

# Morris County Sheriff's Office

P.O. Box 900 • Morristown, New Jersey 07963-0900 • Phone 973-285-6600 • Fax 973-605-8312

**James M. Gannon**  
Sheriff



**Mark S. Spitzer**  
Undersheriff

**Alan J. Robinson**  
Undersheriff

**Edward K. Crooker**  
Chief



**Christopher E. Klein**  
Warden

**Richard A. Rose**  
Chief Warrant Officer

## ADVISORY

The NJ State Legislature passed a new bill that will change how Sheriff's Offices in New Jersey handle foreclosure sale adjournments and deeds (2A:17-36 and 2A:50-64). These new changes go into effect on July 29, 2019. In order to assist your firm with the transition, please take notice of the following changes to our policies on adjournments and deeds.

The defendant and plaintiff in a case are entitled to two (2) adjournment each of not more than thirty (30) days. There will be a fifth adjournment granted with the consent of both parties. For each defendant and plaintiff adjournment, our Office shall charge a \$28.00 fee as per statute (22A:4-8). Each of these adjournments shall be twenty-eight (28) days in length in order to maintain our sheriff sale schedule of weekly auctions occurring every Thursday. In order for our Office to accept the fifth adjournment, the defendant must present proof of consent in the form of a mutually signed document. For the plaintiff, we will accept the representation that there has been consent based upon the plaintiff attorney's status as an officer of the court. It shall be the responsibility of the parties to determine which party is assessed the adjournment fee for a consensual fifth adjournment. The adjournment request must reflect which party will be responsible for this fee.

We will not consider a bankruptcy filing as a request for an adjournment. Bankruptcy stays are federally mandated and we do not believe the Sheriff's Office has the authority to force the use of an adjournment for a case that is barred from moving forward under the bankruptcy rules. Cases that go into bankruptcy will be set for sale on the date prior to the writ's expiration for case management purposes. Once your office becomes aware of a dismissal, abandonment, or discharge, forward to us proof of same and the property will be listed for sale on the next available date provided that the provisions of 2A:17-36 have been met. Any case that has adjournment activity on file as of July 29, 2019 will be considered "grandfathered". We will continue to use the old adjournment rules on those cases. Any case with no adjournment activity as of July 29, 2019 will follow the new statute's rules.

As presented in 2A:50-64, the deed your firm creates should substantially conform to the indenture put forth in statute. Please forward your electronically signed deeds to our Post-Sale deeds email address ([sheriffdeeds@co.morris.nj.us](mailto:sheriffdeeds@co.morris.nj.us)). Our staff will review the deed once received. If there are corrections to be made, we will immediately return the document to the sender's email address. If the document is satisfactory, it will be delivered to the sheriff for signature. If we receive the draft deed from your office in a timely manner, the executed deed will be mailed via certified mail to your office within the fourteen (14) day time period allotted in 2A:50-64. Should a sale be made to a third party purchaser, the process for the completion of the deed shall be the same. However, our Office will mail the executed deed to the purchaser once the payment for the property has been completed.

If you have any questions regarding our procedures, contact the Morris County Sheriff's Office at 973-285-6666, select option number one (1) for the **Pre-sale Foreclosure Unit** or by email; [pre-saleforeclosureunit@co.morris.nj.us](mailto:pre-saleforeclosureunit@co.morris.nj.us)

Thank you.