

Request for Judicial Intervention (RJI): A Procedural Gatekeeper in State Civil Practice

Abstract

The Request for Judicial Intervention (RJI) functions as a critical procedural mechanism in many state court systems, serving as the formal trigger for active judicial management of a civil case. While often treated as a routine filing, the RJI carries significant procedural, strategic, and due process implications that vary considerably from state to state. This paper examines the purpose, function, and consequences of filing an RJI, with particular attention to how it affects judicial oversight, motion practice, timing, and litigant rights. By comparing approaches across jurisdictions and highlighting common areas of confusion for pro se and represented litigants alike, this paper argues that the RJI should be understood not as a ministerial formality, but as a substantive procedural gateway that can materially affect access to justice.

I. Introduction

Civil litigation is governed not only by substantive law, but by procedural mechanisms that determine when and how courts exercise authority over a case. One such mechanism is the Request for Judicial Intervention. In jurisdictions that employ an RJI or an equivalent filing, judicial involvement is not automatic upon commencement of an action. Instead, court oversight is activated only after a party affirmatively requests it.

This procedural structure reflects policy choices about docket control, judicial economy, and party-driven litigation. However, it also introduces risks of delay, inequity, and confusion, particularly for unrepresented litigants who may be unaware that a case can remain functionally dormant without judicial supervision. Understanding the RJI is therefore essential to evaluating modern civil procedure at the state level.

II. Defining the Request for Judicial Intervention

An RJI is a formal filing by which a party asks the court to assign a judge and assume active management of a case. Depending on the jurisdiction, filing an RJI may be required to:

- Schedule conferences or hearings
- Submit motions for judicial determination
- Obtain discovery oversight

- Secure enforcement of prior orders
- Move a case toward trial readiness

In some states, an RJI is mandatory for nearly all contested matters. In others, it is required only under specific circumstances, such as when motion practice begins or when alternative dispute resolution is requested.

III. Jurisdictional Variations

There is no uniform national standard governing RJIs. States differ in terminology, timing requirements, fees, and consequences of non-filing.

Some jurisdictions require an RJI early in the litigation process, ensuring prompt judicial assignment. Others permit cases to proceed through substantial party-driven activity before judicial intervention is requested. In certain states, failure to file an RJI can result in motions being rejected or ignored, while in others the court may *sua sponte* intervene.

These variations can have meaningful effects on litigant strategy and case outcomes, particularly in cross-jurisdictional practice or when litigants rely on generalized procedural assumptions.

IV. Strategic and Practical Implications

From a strategic standpoint, the decision of when to file an RJI can influence the pace and posture of litigation. Early judicial involvement may expedite discovery and discourage dilatory tactics, but it may also increase costs and reduce party autonomy.

Conversely, delayed filing may allow stronger parties to exploit procedural ambiguity or resource imbalances. For *pro se* litigants, the failure to understand the triggering role of the RJI can result in stalled cases, missed relief opportunities, or adverse procedural rulings.

Courts, too, are affected. The RJI system can promote efficient docket management, but it can also obscure inactive cases and delay judicial awareness of emerging disputes.

V. Due Process and Access to Justice Concerns

Because the RJI determines when judicial oversight begins, it has direct implications for due process. A system that conditions access to a judge on a procedural request assumes a level of procedural literacy that many litigants do not possess.

This raises important questions: Should judicial access hinge on a technical filing? Are courts adequately informing litigants of this requirement? And does the RJI framework inadvertently privilege represented parties over those proceeding *pro se*?

These concerns are particularly salient in cases involving public entities, employment disputes, or administrative record review, where timing and judicial supervision are critical.

VI. Recommendations and Best Practices

To mitigate the risks associated with RJJ-based systems, several reforms and best practices warrant consideration:

- Clear, plain-language guidance for litigants regarding the role and necessity of an RJJ
- Automatic judicial assignment upon case commencement, with optional early conferences
- Waiver or reduction of RJJ fees for indigent or pro se litigants
- Uniform procedural standards or model rules to reduce interstate inconsistency

Such measures would preserve the administrative benefits of RJs while enhancing fairness and transparency.

VII. Conclusion

The Request for Judicial Intervention is more than a procedural checkbox. It is a gatekeeping device that shapes how, when, and whether litigants receive meaningful judicial attention. Recognizing its significance is essential for practitioners, courts, and policymakers concerned with procedural justice and access to courts.

As state civil procedure continues to evolve, the RJJ merits closer scholarly and institutional scrutiny. Elevating its role from administrative afterthought to subject of procedural analysis is a necessary step toward more equitable civil litigation systems.

Author's Note: This paper is intended for educational and scholarly discussion and does not constitute legal advice. Procedural requirements vary by jurisdiction.