

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE, No. 1832

# STATE OF NEW JERSEY

DATED: MARCH 10, 1997

The Senate Judiciary Committee reports favorably Senate Bill No. 1832.

This bill would implement several changes with regard to court fees recommended by the Supreme Court's Committee on the Special Civil Part. Those recommendations are as follows:

1. Presently, the filing fee for complaints in the Special Civil Part is \$38.00, if the case involves \$1,000.00 or more. If the case involves \$1,000.00 or less the filing fee is \$22.00. In 1994, the monetary limit for small claims cases was raised to \$2,000.00. The bill would clarify that the \$38.00 fee is applicable in cases exceeding the small claims limit and the \$22.00 fee is applicable in small claims cases. This bill also clarifies that these fees apply both to complaints and to any other initial pleading containing a counterclaim, cross claim or third party claim.

2. This bill changes language referring to the mileage paid to court officers to reflect that the State has taken over responsibility for the funding of the trial courts.

3. Presently, persons designated by assignment judges to serve process are entitled to \$.10 on every dollar of the first \$5,000.00 collected on an execution, writ of attachment or court order issued by the Special Civil Part. On every dollar in excess of \$5,000.00 court officers are entitled to \$.05. The bill would eliminate the over \$5,000.00 rate and provide that a court officer would be entitled to \$.10 of every dollar collected pursuant to a Special Civil Part execution, writ of attachment or court order.

4. Federal law was recently amended to permit the garnishment of wages of federal employees. The execution must, however, be forwarded to the central payroll location for the agency which may be located in another state. This bill would establish a \$3.00 fee to cover the cost to the Special Civil Part of mailing executions on wages of federal employees.

5. The bill clarifies that the total fee to be collected for substituted service on the Director of the Division of Motor Vehicles is \$13.00 consisting of the Director's fee of \$10.00 and \$3.00 to cover mailing costs.