Index

ABUSE OF PROCESS

Limitation of actions, § 1:2 Reference sources, § 1:3 Summary of law, § 1:1

ACCORD AND SATISFACTION

Avoidance of, § 2:5 Defense, as, § 2:2 Enforcing, § 2:6 Full payment checks, § 2:4 Partial performance, § 2:3 Reference sources, § 2:7 Summary of law, § 2:1

ACCOUNT, ACTION ON PAYMENT OF

Account stated, § 4:3
Actions on account, § 4:2
Reference sources, § 4:4
Summary of law, § 4:1

ACCOUNTING AT LAW

Procedure, § 3:2 Reference sources, § 3:3 Summary of law, § 3:1

ACCOUNT STATED

Filing, § 5:12

Action on payment of account, § 4:3

ADOPTION

Access to records by adults, § 5:21

Adults, adoption of
Procedures, § 5:14
Qualifications, § 5:11

American Indian children, § 5:4

Background checks for all adoptions, requirement, § 5:8
Confidentiality of records, § 5:20

Court policies on termination of adoption matters, § 5:9
Definition, § 5:5
Effect of, § 5:15
Filing procedure, § 5:12
Inheritance, effect of, § 5:15
Procedure
Adoption of adults, § 5:14

ADOPTION—Cont'd

Procedure after filing complaint, § 5:13

Qualifications, adoption of adults, § 5:11

Records

Access by adults, § 5:21

Confidentiality, § 5:20

Reference sources, § 5:22

Relative adoption, § 5:18

Safe Haven Protocol, § 5:2

Sibling visitation, § 5:16

Statutory background, § 5:1

Stepparent adoption, § 5:17

Same-sex couples, § 5:19

Summary of law, § 5:1

The Safe Haven Protection Act, § 5:3

Types of adoption, § 5:10

Venue, § 5:7

Who may institute action, § 5:6

AFFIDAVITS

Guardianship action, bringing, § 30:6

Professional negligence, affidavit of merit, § 47:8

AGENTS AND AGENCY

Generally, § 6:5

Authority of agent, § 6:8, 6:9

Capacity of parties, § 6:6

Creation of agency relationship, § 6:7

Delegation of authority of agent, § 6:9

Duties, § 6:11

Educational institutions' tort liability for conduct of officers, agents, and employees, § 21:3

Estoppel, agency by, § 6:12

Liabilities, § 6:11

Litigation by

Agent, § 6:3

Principal, § 6:2

Third party, § 6:4

Parties

Capacity of parties, § 6:6

Third party, litigation by, § 6:4

Power of attorney, § 6:10

Ratification, § 6:13

Real estate sales, escrow agents, § 49:4

Reference sources, § 6:15

Rights, § 6:11

Summary of law, § 6:1

Termination of agency relationship, § 6:14

Third party, litigation by, § 6:4

ALIENS

Name change in naturalization proceedings, § 39:2

ANATOMICAL GIFTS

Organ donations in wills, § 56:3

ANIMALS

Dog bites, § 7:2

Horses, § 7:3

Reference sources, § 7:5

Summary of law, § 7:1

Wild animals, § 7:4

ANTITRUST ACT

Generally, § 7A:1 et seq.

Clean hands doctrine, defense, § 7A:7

Complaints or counterclaims

Allegations, § 7A:12, 7A:13

Content of complaint, § 7A:10, 7A:11

Contract, combination or conspiracy in restraint of trade in commerce, illegal,

§ 7A:12

Drafting checklist, § 7A:9

Monopolization action, § 7A:11

Per se violation, § 7A:13

Price-fixing, § 7A:10

Exemptions, § 7A:5

Monopolization action, § 7A:4, 7A:11

Notice of motion to dismiss for failure to state a claim, § 7A:14

Per se violation, § 7A:13

Price-fixing complaint, § 7A:10

Private actions in general, § 7A:2

Reference sources, § 7A:15

Relief, § 7A:6

Restraint of trade action, defined, § 7A:3

APPEARANCE

Declaration of death, effect of reappearance, § 19:7

Guardianship proceedings, § 30:12

ARBITRATION

Employment agreement disputes, § 22:15

ARREST

False arrest by law enforcement officer, § 25:3

ASSAULT AND BATTERY

Defenses

Generally, § 8:2

Another, defense of, § 8:4

Real property, defense of, § 8:5

Self-defense, § 8:3

ASSAULT AND BATTERY—Cont'd

Provocation, § 8:6 Reference sources, § 8:7

Self-defense, § 8:3

Summary of law, § 8:1

ASSIGNMENTS

Contractual matters assignable

Generally, § 9:2

Personal services, § 9:3

Rights of action on contract, § 9:4

Defenses, § 9:7

Equitable assignments, generally, § 9:1

Judgments, § 9:5

Legal assignments, generally, § 9:1

Mortgages, assignment of, § 9:6

Reference sources, § 9:8

Summary of law, § 9:1

ATTORNEYS

Debt collector knows debtor is represented by attorney, additional "communication" after, § 18:7

Fees. Attorneys' Fees, this index

Guardian ad litem appointment and duties, § 30:9

Malpractice, § 47:5

Name, change of, § 39:3

Power of attorney, § 6:10

ATTORNEYS' FEES

Consumer fraud, § 16:6

Governmental agencies, claims against, § 28:27

Wage claims, § 22:20

BAIL BOND

Generally, § 11:1

BAILMENT

Reference sources, § 10:2

Summary of law, § 10:1

BATTERY

Assault and Battery, this index

Professional malpractice, § 47:3

BILLING ERRORS

Consumer Credit Billing Errors (this Index)

BLUE PENCIL DOCTRINE

Employment disputes, § 22:31

BONDS

Generally, § 11:1

BUSINESS PREMISES

Liability, § 44:1

CANCELLATION

Rescission, this index

CANNABIS LAW

Employment discrimination, users, § 22:4

CERTIFICATES AND CERTIFICATION

Guardianship application, developmentally disabled people receiving government assistance, certification by chief executive officer, § 30:15

CHANGE OF NAME

Name, Change of, this index

CHARGES TO JURY

Model Civil Jury Charges, § Appendix

CHECKS

Accord and satisfaction, full payment checks, § 2:4

CHOICE OF LAW

Employee statutory rights, § 22:7 Products liability claims, § 46:12

CHOICE OF REMEDIES

Rescission, § 50:5

CIVIL JURY CHARGES

Model Civil Jury Charges, § Appendix

CLEAN HANDS DOCTRINE

Antitrust Act, § 7A:7

COLLATERAL ESTOPPEL

Generally, § 24:7

Indemnity claims, § 31:8

Offensive, § 24:9

Res judicata and, § 24:8

COMMERCIAL PAPER

Limitation of actions, § 12:2

Reference sources, § 12:3

Summary of law, § 12:1

COMMERCIAL PREMISES

Liability, § 44:1

COMMON CARRIERS

Public Transportation, this index

COMMON LAW

Loyalty to employer, duty of, § 22:25

COMPARATIVE NEGLIGENCE

Doctrine of comparative negligence, § 40:3 Governmental agencies, claims against, § 28:26 Motor vehicles actions, § 38:5 Negligence actions consideration, § 40:3 Professional malpractice actions, § 47:7

COMPENSATORY DAMAGES

Wrongful death and survivorship actions, § 57:4

COMPETITION

Unfair competition, § 55A:1

COMPLAINT

See also Pleadings, this index Declaration of death, § 19:10 Guardianships, § 30:5, 30:14

COMPLAINTS

Gestational carriers, attachments to complaint, § 27A:3

CONDEMNATION

Intervention, § 13:2 Inverse condemnation, § 13:3 Power to condemn, § 13:2 Procedure, § 13:2 Reference sources, § 13:4 Summary of law, § 13:1

CONDITIONAL BONDS

Generally, § 11:1

CONFIDENTIALITY

Trade secrets, § 22:26

CONSCIENTIOUS EMPLOYEE PROTECTION ACT

Generally, § 22:14

CONSERVATORS AND CONSERVATORSHIPS

Action for conservatorship, § 30:18

CONSTRUCTION AND CONSTRUCTION CONTRACTS

Educational institutions' tort liability for conduct of officers, agents, and employees as to, § 21:3

CONSTRUCTION AND INTERPRETATION

Consumer contracts, Plain Language Act, § 14:2 Indemnity contracts, § 31:2 Wills, § 56:1, 56:14

CONSUMER CONTRACTS

Construction and interpretation of, § 14:1 Plain Language act, § 14:1 Reference sources, § 14:2

CONSUMER CONTRACTS—Cont'd

Summary of law, § 14:1

CONSUMER CREDIT BILLING ERRORS

Generally, § 15:1

Defenses, § 15:4

Fair credit reporting, § 15:2

Forms, § 15:5

Reference sources, § 15:3

CONSUMER DEBTS, COLLECTION OF

Fair Debt Collections Practices Act (FDCPA), this index

Reference sources, § 18:12

Summary of law, § 18:1

CONSUMER FRAUD

Attorneys' fees, § 16:6

Claims, § 16:1

Consumer protection agencies, § 16:2

Covered activities, § 16:3

Damages, calculation of, § 16:5

Out of network consumer protections, health insurance, § 16:7

Procedure, § 16:8

Products liability, compared, § 46:3

Relief available

Generally, § 16:4

Attorneys' fees, § 16:6

Calculation of damages, § 16:5

Summary of law, § 16:1

Truth in Consumer Contract, Warranty, and Notice Act, § 55:4

CONSUMER PROTECTION AGENCIES

Generally, § 16:2

CONTRACTS

Assignments, contractual matters assignable, § 9:2 to 9:4

Bond as contract, § 11:1

Construction and Interpretation, this index

Consumer Contracts, this index

Defenses, § 17:3

Employment, this index

Express contracts, § 31:3

Guaranty, this index

Implied contracts, § 31:4

Indemnity provisions, § 31:2 to 31:4

Insurance contracts, § 17:2

Interference with contractual relations, § 33:1, 33:2

New Jersey Contractual Liability Act, § 28:3

Non-parties to contract, § 17:4

Plain Language Act, § 17:1 to 17:5

CONTRACTS—Cont'd

Public works contracts and discrimination, § 19A:3

Reference sources, § 17:5, 33:2

Specific Performance, this index

Summary of law, § 17:1, 33:1

CONVERSION OF PROPERTY

Generally, § 17A:1, 17A:2

CORPORATE BONDS

Generally, § 11:1

COVENANT NOT TO SUE

Releases and Settlements (this Index)

CREDITORS

Consumer Credit Billing Errors (this Index)

Fair Debt Collection Practices Act (FDCPA), this index

Fraudulent conveyances remedies, § 27:2, 27:4

DAMAGES

Consumer fraud, § 16:5

Employment contract restrictive covenant, liquidated damages for breach, $\S~22:30$

Fraud and misrepresentation actions, § 26:4

Liquidated damages for breach, employment contract, § 22:30

Malicious prosecution actions, § 37:3

Negligence, damages to personal property, § 40:10

Provocation as mitigating factor, § 8:6

Punitive Damages, this index

Truth in Consumer Contract, Warranty, and Notice Act, § 55:4

Wrongful death and survivorship actions, § 57:4

DANGEROUS CONDITIONS OR PROPERTY

Generally, § 28:17

Emergency warning signals, failure to provide, § 28:19

Governmental Agencies, Claims Against, this index

Indemnity arising from failure to correct, § 31:6

Notice of, § 28:18

Ordinary traffic signals, failure to provide, § 28:19

Plan or design, § 28:23

Unimproved public property, condition of, § 28:22

Weather conditions, effect on streets and highways, § 28:24

DEATH AND DEATH ACTIONS

Declaration of Death, this index

Wrongful Death and Survivorship Actions, this index

DECEDENT'S ESTATE

Probate of will. Wills, this index

INDEX

DECLARATION OF DEATH

Action for, summary action, § 19:11

Complaint, § 19:10

Diligent search, § 19:2

Hearing, § 19:13

Judgment, § 19:15

Letters issued, § 19:14

Parties defendant, § 19:12

Presumptions, § 19:1, 19:4, 19:5

Proof needed to make out presumption, § 19:4

Reappearance, § 19:7

Rebuttal of presumption, § 19:5

Reference sources, § 19:16

Sale or other disposition of real property, § 19:8

Statute, use, § 19:6

Summary action, § 19:11

Summary of law, § 19:1

Time of death, § 19:3

Trustee, manage property of absentee not declared dead, § 19:9

Use of statute, § 19:6

DEFENDANTS

Parties defendant, declaration of death actions, § 19:12

DEFENSE OF ANOTHER

Generally, § 8:4

DEFENSE OF REAL PROPERTY

Generally, § 8:5

DEFENSES

Accord and satisfaction actions, § 2:2

Another, defense of, § 8:4

Antitrust Act, clean hands, § 7A:7

Assault and battery actions, § 8:2 to 8:5

Assignments, actions on, § 9:7

Consumer credit billing errors, § 15:4

Contracts and agreements, § 17:3

Estoppel actions, § 24:12

False arrest actions, § 25:5

False imprisonment actions, § 25:5

Fraud and misrepresentation actions, § 26:3

Fraudulent conveyances actions, § 27:3

Malicious prosecution actions, § 37:5

Malpractice actions, professional, § 47:7

Motor vehicles, products liability disputes, § 46:21

Negligence actions, § 40:9

New motor vehicles disputes, § 46:21

Products liability, new motor vehicles disputes, § 46:21

DEFENSES—Cont'd

Professional malpractice actions, § 47:7 Real property, defense of, § 8:5 Reformation actions, § 51:3 Self-defense, § 8:3 Specific performance actions, § 53:10 Wage claims, § 22:19 Waiver actions, § 24:12

DEFINITIONS

Bonds, § 11:1
Debt collector, § 18:4
Guaranty, § 29:1
Restraint of trade action, § 7A:3

DELEGATION

Agent's authority, of, § 6:9

DEMOTION

Employment, § 22:13

DILIGENCE

Declaration of death, diligent search, § 19:2

DISCHARGE

Employment, § 22:13

DISCOVERY DOCTRINE

Products liability, § 46:5

DISCOVERY RULE

Wrongful death and survivorship actions, § 57:6

DISCRETION

Governmental agencies, claims against, attorneys' fees award, § 28:27

DISCRETIONARY

Governmental agencies, claims against, § 28:6

DISCRIMINATION

Generally, § 19A:1 to 19A:4
Public works contracts, § 19A:3
Unlawful employment practices, § 19A:2
Wage discrimination based on sex, § 22:21

DISMISSAL

Antitrust Act, notice of motion to dismiss, § 7A:14

DISTRESS

Intentional Infliction of Emotional Distress, this index

DIVORCE

Reference sources, § 20:2 Summary of law, § 20:1

DOG BITES

Generally, § 7:2

DRUGS

Warning labels, products liability, § 46:11

DRUNK DRIVING

Causes of action, § 38:7

DURATION

Employment, § 22:8

EDUCATIONAL INSTITUTIONS, TORT LIABILITY OF

Acts and omissions of officers, agents, and employees, § 21:3

Construction, operation, management, or use of public buildings and other property, § 21:4

Exceptions and limitations on governmental immunity doctrine, § 21:2

Reference sources, § 21:5

Summary of law, § 21:1

EMERGENCY WARNING SIGNALS

Failure to provide, § 28:19

EMINENT DOMAIN

Intervention, § 13:2

Inverse condemnation, § 13:3

Power to condemn, § 13:2

Procedure, § 13:2

Reference sources, § 13:4

Summary of law, § 13:1

EMOTIONAL DISTRESS

Intentional Infliction of Emotional Distress, this index

EMPLOYMENT

Arbitrate disputes agreement, § 22:15

Blue Pencil Doctrine, § 22:31

Breach of employment agreement, § 22:12

Cannabis users, discrimination, § 22:4

Choice of law and employee statutory rights, § 22:7

Conscientious Employee Protection Act of New Jersey, § 22:14

Contracts

Arbitrate disputes agreement, § 22:15

Breach of employment agreement, § 22:12

Permanent employment contract, validity of, § 22:6

Demotion, § 22:13

Discharge, § 22:13

Discrimination

Equal Pay Act, § 22:22

Sex, § 22:21

Unlawful practices, § 19A:2

Duration, § 22:8

EMPLOYMENT—Cont'd

Duties of employee to employer

Generally, § 22:23

Loyalty, § 22:25

Duties of employer to employee, § 22:11

Educational institutions' tort liability for conduct of employees, § 21:3

Employee manuals, § 22:10

Employee statutory rights and choice of law, § 22:7

Equal Pay Act, § 22:22

Hiring, negligent, § 22:34

Injuries caused by employee, employer's liability for, § 22:33

Inventions of employee, § 22:27

Liability of employer for torts caused by employee, § 22:33

Liquidated damages, § 22:30

Loyalty, duty of, § 22:25

Manuals, employee, § 22:10

Minimum Wage Standards Act, recovery under, § 22:17

Negligent hiring, § 22:34

New Jersey Conscientious Employee Protection Act, § 22:14

New Paid Sick Leave Law, § 22:24

Nondisclosure agreements, law curtailing, § 22:32

Paid meal breaks, § 22:5

Permanent employment contract, validity of, § 22:6

Reference sources, § 22:35

Relationship, factors to consider, § 22:9

Respondeat superior liability of employer, § 22:33

Restrictive covenants

Generally, § 22:28

Blue Pencil Doctrine, § 22:31

Liquidated damages for breach, § 22:30

Scope of restriction, § 22:29

Retaliatory action, § 22:13

Sex discrimination, § 22:21

Social media privacy, § 22:3

Statute of limitations, wage claims, § 22:18

Summary of law, § 22:1

Termination, § 22:8

Tobacco users, discrimination, § 22:4

Trade secrets of employer, § 22:26

Unemployment discrimination, advertisement, § 22:2

Wage claims

Attorney fees and costs award to employer, § 22:20

Compensation for wages, § 22:16

Defense to wage claims, § 22:19

Discrimination based on sex, § 22:21

Limitation of actions, § 22:18

Minimum Wage Standards Act, recovery under, § 22:17

ENFORCEMENT

Accord and satisfaction actions, § 2:6
False arrest or imprisonment actions, § 25:3
Governmental agencies, claims against, § 28:7

ENTRY UPON PROPERTY

Governmental agencies, claims against, § 28:9 Trespass, this index

ENVIRONMENTAL TORTS

Reference sources, § 23:2 Summary of law, § 23:1

EQUAL PAY ACT

Employment discrimination, § 22:22

EQUITABLE ESTOPPEL

Generally, § 24:4

Governmental action, applied to, § 24:5

EQUITABLE INTERESTS

Assignments, § 9:1

ESCROW

Real estate sales, escrow agents, § 49:4

ESTATES

Probate of will. Wills, this index

ESTOPPEL

Agency by, § 6:12 Collateral estoppel Generally, § 24:7 Indemnity claims, § 31:8 Offensive, § 24:9 Res judicata and, § 24:8

Deed, by, § 24:3

Defenses, § 24:12

Distinction between estoppel and waiver, § 24:11

Equitable estoppel

Generally, § 24:4

Governmental action, applied to, § 24:5

Laches estoppel, § 24:2

Promissory estoppel, § 24:6

Real estate deed, by, § 24:3

Reference sources, § 24:13

Res judicata and collateral estoppel, § 24:8

Summary of law, § 24:1

Waiver

Generally, § 24:10

Defenses, § 24:12

Distinction between estoppel and waiver, § 24:11

EVICTION

Mobile homes, § 35:2

EXCESSIVE FORCE

Police, governmental agencies, claims against, § 28:16

EXEMPTIONS

Antitrust Act, § 7A:5

FAIR CREDIT REPORTING

Consumer credit billing errors, § 15:2

FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)

Abuse, § 18:6

Additional "communication" after debt collector knows debtor is represented by attorney, § 18:7

Attorneys engaged in consumer debt collection practices, § 18:1

Civil liability, § 18:11

Communications with third parties, § 18:5

Covered debts, § 18:2

Debt collector, defined, § 18:4

Debts covered, § 18:2

False representations, § 18:8

Harassment, generally, § 18:6

Misrepresentation, § 18:8

Notices required, § 18:3

Reference sources, § 18:12

Service charge, § 18:9

Summary of law, § 18:1

Unfair practices, § 18:10

FALSE ARREST OR IMPRISONMENT

Defenses, § 25:5

Judicial or quasi-judicial officer, by, § 25:4

Law enforcement officer, by, § 25:3

Private individual, by, § 25:2

Reference sources, § 25:6

Summary of law, § 25:1

FINES AND PENALTIES

Truth in Consumer Contract, Warranty, and Notice Act, § 55:4

FIREFIGHTERS

Negligence, § 40:7

FOREIGN JUDGMENTS

Suit on

Summary of law, § 34:1

FORMS

Consumer credit billing errors, § 15:5 Public accommodations, § 47A:3

FORMS-Cont'd

Rescission, form drafting principles, § 50:2

FRAUD AND MISREPRESENTATION

Consumer Fraud, this index

Damages, § 26:4

Defenses, § 26:3

Elements of legal fraud, § 26:2

Fair Debt Collection Practices Act (FDCPA), § 18:8

Governmental agencies, claims against, § 28:10

Legal fraud, elements of, § 26:2

Products liability, § 46:10

Reference sources, § 26:5

Summary of law, § 26:1

FRAUDULENT CONVEYANCES

Creditors' remedies, § 27:2, 27:4

Defenses, § 27:3

Liabilities and protections of certain transferees, § 27:4

Limitation of actions, § 27:5

Reference sources, § 27:6

Remedies of creditors, § 27:2, 27:4

Summary of law, § 27:1

FREEDOM OF INFORMATION REQUESTS

Federal law, § 47B:1

New Jersey law, § 47B:2

FUNERALS

Control of, § 56:4

GESTATIONAL CARRIERS

Generally, § 27A:1 et seq.

Agreement, in accordance with statute, § 27A:2

Attachments to complaint, § 27A:3

Complaint, attachments to, § 27A:3

New Jersey Gestational Carrier Agreement Act, § 27A:1

GOVERNMENTAL AGENCIES, CLAIMS AGAINST

Attorney's fees, award of, § 28:27

Comparative negligence, § 28:26

Contractual Liability Act, § 28:3

Dangerous conditions, notice of, § 28:18

Dangerous property

Generally, § 28:17

Emergency warning signals, failure to provide, § 28:19

Notice of dangerous conditions, § 28:18

Ordinary traffic signals, failure to provide, § 28:21

Plan or design, § 28:23

Unimproved public property, condition of, § 28:22

Weather conditions, effect on streets and highways, § 28:24

GOVERNMENTAL AGENCIES, CLAIMS AGAINST—Cont'd

Design or plan, § 28:23

Discretionary activities, § 28:6

Discretion to award attorney's fees, § 28:27

Emergency warning signals, failure to provide, § 28:19

Entry upon property, § 28:9

Immunity of public entity

Generally, § 28:5

Discretionary activities, § 28:6

Educational institutions, tort liability, § 21:2

Plan or design, § 28:23

Traffic signals, failure to provide, § 28:21

Unimproved public property, condition on, § 28:22

Weather conditions' effect on streets and highways, § 28:24

Indemnification

Generally, § 28:29

Refusal to defend, § 28:30

Judgment as bar to suits against public employees, § 28:28

Law making and enforcement, § 28:7

Liability of public entity for injuries

Generally, § 28:4

Discretionary activities, § 28:6

Immunity, above

Law making and enforcement, § 28:7

New Jersey Contractual Liability Act, § 28:3

Permanent injury, below

Supervision of public recreational facilities, § 28:8

Misrepresentation, § 28:10

New Jersey Contractual Liability Act, § 28:3

Notice of dangerous conditions, § 28:18

Ordinary traffic signals, failure to provide, § 28:21

Permanent injury

Generally, § 28:25

Mechanical repair, despite, § 28:31

Plan or design, § 28:23

Police, excessive force, § 28:16

Public benefits, § 28:8, 28:12

Public recreational facilities, supervision of, § 28:8, 28:11

Recreational facilities, § 28:8, 28:11

Reference sources, § 28:32

Refusal to defend suit against employee, entity's, § 28:30

Settlement as bar to suits against public employees, § 28:28

Slander of title, § 28:8, 28:13

Spill Act, § 28:14

Suits against public employees

Indemnification, § 28:29, 28:30

Judgment of settlement as bar, § 28:28

GOVERNMENTAL AGENCIES, CLAIMS AGAINST—Cont'd

Suits against public employees—Cont'd Refusal to defend, entity's, § 28:30 Summary of law, § 28:1 Supervision of public recreational facilities, § 28:8, 28:11 Telephone poles, § 28:20 Traffic signals, failure to provide, § 28:21 Unimproved public property, condition of, § 28:22 Weather conditions, effect on streets and highways, § 28:24 Willful misconduct, § 28:8, 28:15

GUARANTY

Generally, § 29:1 Reference sources, § 29:2

GUARDIAN AD LITEM

Generally, § 30:10 Appointment of, § 30:10 Attorney, appointment and duties of, § 30:9

GUARDIANS AND GUARDIANSHIPS Affidavit, bringing action, § 30:6 Appearance at trial, § 30:12 Attorney, appointment and duties of, § 30:9 Bringing action, generally, § 30:4 et seq. Complaint for, § 30:5, 30:14 Conservatorships, § 30:18 Directive 06-23, § 30:3 Foster caregivers, § 30:2 Guardian ad litem, appointment of, § 30:10 Hearing, order for notice of, § 30:7 Incapacitated person, rights of, § 30:8 Judgment, model, § 30:13 Jurisdiction, § 30:4 Kinship Guardianship Act, § 30:27 Medical guardian, special, § 30:19 Notice of hearing, order for, § 30:7 Order for notice of hearing, § 30:7 Order granting application, § 30:22 Procedure, § 30:21 Proceedings Return to capacity, § 30:16 Review, § 30:8 Protective arrangements Generally, § 30:28 Sale of lands of ward, § 30:29

Reference sources, § 30:30

Review, proceedings for, § 30:8

Return to capacity, proceedings for, § 30:16

GUARDIANS AND GUARDIANSHIPS—Cont'd

Rights of an incapacitated person, § 30:8

Services being received from division of developmental disabilities, seeking guardianship over person

Certification by chief executive officer, § 30:15

Verified complaint, § 30:14

Special medical guardian, § 30:19

Standby guardianship

Generally, § 30:23

Legal effect of, § 30:25

Refusal to accept appointment, § 30:24

Revocation of, § 30:26

Summary of law, § 30:1

Trial

Generally, § 30:11

Appearance at, § 30:12

Judgment, model, § 30:13

Uniform Veterans Guardianship Law, § 30:17

Venue, § 30:20

Veterans, § 30:17

HARASSMENT

Consumer debt collection practices, § 18:6

HEARING

Declaration of death action, § 19:13

Guardianship action, § 30:7

HIRING

Employment hiring, negligence, § 22:34

HORSES

Generally, § 7:3

IMMUNITY OF PUBLIC ENTITY

Governmental Agencies, Claims Against, this index

IMPRISONMENT

False Arrest or Imprisonment, this index

INCAPACITATED PERSONS

Rights, guardians and guardianships, § 30:8

INDEMNITY AND INDEMNIFICATION

Generally, § 31:1 et seq.

Collateral estoppel, § 31:8

Construction of contracts, § 31:2

Corporate agents, § 31:7

Dangerous condition, failure to correct, § 31:6

Directors of corporation, § 31:7

Employees of corporation, § 31:7

Express contracts, § 31:3

INDEMNITY AND INDEMNIFICATION—Cont'd

Implied contract, § 31:4
Invalidation of indemnity agreements, § 31:8
Negligence, resulting from, § 31:5, 31:6
Officers of corporation, § 31:7
Reference sources, § 31:9
Summary of law, § 31:1

INFLICTION OF EMOTIONAL DISTRESS

Intentional Infliction of Emotional Distress, this index

INFORMED CONSENT

Professional malpractice, § 47:4

INHERITANCE

Adoption, effect of, § 5:15

INSTRUCTIONS TO JURY

Model Civil Jury Charges, § Appendix

INSURANCE

Health insurance, out of network consumer protections, § 16:7 Policy limits, proof, motor vehicles, § 38:11 Title insurance, real estate sales, § 49:3

INTENT

Wills, intent of testator, § 56:14

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

Reference sources, § 32:2 Summary of law, § 32:1

INTERFERENCE

Contractual relations, interference with, § 33:1, 33:2 Prospective economic advantage, interference with, § 33:1, 33:2

INTERVENTION

Condemnation, § 13:2

INTESTACY

Generally, § 56:6

INVENTIONS

Employee's, § 22:27

INVERSE CONDEMNATION

Condemnation, § 13:3 Eminent domain, § 13:3

JOINDER

Wrongful death and survivorship actions, § 57:3

JUDGMENTS

Assignment of, § 9:5
Declaration of death, § 19:15

JUDGMENTS—Cont'd

Foreign judgment, suit on

Reference sources, § 34:2

Summary of law, § 34:1

Guardianships judgment, model, § 30:13

Public employees, judgment of settlement as bar to suits against, § 28:28

Res judicata, generally, § 24:8

Specific performance, enforcement of judgment, § 53:2

JUDICIAL OR QUASI-JUDICIAL OFFICER

False arrest or imprisonment by, § 25:4

JURISDICTION

Guardianships, § 30:4

JURY INSTRUCTIONS

Model civil jury charges, § Appendix

KINSHIP GUARDIANSHIP ACT

Guardian and ward, § 30:27

LACHES

Estoppel, § 24:2

Specific performance, § 53:5

LANDLORD AND TENANT

Mobile homes, eviction, § 35:2

Summary of law, § 35:1

LAW ENFORCEMENT OFFICER

False arrest or imprisonment by, § 25:3

LIBEL AND SLANDER

Reference sources, § 36:2

Summary of law, § 36:1

LIFE INSURANCE

Wills, § 56:15

LIMITATION OF ACTIONS

Statute of Limitations, this index

LIQUIDATED DAMAGES

Breach of employment contract, § 22:30

LOST PROFITS

Products liability, § 46:2

LOYALTY

Employee's duty to employer, § 22:25

MALICIOUS PROSECUTION

Generally, § 37:2

Damages, § 37:3

Defenses, § 37:5

INDEX

MALICIOUS PROSECUTION—Cont'd

Disfavored tort, § 37:1

Procedure, § 37:2

Professionals, unprofessional conduct claim against, § 37:4

Reference sources, § 37:7

Statute of limitations, § 37:6

Statutory claim, unprofessional conduct, § 37:4

Summary of law, § 37:1

Unprofessional conduct claim, § 37:4

MALPRACTICE

Professional Malpractice, this index

MANUALS

Employee manuals, § 22:10

MEALS

Employment, paid meal breaks, § 22:5

MEDICAL

Malpractice, exercise of judgment, § 47:6

Special medical guardian, § 30:19

MEDICAL AID IN DYING FOR THE TERMINALLY ILL ACT

Wills, § 56:5

MINIMUM WAGE STANDARDS ACT

Recovery under, § 22:17

MISREPRESENTATION

Fraud and Misrepresentation, this index

MOBILE HOME COMMUNITIES

Real estate sales, § 49:2

MOBILE HOMES

Eviction, § 35:2

MODEL CIVIL JURY CHARGES

Generally, § Appendix

MORTGAGES

Assignment of, § 9:6

MOTOR VEHICLES

Generally, § 38:1 et seq.

Comparative negligence, § 38:5

Drunk driving, causes of action, § 38:7

Duty, violation of statutory duty, § 38:3

Insurance fraud, § 38:12

Insurance policy limits, proof, § 38:11

Lawsuit option, limitation, § 38:2

Limitation on lawsuit option, § 38:2

Reference sources, § 38:13

MOTOR VEHICLES—Cont'd

Seat belts, use of, § 38:4
Statute of limitations
Generally, § 38:8
Tolling, § 38:9
Statutory duty, violation of, § 38:3
Summary of law, § 38:1
Vehicle registration, proof, § 38:10
Vicarious liability, § 38:6

NAME, CHANGE OF

Attorney's name, § 39:3 Naturalization proceedings, § 39:2 Reference sources, § 39:4 Summary of law, § 39:1

NATURALIZATION PROCEEDINGS

Name, change of, § 39:2

NEGLIGENCE

Comparative Negligence, this index Considerations in action for, § 40:2 Damages to personal property, § 40:10 Defenses, § 40:9 Duty to inspect after power outage, § 40:8 Emotional distress, infliction of, § 40:6 Employment hiring, § 22:34 Firefighters, § 40:7 Infliction of emotional distress, § 40:6 Matters to consider in action for, § 40:2 OSHA regulations, violating, § 40:5 Reference sources, § 40:11 Regulations, violating, § 40:5 Sports, § 40:4 Statutes, violating, § 40:5 Summary of law, § 40:1

NEW BUSINESSES

Products liability, § 46:2

NEW CAR DEFECTS

Breach of, § 46:7, 46:15
Defenses, § 46:21
Dispute resolution procedures, § 46:19
Inability to repair or correct nonconformity, § 46:17
Notice of rights, § 46:20
Presumptions, § 46:18
Reference sources, § 46:23
Repairs and costs, § 46:16
Report of nonconformity of vehicle, § 46:16

NEW JERSEY CONTRACTUAL LIABILITY ACT

Generally, § 28:3

NEW JERSEY GESTATIONAL CARRIER AGREEMENT ACT

Generally, § 27A:1

NONDISCLOSURE AGREEMENTS

Workplace, law curtailing, § 22:32

NOTICE

Antitrust Act, motion to dismiss, § 7A:14

Dangerous conditions, notice by governmental agencies, § 28:18

Fair Debt Collection Practices Act (FDCPA), § 18:3

Guardianship hearing, notice of order for, § 30:7

New motor vehicles rights, § 46:20

Products liability, notice of rights, § 46:20

Truth in Consumer Contract, Warranty, and Notice Act, this index

NUISANCES

Reference sources, § 41:2

Summary of law, § 41:1

OCCUPATIONAL SAFETY AND HEALTH

Negligence due to violating

Regulations, § 40:5

Statutes, § **40:5**

Regulations violation as negligence, § 40:5

Statutes violation as negligence, § 40:5

OFFICERS AND EMPLOYEES

Educational institutions' tort liability for conduct of, § 21:3

OPTIONS

Real estate, options to buy, § 49:5

ORAL MATTERS

Wills, oral contracts to make a will, § 56:10

ORDERS

Guardianship proceedings

Grant of application, order, § 30:22

Notice of hearing, order for, § 30:7

ORGAN DONATIONS

Wills, § 56:3

PARENTAL RIGHTS

Court policies on termination of parental rights, § 5:9

PARTIES

Adoption actions, § 5:6

Declaration of death action, "parties defendant," § 19:12

Partition action, § 42:2

Third Party, this index

PARTITION

Parties, § 42:2 Pleadings, § 42:2 Reference sources, § 42:4 Remedies, § 42:3 Summary of law, § 42:1

PART PERFORMANCE

Accord and satisfaction, § 2:3

PENALTIES

Fines and Penalties, this index

PERFORMANCE

Partial performance, accord and satisfaction, § 2:3 Specific Performance, this index

PERMANENCY

Employment contract, validity of permanent, § 22:6 Government agencies, claims against for permanent injuries, § 28:25, 28:31

PERSONAL PROPERTY

Specific performance, contract requirements, § 53:7 Trespass actions, § 54:2

PERSONAL SERVICES

Contractual matter assignable, § 9:3
Specific performance, contract requirement, § 53:8

PLAIN LANGUAGE ACT

Generally, § 14:1

PLEADINGS

Gestational carriers, attachments to complaint, § 27A:3 Partition action, § 42:2 Professional malpractice action, § 47:2 Reformation action, § 51:2

POLICE

Excessive force, governmental agencies, claims against, § 28:16

POSSESSION OF LAND, ACTION FOR

Reference sources, § 43:2 Summary of law, § 43:1

POWER OF ATTORNEY

Generally, § 6:10

PREMISES LIABILITY

Business and commercial premises, § 44:1 Reference sources, § 44:3 Residential premises, § 44:2 Summary of law, § 44:1

PRESUMPTIONS

Declaration of death, § 19:1, 19:4, 19:5 Products liability, new motor vehicles, § 46:18

PRICE-FIXING

Antitrust Act, § 7A:10

PRIVACY

Generally, § 45:1

Reference sources, § 45:2

PROBATE OF WILL

Wills, this index

PRODUCTS LIABILITY

Bases of liability, § 46:4

Breach of warranty, § 46:7

Choice of law and forum, § 46:12

Consumer fraud, compared, § 46:3

Crashworthiness doctrine, § 46:8

Death actions, § 46:22

Discovery doctrine, § 46:5

Doctrines

Crashworthiness, § 46:8

Discovery, § 46:5

Fraud, deceit, and misrepresentation, § 46:10

Lost profits, § 46:2

Motor vehicles, new

Breach of warranty, generally, § 46:15

Defenses, § 46:21

Dispute settlement procedures, § 46:19

Inability to repair or correct nonconformity, § 46:17

Notice of rights, § 46:20

Presumptions, § 46:18

Repairs and costs, § 46:16, 46:17

Report of nonconformity of vehicle, § 46:16

Negligence, § 46:6

New businesses, § 46:2

Procedural guide, § 46:13

Punitive damage statutes, § 46:14

Reference sources, § 46:23

Strict liability in tort, § 46:9

Summary of law, § 46:1

Theories of liability, § 46:4

Warning labels, drugs, § 46:11

PROFESSIONAL MALPRACTICE

Affidavit of merit required, professional negligence, § 47:8

Battery, § 47:3

Comparative negligence as defense, § 47:7

PROFESSIONAL MALPRACTICE—Cont'd

Defense, comparative negligence as, § 47:7

Exercise of judgment, § 47:6

Informed consent, § 47:4

Legal malpractice, generally, § 47:5

Medical malpractice, exercise of judgment, § 47:6

Pleadings, § 47:2

Reference sources, § 47:9

Summary of law, § 47:1

PROFESSIONAL NEGLIGENCE

Affidavit of merit required, § 47:8

PROMISSORY ESTOPPEL

Generally, § 24:6

PROPERTY

Conversion of, § 17A:1, 17A:2

Negligence and damages to personal property, § 40:10

PROSPECTIVE ECONOMIC ADVANTAGE

Generally, § 33:1, 33:2

PROVOCATION

Assault and battery, § 8:6

PUBLIC ACCOMMODATIONS

Forms, § 47A:3

Reference sources, § 47A:2

Summary of law, § 47A:1

PUBLIC BENEFITS

Claims against governmental agencies, § 28:8, 28:12

Guardianship of persons receiving services being received from division of developmental disabilities, § 30:14

PUBLIC BUILDINGS

Educational institutions' tort liability as to construction, operation, management, or use of public buildings and other property, § 21:4

PUBLIC RECORDS

Federal law, § 47B:1

New Jersey law, § 47B:2

Reference sources, § 47B:3

PUBLIC TRANSPORTATION

Liability for injury from operation of carrier, § 48:2

Reference sources, § 48:3

Summary of law, § 48:1

PUBLIC WORKS

Discrimination, § 19A:3

PUNITIVE DAMAGES

Products liability actions, § 46:14

Wrongful death and survivorship actions, § 57:4

REAL ESTATE

Condition of unimproved public property, immunity, § 28:22, 28:23

Dangerous property, § 28:18 et seq.

Declaration of death, effect of, § 19:8

Defense of, § 8:5

Educational institutions' tort liability as to construction, operation, management, or use of public buildings and other property, § 21:4

Entry upon property, claims against governmental agencies, § 28:9

Estoppel deed, § 24:3

Mortgages, assignment of, § 9:6

Possession of land, action for, § 43:1, 43:2

Premises Liability, this index

Sales. Real Estate Sales, this index

Trespass, § 54:1

REAL ESTATE SALES

Contract law principles, applicability of, § 49:1

Declaration of death, effect of, § 19:8

Escrow agents, § 49:4

Guardianship protective arrangements, sale of ward's lands, § 30:29

Mobile home communities, § 49:2

Options to buy real estate, § 49:5

Reference sources, § 49:6

Specific performance, § 53:6

Summary of law, § 49:1

Title insurance, § 49:3

RECREATIONAL FACILITIES

Governmental supervision of, § 28:8, 28:11

REFERENCE SOURCES

Abuse of process, § 1:3

Accord and satisfaction, § 2:7

Account, action on payment of, § 4:4

Accounting at law, § 3:2

Adoption, § 5:22

Agency, § 6:15

Animals, § 7:5

Assault and battery, § 8:7

Assignments, § 9:8

Bailment, § 10:2

Collection of consumer debts, § 18:12

Commercial paper, § 12:3

Condemnation, § 13:4

Conservatorships, § 30:18

Consumer contracts, § 14:2

REFERENCE SOURCES—Cont'd

Consumer credit billing errors, § 15:3

Consumer debts, collection of, § 18:12

Consumer fraud, § 16:9

Contracts, § 17:4, 17:5, 33:2

Conversion of property, § 17A:2

Declaration of death, § 19:16

Discrimination, § 19A:4

Divorce actions, § 20:2

Educational institutions, tort liability of, § 21:5

Eminent domain, § 13:4

Employment, § 22:33

Environmental torts, § 23:2

Estoppel, § 24:13

Fair Debt Collection Practices Act (fdcpa), § 18:12

False arrest, § 25:6

False imprisonment, § 25:6

Foreign judgment, suit on, § 34:2

Fraud and misrepresentation, § 26:5

Fraudulent conveyances, § 27:6

Governmental agencies, claims against, § 28:32

Guaranty, § 29:2

Guardians and guardianships, § 30:30

Indemnity, § 31:9

Intentional infliction of emotional distress, § 32:2

Judgments, suit on foreign judgments, § 34:2

Landlord and tenant, § 35:3

Libel and slander, § 36:2

Malicious prosecution, § 37:7

Motor vehicles, § 38:13

Name, change of, § 39:4

Negligence, § 40:11

Nuisances, § 41:2

Partition, § 42:4

Possession of land, action for, § 43:2

Premises liability, § 44:3

Privacy, § 45:2

Products liability, § 46:23

Professional malpractice, § 47:9

Property, conversion of, § 17A:2

Public accommodations, § 47A:2

Public transportation, § 48:3

Real estate sales, § 49:6

Reformation, § 51:4

Releases and settlements, § 52A:4

Replevin, § 52:2

Rescission, § 50:6

REFERENCE SOURCES—Cont'd

Specific performance, § 53:11

Survivorship actions, wrongful death and, § 57:10

Trespass, § 54:3

Truth in Consumer Contract, Warranty, and Notice Act, § 55:5

Wills, § 56:20

Wrongful death and survivorship actions, § 57:10

REFORMATION

Defenses, § 51:3

Pleadings, § 51:2

Reference sources, § 51:4

Summary of law, § 51:1

REFUSAL

Public employees, entity's refusal to defend, § 28:30

Standby guardianship appointment, refusal to accept, § 30:24

REGULATIONS

OSHA regulations violations as negligence, § 40:5

RELEASES AND SETTLEMENTS

Considerations, § 52A:2

General releases, § 52A:3

Products liability disputes about new motor vehicles, settlement procedures, § 46:19

Public employees, judgment of settlement as bar to suits against, § 28:28

Reference sources, § 52A:4

Summary of law, § 52A:1

REMEDIES

Antitrust Act, § 7A:6

Fraudulent conveyances, § 27:2, 27:4

Rescission, choice of remedies, § 50:5

Truth in Consumer Contract, Warranty, and Notice Act, § 55:3

REPAIRS

Mechanical repairs causing permanent injury, claims against governmental agencies, § 28:31

Motor vehicles, new car, § 46:16, 46:17

REPLEVIN

Reference sources, § 52:2

Summary of law, § 52:1

REPORTS AND REPORTING

New car defects, report of nonconformity of vehicle, § 46:16

RESCISSION

Choice of remedies, § 50:5

Denial grounds, § 50:4

Form drafting principles, § 50:2

RESCISSION—Cont'd

Grounds for denial, § 50:4
Need to restore status quo, § 50:3
Reference sources, § 50:6
Remedies, choice of, § 50:5
Summary of law, § 50:1

RES JUDICATA

Generally, § 24:8

RESPONDEAT SUPERIOR

Employer liability, § 22:33

RESTRICTIVE COVENANTS

Employment, this index

RETALIATION

Employment, retaliatory action, § 22:13

REVOCATION

Standby guardianship, § 30:26

SAFE HAVEN PROTOCOL

Adoption, § 5:2

SAFETY

Occupational safety and health regulations violations as negligence, § 40:5

SALES

Real Estate Sales, this index

SAME SEX COUPLES

Planning, wills, § 56:19

SATISFACTION

Accord and Satisfaction, this index

SCHOOLS AND EDUCATION

Tort liability. Educational Institutions, Tort Liability of, this index, § 21:3

SEAT BELTS

Use of, § 38:4

SELF-DEFENSE

Assault and battery, § 8:3

SERVICE CHARGE

Fair Debt Collection Practices Act (FDCPA), § 18:9

SERVICES, PERSONAL

Personal Services, this index

SETTLEMENTS

Releases and Settlements (this Index)

SEVERE EMOTIONAL DISTRESS

Intentional Infliction of Emotional Distress, this index

SEX

Wage discrimination, § 22:21

SEXUAL ASSAULT

Reference sources, § 52B:2 Summary of law, § 52B:1

SIBLING VISITATION

Adoption, § **5:16**

SLANDER

Libel and Slander, this index

SOCIAL MEDIA

Privacy, § 22:3

SPECIFIC PERFORMANCE

Contract law principles, applicability of, § 53:3 Contract performance requirements, § 53:4 Contract to make a will, § 56:11

Defenses, § 53:10

Enforcement of judgment, generally, § 53:2

Laches, § 53:5

Other contracts, applicability to, § 53:9

Performance of contract requirements, § 53:4

Personal property contract requirements, § 53:7

Personal services contracts requirements, § 53:8

Real property contracts requirements, § 53:6

Summary of law, § 53:1, 53:11

Wills, contract to make a will, § 56:11

SPILLACT

Governmental agencies, claims against, § 28:14

SPORTS

Negligence, § 40:4

STANDBY GUARDIANSHIP

Guardians and Guardianships, this index

STATUTE OF LIMITATIONS

Abuse of process actions, § 1:2

Accrual of cause of action, § 53A:9

Affirmative defense, § 53A:11

Amendments and repeals, § 53A:5

Antitrust Act, § 7A:8

Burden of proof, § 53A:12

Choice of law, § 53A:7

Commercial paper actions, § 12:2

Constitutionality and legislative intent, § 53A:1

STATUTE OF LIMITATIONS—Cont'd

Construing, § 53A:4

Distinguishing, § 53A:3

Fraudulent conveyances actions, § 27:5

Malicious prosecution actions, § 37:6

Motor vehicles actions, § 38:8, 38:9

Partial listing, § 53A:13

Parties subject to bar and exceptions, § 53A:6

Purpose, § 53A:2

Suspensions and disabilities of law, § 53A:8

Tolling, § 53A:10

Tolling statute of limitations

Motor vehicles actions, § 38:9

Wrongful death and survivorship actions, § 57:7, 57:8

Wage claims, § 22:18

Wrongful death and survivorship actions, § 57:6, 57:7

STREETS AND HIGHWAYS

Weather conditions, effect of, § 28:24

STRICT LIABILITY

Products liability, § 46:9

SUCCESSOR LIABILITY

Wrongful death and survivorship actions, § 57:9

SUMMARY OF LAW

Abuse of process, § 1:1

Accord and satisfaction, § 2:1

Account, action on payment of, § 4:1

Accounting at law, § 3:3

Adoption, § 5:1

Agency, § 6:1

Animals, § 7:1

Assault and battery, § 8:1

Assignments, § 9:1

Bailment, § 10:1

Bonds, § 11:1

Change of name, § 39:1

Collection of consumer debts, § 18:1

Commercial paper, § 12:1

Condemnation, § 13:1

Conservatorships, § 30:18

Consumer credit billing errors, § 15:1

Consumers

Consumer contracts, § 14:1

Consumer credit billing errors, § 15:1

Debts, collection of, § 18:1

Fair Debt Collection Practices Act (FDCPA), § 18:1

Fraud, consumer, § 16:1

SUMMARY OF LAW-Cont'd Consumers—Cont'd Payment of account, action on, § 4:1 Products liability, § 46:1 Truth in Consumer Contract, Warranty, and Notice Act, § 55:1 Contracts, § 17:1, 33:1 Death Declaration of death, § 19:1 Wills, § 56:1 Declaration of death, § 19:1 Divorce, § 20:1 Educational institutions, tort liability of, § 21:1 Eminent domain, § 13:1 Employment, § 22:1 Environmental torts, § 23:1 Estoppel, § 24:1 Fair Debt Collection Practices Act (FDCPA), § 18:1 False arrest, § 25:1 False imprisonment, § 25:1 Foreign judgments, suit on, § 34:1 Fraud and misrepresentation, § 26:1 Fraudulent conveyances, § 27:1 Governmental agencies, claims against, § 28:1 Guaranty, § 29:1 Guardianships, § 30:1 Indemnity, § 31:1 Intentional infliction of emotional distress, § 32:1 Interference with contractual relations, § 33:1 Interference with prospective economic advantage, § 33:1 Jury Charges, Model Civil, § Appendix Landlord and tenant, § 35:1 Libel and slander, § 36:1 Malicious prosecution, § 37:1 Malpractice, professional, § 47:1 Model Civil Jury Charges, § Appendix Motor vehicles, § 38:1 Name, change of, § 39:1 Negligence, § 40:1 Nuisances, § 41:1 Partition, § 42:1 Payment of account, action on, § 4:1 Possession of land, action for, § 43:1 Premises liability, § 44:1 Privacy, § 45:1

Probate of wills, § 56:12 Products liability, § 46:1 Professional malpractice, § 47:1

SUMMARY OF LAW—Cont'd

Public accommodations, § 47A:1

Public transportation, § 48:1

Real estate sales, § 49:1

Reformation, § 51:1

Releases and settlements, § 52A:1

Replevin, § 52:1

Rescission, § 50:1

Specific performance, § 53:1

Survivorship actions, wrongful death and, § 57:1

Tenant, landlord and, § 35:1

Trespass, § **54:1**

Truth in Consumer Contract, Warranty, and Notice Act, § 55:1

Wills, § 56:1

Wrongful death and survivorship actions, § 57:1

SUPERVISION

Public recreational facilities, of, § 28:8, 28:11

SURETY BONDS

Generally, § 11:1

SURROGATE MOTHER

Gestational carriers, this index

SURVIVORSHIP ACTIONS

Wrongful death and survivorship actions, this index

TAX AND LIENS

Amended statute, § 25A:2

Prior to the 2024 statutory amendment, § 25A:1

Realty v. Roberto, § 25A:3

Revised laws are expected, § 25A:4

TELEPHONE POLES

Governmental agencies, claims against, § 28:20

TERMINATION

Agency relationship, § 6:14

Court policies on termination of

Adoption matters, § 5:9

Parental rights, § 5:9

Employment, § 22:8

THIRD PARTY

Agency actions, litigation by third party, § 6:4

Breach of contract action by non-parties to contract, § 17:4

Fair Debt Collection Practices Act (FDCPA), communications with third parties, § 18:5

TIME AND DATE

Declaration of death, time of death, § 19:3

TIME AND DATE—Cont'd

Employment duration and termination, § 22:8 Statute of limitations, this index

TITLE

Insurance, real estate sales, § 49:3

Slander of title, claims against governmental agencies, § 28:8, 28:13

TOBACCO AND SMOKING

Employment discrimination, § 22:4

TOLLING STATUTE OF LIMITATIONS

Statute of Limitations, this index

TORT LIABILITY

Contractual relations, interference with, § 33:1, 33:2

Environmental Torts, this index

Prospective economic advantage, interference with, § 33:1, 33:2

Public entities. Governmental Agencies, Claims Against, this index

TRADE SECRETS

Employer's, § 22:26

TRAFFIC SIGNALS

Failure to provide, claims against governmental agencies, § 28:21

TRESPASS

Personal property, to, § 54:2

Real property, to, § 54:1

Reference sources, § 54:3

Summary of law, § 54:1

TRIAL

Guardianships, § 30:11

Model civil jury charges, § Appendix

TRUSTEE

Declaration of death actions, trustee managing property of absentee not declared dead, § 19:9

TRUTH IN CONSUMER CONTRACT, WARRANTY, AND NOTICE ACT

Costs, § 55:4

Damages, § 55:4

Penalties, § 55:4

Prohibition against waiver of statutory rights, § 55:2

Reference sources, § 55:5

Remedies, § 55:3, 55:4

Summary of law, § 55:1

Waiver of statutory rights, prohibition against, § 55:2

UNDUE INFLUENCE

Wills, § 56:13

UNFAIR COMPETITION

Generally, § 55A:1

UNFAIR PRACTICES

Consumer debt collection practices, § 18:10

UNIFORM VETERANS GUARDIANSHIP LAW

Generally, § 30:17

UNLAWFUL PRACTICES

Employment, § 19A:2

VENUE

Adoption, § 5:7

Guardianship proceedings, § 30:20

VERIFICATION

Guardianship application as to developmentally disabled persons receiving services from division of developmental disabilities, verified complaint, § 30:14

VETERANS

Guardianships, § 30:17

VICARIOUS LIABILITY

Motor vehicles, § 38:6

WAGE CLAIMS

See Employment, this index

WAIVER

Generally, § 24:10

Defenses, § 24:12

Distinction between estoppel and waiver, § 24:11

WARNING LABELS

Drugs, products liability, § 46:11

WARNING SIGNALS

Failure to provide, § 28:19

WARRANTY

New car, § 46:7, 46:15 to 46:21

Products liability, § 46:7, 46:15

Truth in Consumer Contract, Warranty, and Notice Act, § 55:1 to 55:4

WEATHER CONDITIONS

Streets and highways, effect on, § 28:24

WILD ANIMALS

Generally, § 7:4

WILLFUL MISCONDUCT

Governmental agencies, claims against, § 28:8, 28:15

INDEX

WILLS

Basics for preparation, § 56:2

Construction of wills, § 56:1, 56:14

Contracts to make a will

Generally, § 56:7

Essentials of a contract, § 56:9

Oral contracts, § 56:10

Specific performance, § 56:11

Statutory requirements, § 56:8

Doctrine of probable intent in making of will, § 56:14

Federal estate tax considerations, § 56:16

Funerals, control of, § 56:4

Inheritance tax, § 56:18

Filing and waiver procedures, § 56:17

Intent of testator, doctrine of probable intent in making of will, § 56:14

Intestacy, § 56:6

Life insurance, § 56:15

Medical Aid in dying for the Terminally Ill Act, § 56:5

Organ donations, § 56:3

Planning for same sex couples, § 56:19

Preparation, basics for, § 56:2

Probate of will

Generally, § 56:12

Intent of testator, § 56:14

Reference sources, § 56:20

Same sex couples, planning for, § 56:19

Summary of law, § 56:1

Undue influence, § 56:13

WORKPLACE NONDISCLOSURE AGREEMENTS

Curtailing, § 22:32

WRONGFUL DEATH AND SURVIVORSHIP ACTIONS

Compensatory damages, § 57:4

Damages, § 57:4

Deceased child, statute of limitations, § 57:8

Discovery rule, limitations of actions and, § 57:6

Joinder, § 57:3

Nature and elements of causes of action, § 57:2

Products liability, § 46:22

Prosecution of claims, § 57:3

Punitive damages, § 57:4

Reference sources, § 57:10

Standing, § 57:5

Statute of limitations, § 57:6 to 57:8

Deceased child, § 57:8

Statutory origins, § 57:1

Successor liability, § 57:9

WRONGFUL DEATH AND SURVIVORSHIP ACTIONS—Cont'd

Summary of law, § 57:1
Tolling statute of limitations, § 57:7