



**Commissioners:**

**NEW JERSEY LAW REVISION COMMISSION**

**Vito A. Gagliardi, Jr.**  
Chairman

**MEETING AGENDA**

**Andrew O. Bunn**  
Vice-Chairman

**The New Jersey Law Revision Commission meeting will be conducted  
REMOTELY on Thursday, July 20, 2023, at 4:30 p.m.**

John Kip Cornwell  
Rose Cuison-Villazor  
Virginia Long  
Raj Mukherji  
Kimberly Mutcherson  
Louis N. Rainone  
Brian P. Stack

**Any member of the public that wishes to submit comments on any agenda item, or would like to participate in the meeting virtually, should contact Laura C. Tharney in advance of the start time of the meeting, at: [lct@njlrc.org](mailto:lct@njlrc.org)**

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**Staff:**

**Laura Tharney**  
Executive Director

Samuel M. Silver  
Deputy Director

Whitney G. Schlimbach  
Counsel

Veronica V. Fernandes  
Executive Assistant

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**1. Statute of Frauds - Mandatory Attorney Review Provision** - Consideration of a Draft Final Report proposing the elimination of the mandatory attorney review provision from New Jersey's Statute of Frauds, N.J.S. 25:1-5, governing non-marital personal relationship support provisions, palimony, as discussed in *Moynihan v. Lynch*, 250 N.J. 60 (2022). [Report](#)

**2. Comprehensive Drug Reform Act - Joint Motions to Vacate Parole Ineligibility** - Consideration of a Draft Final Report proposing the modification of the statute concerning joint motions to vacate parole ineligibility, N.J.S. 2C:35- 12, as discussed in *State v. Arroyo-Nunez*, 470 N.J. Super. 351 (App. Div. 2022). [Report](#)

**3. Tort Claims Act: Applicability of Notice Provision to Contribution and Indemnification Claims** - Consideration of a Draft Tentative Report proposing a modification of the statute imposing a ninety-day deadline for filing notice of tort claims against public entities, N.J.S. 59:8-8, as discussed in *Jones v. Morey's Pier, Inc.*, 230 N.J. 142 (2017). [Report](#)

**4. Non-Admitted Insurers Act: Jurisdiction Over Violations** - Consideration of a Memorandum proposing a project addressing whether N.J.S. 17:32-20 in the Non-Admitted Insurers Act ("Act") should be modified to reflect that the New Jersey Department of Banking and Insurance Commissioner has discretion to pursue administrative remedies or request judicial relief when the Act is violated, as held in *Applied Underwriters Captive Risk Assurance Co., Inc. v. NJ Department of Banking & Insurance*, 472 N.J. Super. 26 (App. Div. 2022). [Memo](#)

**5. Affidavit of Merit Statute: Application to Respondeat Superior Claims** - Consideration of a Memorandum proposing a project addressing whether N.J.S. 17:32-20 in New Jersey's Affidavit of Merit Statute should be modified to clarify whether an Affidavit of Merit is required in the context of respondeat superior claims, as discussed in *Haviland v. Lourdes Medical Center of Burlington County, Inc.*, 250 N.J. 368, 371 (2022). [Memo](#)