



RICHARD J. CODEY  
*Acting Governor*

*State of New Jersey*  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION ON CIVIL RIGHTS  
Newark, NJ 07102

PETER C. HARVEY  
*Attorney General*  
J. FRANK VESPA-PAPALEO, ESQ.  
*Director*

**POLICY ON EXTENSIONS OF TIME**  
**Effective April 1, 2005**

It is critical that the New Jersey Division on Civil Rights continue to process and investigate its cases in a timely fashion, in order to avoid the backlogs that plagued this agency in the past. Substantial delays in investigating cases and processing complaints harm both Complainants and Respondents.

It is the policy of the New Jersey Division on Civil Rights to refrain from granting extension requests made by Complainants, Respondents, attorneys, and Division staff. However, it is recognized that very rare circumstances might warrant the consideration of a request for an extension of time. In such cases, the procedure is as follows:

1. **WRITTEN REQUESTS.** All requests for extensions of time must be in writing, with absolutely no exceptions. DCR shall not consider extension requests not made in writing, except under extreme circumstances or to accommodate a person with a disability. Written requests must be faxed or emailed to the **Regional Manager or Supervisor** at the **Regional Office** where the case is being handled (i.e., Atlantic City, Camden, Newark, Paterson, Trenton).
2. **INITIAL 10-DAY EXTENSION.** Any Respondent seeking an extension to file an Answer beyond the initial 20 days must request the extension from the Regional Manager or Supervisor **prior to** the original due date. The **“Request for 10-Day Extension”** must be in writing (fax or email) and include:
  - \* *Name of the case*
  - \* *DCR Docket Number*
  - \* *Your contact information*
  - \* *Date Answer was originally due*
  - \* *Extension date requested (no more than 10 days)*

The Regional Manager or Supervisor may grant such extension for a period of no more than 10 calendar days from the date the Answer was originally due to the DCR. This initial extension shall be granted liberally. Consent of the Complainant is not needed.

3. **SECOND EXTENSION.** *Except in housing discrimination cases*, if a Respondent seeks an additional extension beyond the “Initial 10-Day Extension” Respondent (or his/her attorney) must send a letter by fax or email to the Director for a second extension of time. This shall be done in writing (short letter) prior to the due date following the 10-day extension. The **“Request for a Second Extension”** must include the following:
  - \* *Name of the case (i.e., Jones v. Smith Corp.)*
  - \* *DCR Docket Number*
  - \* *Your contact information*
  - \* *Date Answer was originally due*
  - \* *Initial Extension date requested*
  - \* *Second extension date*
  - \* *Brief explanation of reason for extension request*

Telephone: (973) 648-6262  
[www.NJCivilRights.org](http://www.NJCivilRights.org)



All “**Requests for Second Extension**” must be faxed or emailed (do NOT send copy by mail or Fedex) to:

Mrs. Waleska Lucas  
Office of the Director  
NJ Division on Civil Rights  
31 Clinton Street  
Newark, NJ 07102  
FAX: (973) 648-7582  
PHONE: (973) 648-6262  
Email: [waleska.lucas@lps.state.nj.us](mailto:waleska.lucas@lps.state.nj.us)

The Director will consider each extension request and will advise the petitioning party by telephone and in writing of the decision. However, absent extraordinary circumstances, the **Director will not grant an extension of more than 30 days to file the Answer**. *Substitution of counsel will not automatically be considered “extraordinary circumstances” and will not ordinarily warrant granting an extension of time.*

4. **SUBSEQUENT REQUESTS FOR EXTENSION.** *Except in housing discrimination cases*, absent the most extraordinary circumstances (which does not include substitution of counsel) the Director will not entertain any more than a single extension of up to thirty days. Any Respondent who fails to file an Answer in a timely fashion and in accordance with law, regulation, or policy, will be subject to appropriate action or motion, wherein the Division may seek fees and costs for the costs associated with delays in filing Answers.
5. **SUBSTITUTION OF ATTORNEYS.** The Division will not allow the substitution of attorneys to delay its processing and investigation of a case. If Respondent retains new counsel prior to the filing of its Answer, Respondent will be granted an Initial 10-Day Extension, in accordance with the above policy.
6. **MEDIATION.** Upon service of the Complaint on Respondent (or Respondent’s attorney), if parties agree to submit to mediation the case will be “fast-tracked” to mediation which will be scheduled within 30 days. In such fast-track mediations, Respondent still must file an Answer in a timely fashion, but the answer will be sealed until the mediation is completed, but only if the mediation is completed within 30 days of the service of the Complaint on Respondent. If mediation fails, the Answer will no longer be under seal, and the investigation will commence.
7. **EXTENSIONS FOR PRODUCING DOCUMENTS, ETC.** The policies listed above refer not only to the filing of Answers to the Verified Complaints, but also to the production of documents and information by Respondents, Complainants, and attorneys.
8. **CONTINUANCES IN OAL.** Absent an appropriate basis as determined by the Director or the prosecuting Deputy, the Division will not agree to any continuances of cases before OAL that have been transferred to OAL more than 6 months before the continuance is requested. This includes continuances requested by Respondents who are represented by the Division of Law.
9. **HOUSING CASES.** Due to the extremely short statutory timeliness for housing discrimination matters, extensions of time beyond an *Initial 10-Day Extension* are prohibited in housing discrimination matters (except in the absolute rarest of circumstances). Failure to timely file Answers, Document and Information Requests, etc. in housing cases will result in an immediate issuance of a subpoena.

CC: Attorney General Peter C. Harvey  
First Assistant Attorney General Mariellen Dugan  
Office of Attorney General Chief of Staff Markus Green  
Division on Civil Rights Staff  
Division of Law, Civil Rights Section