



New Rule from the New Jersey Supreme Court on Attorney Succession Planning

January 2026

On September 19, 2025, the New Jersey Supreme Court released a [Notice to the Bar](#) regarding attorney succession planning. Importantly, the New Jersey Bar now requires that New Jersey attorneys in private practice who are filling out their annual registration form disclose the status of any succession planning the attorney has undertaken for use in the unfortunate event of their incapacity, death, disbarment, or other inability to practice.

Attorneys will have the option to:

- Designate a Successor Attorney: Identify a New Jersey-licensed attorney who can protect client interests in the event of the registrant's death, disability, or incapacity
- Identify a Person with Knowledge: Provide contact information for someone (attorney or non-attorney) familiar with the location and access procedures for the attorney's professional records
- Document the Existence and Location of a Written Succession Plan: Indicate if a written succession plan has been created and specify its location (without filing or uploading the plan).
- Acknowledge that No Plan Exists/Employer Responsibility: State if no succession plan currently exists; indicate if the attorney's employer or firm is responsible for client files should the attorney become unavailable or unable to practice.

If you need assistance in setting up your law firm's succession plan, such as through a buy-sell agreement, please contact an attorney in [GH&C's Corporate Department](#).