

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby add a new Rule 23 to Section 202.70 of the Uniform Rules of the Supreme and County Courts (Rules of the Commercial Division of the Supreme Court), effective July 7, 2025, to read as follows (additions underscored):

**Section 202.70. Rules of the Commercial Division of the Supreme Court**

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**Rule 23. Amicus curiae relief.** Any non-party seeking to file an amicus brief in the Commercial Division must first obtain permission by motion.

(a) Motions for amicus curiae relief.

(i) Motions to be brought on by order to show cause. Any motion for amicus curiae relief shall be brought by an order to show cause unless the court orders otherwise.

(ii) Motion papers. Movant shall file its proposed amicus brief with its motion papers. The court shall set the matter for hearing as soon as practicable so as not to delay the proceedings to which it relates.

(iii) Criteria. Movant shall:

(1) demonstrate that the parties are not capable of a full and adequate presentation and that movant could remedy this deficiency; movant could identify law or arguments that might otherwise escape the court's consideration; or the proposed amicus brief otherwise would be of assistance to the court;

(2) include a statement of the identity of the movant and its interest in the matter; and

(3) include a statement indicating whether:

(A) a party's counsel contributed content to the brief or participated in the preparation of the brief in any other manner;

(B) a party or a party's counsel contributed money that was intended to fund preparation or submission of the brief; and

(C) a person or entity, other than movant or movant's counsel, contributed money that was intended to fund preparation or submission of the brief and, if so, identifying each such person or entity.

(iv) Responding papers. Any party may serve and file papers in response to or in opposition to the motion to file an amicus brief, as directed by the court in its order to show cause.

(v) A motion for leave to file an amicus brief will be denied where granting it would cause recusal of the assigned justice or undue delay.

(vi) The court shall direct in any order granting leave for an amicus brief the time and manner of submission of any responsive briefs.

(vii) Except as ordered otherwise by the court, amicus briefs are subject to the length limitations for reply briefs and to the requirements of a word-count certification set forth in Commercial Division Rule 17.

  
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Chief Administrative Judge of the Courts

Date: May 13, 2025

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