

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A: 24-6 (Arbitration proceedings-subpoenas-allow issuance by attorney of record)

LAWS OF: 1984

CHAPTER: 187

Bill No: S237

Sponsor(s): O'Connor

Date Introduced: Pre-filed

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: October 22, 1984

Senate: April 30, 1984

Date of Approval: November 15, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

CHAPTER 181 LAWS OF N. J. 1984
APPROVED 11-15-84

SENATE, No. 237

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator O'CONNOR

AN ACT concerning arbitration proceedings and amending N. J. S.
2A:24-6.

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

1 1. N. J. S. 2A:24-6 is amended to read as follows:

2 2A:24-6. When more than 1 arbitrator is agreed upon, all the
3 arbitrators shall sit at the hearing of the case, unless by written con-
4 sent, all parties agree to a less number.

5 The arbitrator so sitting *or an attorney of record in the arbitra-*
6 *tion proceeding* may require the attendance of any person as a
7 witness and, in a proper case, to bring with him any book or written
8 instrument. The fees for the attendance shall be those allowed
9 witnesses in a civil action in **[a court of record]** *the Superior*
10 *Court.*

11 **[Subpena shall issue in the name of and be signed by the arbitra-**
12 **tors, or]** *An arbitrator, or where more than one arbitrator is*
13 *sitting, a majority of them, [and] or an attorney of record in the*
14 *arbitration proceeding, may issue a subpoena. The subpoena shall*
15 *issue in the name of the arbitrator. The subpoena shall be signed by*
16 *an arbitrator, or a majority of them, or an attorney of record, as*
17 *the case may be. The subpoena shall be directed to the person therein*
18 *named and served in the same manner as a subpoena to testify before*
19 **[a court of record]** *the Superior Court.* If any person so subpoenaed
20 to testify shall refuse or neglect to obey such subpoena, the court
21 **[aforesaid]**, upon motion, may compel his attendance before the
22 arbitrator or punish him for contempt in the manner provided for
23 the attendance of witnesses or their punishment in the **[courts]**
24 *Superior Court.*

1 2. This act shall take effect immediately.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.
Matter printed in italics thus is new matter.**

STATEMENT

This bill permits the issuance of a subpoena by an attorney of record in an arbitration proceeding. It will provide an expedited means of issuing subpoenas where arbitration is either by private agreement of the parties or through the New Jersey State Board of Mediation. This procedure should facilitate the issuance of subpoenas and help conserve the time and money of the parties and arbitrators. It will make subpoena practice in arbitration proceedings similar to that in the Superior Court.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 237

STATE OF NEW JERSEY

DATED: June 28, 1984

This bill permits the issuance of a subpoena by an attorney of record in an arbitration proceeding. It will provide an expedited means of issuing subpoenas where arbitration is either by private agreement of the parties or through the New Jersey State Board of Mediation. This procedure should facilitate the issuance of subpoenas and help conserve the time and money of the parties and arbitrators. It will make subpoena practice in arbitration proceedings similar to that in the Superior Court.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 237

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1984

Presently, in arbitration proceedings, only arbitrators are authorized to issue subpoenas. This bill would permit an attorney of record in the arbitration proceeding to issue a subpoena. According to the sponsor's statement, this procedure should facilitate the issuance of subpoenas and help conserve the time and financial resources of both the parties and the arbitrators. It should also be noted that by court rule, attorneys of record are permitted to issue subpoenas in other civil matters.

Governor's News Release

BILLS SIGNED
PAGE TWO
NOVEMBER 15, 1984

Recipients who do not return to teaching in New Jersey would have to repay the loan in the same manner as other student loans are repaid.

The Governor also signed the following bills:

S-237, sponsored by State Senator Edward T. O'Connor, Jr., D-Hudson, which permits an attorney of record in an arbitration proceeding to issue a subpoena. The bill is designed to expedite the subpoena process in both private arbitration proceedings and those conducted through the New Jersey State Board of Mediation.

S-218, also sponsored by Senator O'Connor, which places the position of personnel officer for a local housing authority in the unclassified service of Civil Service.

S-1257, sponsored by State Senator John F. Russo, D-Ocean, which extends from eighteen months to two years the time period in which members of a county board of taxation must furnish proof that they have completed required training courses.

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