

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, No. 1416**

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1996

The Assembly Judiciary Committee reports favorably a committee substitute for Assembly Bill No. 1416.

This substitute would authorize counties with county police forces or county park police forces to establish by ordinance a central municipal court, an inferior court of limited jurisdiction. The central municipal court would hear matters filed by agents of the county health departments, summonses written by county police or park police officers or other cases referred to the court by the vicinage Assignment Judge.

Under the provisions of the substitute, the judges of the central municipal court would be nominated and appointed by the Governor with the advice and consent of the Senate. In those counties having a county executive, the county executive may submit the names of the judicial candidates to the Governor. In all other counties, the governing body could submit the names to the Governor.

The judges would be paid annual salaries set by the ordinance or resolution which established the court. The county would be required to provide the court with suitable courtrooms, chambers, offices, equipment and supplies.

The central municipal court would have jurisdiction over matters involving violations of county or municipal ordinances, motor vehicle offenses, disorderly persons offenses, petty disorderly persons offenses and other non-indictable offenses except where exclusive jurisdiction is given to the Superior Court, fish and game laws, certain proceedings to collect a penalty and boating laws. This is the same jurisdiction currently given to municipal courts but with the addition of jurisdiction to hear violations of boating laws. By amending N.J.S.A.2B:12-17 this substitute extends this jurisdiction over violations of boating laws to all municipal courts.

The substitute would also authorize a county or municipality to employ an attorney who would serve as the prosecutor, under the supervision of the Attorney General or county prosecutor. The prosecutor would represent the State, county or municipality in any matter of the central municipal court or any other municipal court. This is a new section. Currently the statutes governing the municipal

courts do not have this provision. The substitute would also authorize the county to appoint a public defender to represent indigents by amending N.J.S.A.2B:12-28.

The substitute also provides that any fines, penalties and forfeitures when the county police department or county park police is the complaining witness would be forwarded to the county (provided the county has established a central municipal court) to be used to defray the cost of operating the central municipal court.