorney to represent the company.