

**Conducting Family Part
Discovery**

Presented By:

**Curtis J. Romanowski, Esq.
Romanowski Law Offices
475 Main Street
Metuchen, NJ 08840
Telephone: 732.603.8585
Facsimile: 732.603.8580**

NJICLE 2005 Family Law Summer Institute

Page Intentionally Blank

**CONDUCTING FAMILY PART
DISCOVERY**

2005 Family Law Summer Institute

by Curtis J. Romanowski, Esq.

PERTINENT RULES OF COURT CONCERNING DISCOVERY

R. 5:3-3 Appointment of Experts

(d) Investigation by Experts. Any expert appointed by the court shall be permitted to conduct an investigation independently to obtain information reasonable and necessary to complete his or her report from any source, and may make contact directly with any party from whom information is sought within the scope of the order of appointment. The parties shall be entitled to have their attorneys and/or experts present during any examination by a court appointed expert. The expert shall not communicate with the court except upon prior notice to the parties and their attorneys who shall be afforded an opportunity to be present and to be heard during any such communication between the expert and the court. A request for communication with the court may be informally conveyed by the expert by letter or telephonic means, whereafter further

communications with the court, which may be conducted informally by conference or conference call, shall be done only with the participation of the parties and their counsel.

(e) Submission of Report. Any finding or report by an expert appointed by the court shall be submitted upon completion to both the court and the parties. The parties shall thereafter be permitted a reasonable opportunity to conduct discovery in regard thereto, including, but not limited to, the right to take the deposition of the expert.