

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3049

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 13, 2021

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 3049.

This bill creates a pilot program to establish regional municipal courts by consolidating certain municipal courts. The pilot program would be established in no fewer than three counties and no fewer than five municipalities in each county.

The selection of the appropriate counties and municipalities for the pilot program would be made by the Administrative Director of the Courts in consultation with the assignment judges. Additionally, any county that has considered municipal court consolidation prior to the enactment of the bill could submit information on that prior consideration to the Administrative Director of the Courts, and that county would be included in the pilot program.

A regional municipal court would have jurisdiction over all matters falling within the jurisdiction of the municipal courts that are part of the pilot program. All complaints issued in the county by the State Police or any statewide law enforcement agency, or by any county law enforcement agency, any county code enforcement entity, or by any other non-municipal law enforcement agency within the jurisdiction of the municipal courts would also fall within the jurisdiction of the regional municipal courts.

The nomination and appointment of judges of a regional municipal court would be done in accordance with the provisions of Article VI, Section VI, paragraph 1 of the State Constitution. That paragraph provides that the Governor nominates and appoints any judges of “inferior courts” having jurisdiction over more than one municipality with the advice and consent of the Senate. The assignment judge of the vicinage would have the authority to make a temporary appointment in the event of a vacancy.

All fines and costs collected by a regional municipal court would be the same as currently provided by law for municipal courts. The regional municipal court would retain these monies on a pro rata basis equal to the costs incurred associated with the operations of the court. The remainder of the fines and costs collected by the regional municipal court would be distributed in accordance with existing law, N.J.S.22A:3-4, for deposit in various funds, such as the “Automated

Traffic System Fund,” N.J.S.2B:12-30 (used for a Statewide system of integrated traffic ticket control, case processing, and other automated municipal court operations) or the “Emergency Medical Technician Training Fund,” section 3 of P.L.1992, c.143 (C.26:2K-56), or otherwise distributed to the State or appropriate municipalities in accordance with R.S.39:5-40, R.S.:39:5-41, and subsection c. of section 3 of P.L.1979, c.396 (C.2C:46-4).

In support of consolidated court operations, a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation.

The bill would take effect 60 days after enactment, except the Administrative Director of the Courts may take any anticipatory action in advance as the director deems necessary for the implementation of the pilot program. Any regional municipal court established in a county that is included in the pilot program because that county considered municipal court consolidation on a county-wide basis prior to the enactment of the bill would begin hearing cases no later than January 1, 2022, and any regional municipal court in any other county selected by the Administrative Director of the Courts for the pilot program would begin hearing cases no later than one year following the bill’s enactment.

The committee amendments to the bill:

- provide for any county that has considered municipal court consolidation on a county-wide basis prior to the bill’s enactment to submit information to the Administrative Director of the Courts and be included in the pilot program;
- exclude the use of county population and population density figures set forth in N.J.S.2B:12-1, applicable to establishing a county-wide central municipal court, as criteria for selecting counties for the bill’s county-based regional municipal court pilot program;
- provide that a county participating in the pilot program could consider determining budgets for participating municipalities in that county by way of an assessment based on each participating municipality’s equalized value as determined by the appropriate county board of taxation; and
- change the effective date to 60 days after enactment, and require a regional municipal court in a county included in the program that previously considered county-wide municipal court consolidation to begin hearing cases no later than January 1, 2022, and any other regional courts to begin hearing cases no later than one year following the bill’s enactment.