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GLENN A. GRANT, J.A.D.
Acting Administrative Director of the Courts

www.njcourts.com • Phone: 609-984-0275 • Fax: 609-984-6968

**To:** **Assignment Judges**
**Criminal Presiding Judges**

**Supplement to Directive # 04-12**

**From:** **Glenn A. Grant, J.A.D.**

**Subj:** **Criminal – Judgment of Conviction – Superseding JOC Form**

**Date:** **July 22, 2016**

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This Supplement to Directive #04-12 promulgates amendments to the Judgment of Conviction (JOC) form. The attached revised JOC form effective August 1, 2016 supersedes the JOC form appended to Directive #04-12.

This Supplement to the Directive addresses only the JOC form. The policies and procedures set forth in Directive #04-12 remain applicable, specifically, the Supreme Court's prior delegation to the Administrative Director of the authority and responsibility to approve revisions to the JOC form; the determination that the "Offense Based Penalties" box on the JOC form will be updated as additional statutory penalties are enacted; the procedures for entering more than one offense based penalty; and the calculation of the total amount of the offense based penalties in the "Total Financial Obligation" box.

On page 2 of the JOC form, the acronym for the assessment to be made pursuant to N.J.S.A. 2C:43-3.1 has been updated to "VCCO" (Victims of Crime Compensation Board) from the prior "VCCA" (Victims of Crime Compensation Agency).

The following changes were made on page 2 in the "Additional Conditions" box: (1) inclusion of the statutory citation, N.J.S.A. 53:1-20.29, as to the defendant's liability for the costs of DNA testing when the DNA sample is ordered; (2) addition of the acronyms for Community Supervision for Life (CSL), Parole Supervision for Life (PSL), and No Early Release Act (NERA) in the description of the applicable conditions; (3) addition of the condition for the court to continue/impose a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8); (4) addition of the condition for the imposition of a Stalking Restraining Order (N.J.S.A. 2C:12-10.1); and (5) deletion of the reference to "DORA," (Drug Offender Restraining Act), and instead referring to the imposition of a "Drug Offender Restraining Order (DORO)."

Because of the need to remind judges and staff that the JOC is a public document and will be available on the Internet, the watermark, "Public Document," will appear on the form while it is in print for judge status and will disappear when the form is finalized. Additionally, the name and telephone number of the individual who prepared the JOC form has been removed from page 3 of the form. Additionally, the Juvenile Justice Commission has been added to the distribution list for receipt of the finalized JOC, if appropriate.

One revision to the JOC that was previously implemented, effective May 29, 2015, was addition of a "Joint & Several" checkbox in the "Restitution" box in the "Other Fees and Penalties" section on page 2 of the form. This checkbox is to be used when restitution is ordered by the judge to be "joint and several."

Any questions or comments regarding the revised superseding JOC form or Directive #04-12 may be directed to the Criminal Practice Division at 609-292-4638.

G.A.G.

Attachment

cc: Chief Justice Stuart Rabner
Acting Attorney General Christopher S. Porrino
Public Defender Joseph Krakora
Elie Honig, Director, DCJ
County Prosecutors
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Melaney S. Payne, Special Assistant
Ann Marie Fleury, Special Assistant
Trial Court Administrators
Criminal Division Managers and Assistants
Susan Callaghan, Chief, Criminal Practice
Maria Pogue, Assistant Chief, Criminal Practice

# ATTACHMENT 1

# JUDGMENT OF CONVICTION

# Judgment of Conviction
# Amendment / Resentence / VOP
# Superior Court of New Jersey,

**State of New Jersey** v.

| Last Name | First Name | Middle Name |
|---|---|---|
| | | |

| Also Known As |
|---|
| |

| Date of Birth | SBI Number | Date(s) of Offense |
|---|---|---|
| | | |

| Date of Arrest | PROMIS Number | Date Ind / Acc / Complt Filed | Original Plea ☐ Not Guilty ☐ Guilty | Date of Original Plea |
|---|---|---|---|---|
| | | | | |

Adjudication By ☐ Guilty Plea ☐ Jury Trial Verdict ☐ Non-Jury Trial Verdict ☐ Dismissed / Acquitted Date:

## Original Charges

| Ind / Acc / Complt | Count | Description | Statute | Degree |
|---|---|---|---|---|
| | | | | |

## Final Charges

| Ind / Acc / Complt | Count | Description | Statute | Degree |
|---|---|---|---|---|
| | | | | |

## Sentencing Statement

It is, therefore, on _____ **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

☐ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

| Total Custodial Term | Institution Name | Total Probation Term |
|---|---|---|
| | | |

State of New Jersey v.

S.B.I. # _____ Ind / Acc / Complt # _____

## DEDR (*N.J.S.A.* 2C:35-15 and 2C:35-5.11)

A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)

☐ DEDR penalty reduction granted (*N.J.S.A.* 2C:35-15a(2))

| | Standard | Doubled |
|---|---|---|
| 1st Degree | _____ @ $ | _____ @ $ |
| 2nd Degree | _____ @ $ | _____ @ $ |
| 3rd Degree | _____ @ $ | _____ @ $ |
| 4th Degree | _____ @ $ | _____ @ $ |
| DP or Petty DP | _____ @ $ | _____ @ $ |

**Total DEDR Penalty $** _____

☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (*N.J.S.A.* 2C:35-15e)

| Forensic Laboratory Fee (*N.J.S.A.* 2C:35-20) | Total Lab Fee |
|---|---|
| _____ Offenses @ $ _____ | $ _____ |

## VCCO Assessment (*N.J.S.A.* 2C:43-3.1)

| Counts | Number | Amount |
|---|---|---|
| _____ | _____ @ | $ _____ |
| _____ | _____ @ | $ _____ |
| _____ | _____ @ | $ _____ |
| _____ | _____ @ | $ _____ |

**Total VCCO Assessment $** _____

## Vehicle Theft / Unlawful Taking Penalty (*N.J.S.A.* 2C:20-2.1)

| Offense | Mandatory Penalty |
|---|---|
| | $ _____ |

## Offense Based Penalties

| Penalty | Amount |
|---|---|
| | $ _____ |

## Other Fees and Penalties

| | |
|---|---|
| Law Enforcement Officers Training and Equipment Fund Penalty (*N.J.S.A.* 2C:43-3.3) ☐ $ _____ | Safe Neighborhood Services Fund Assessment (*N.J.S.A.* 2C:43-3.2) ☐ _____ Offenses @ $ _____ Total: $ _____ |
| Probation Supervision Fee (*N.J.S.A.* 2C:45-1d) ☐ $ _____ | Statewide Sexual Assault Nurse Examiner Program Penalty (*N.J.S.A.* 2C:43-3.6) ☐ _____ Offenses @ $ _____ Total $ _____ |
| Transaction Fee (*N.J.S.A.* 2C:46-1.1) ☐ | |
| Domestic Violence Offender Surcharge (*N.J.S.A.* 2C:25-29.4) ☐ $ _____ | Certain Sexual Offenders Surcharge (*N.J.S.A.* 2C:43-3.7) ☐ $ _____ |
| Fine $ _____ | Sex Crime Victim Treatment Fund Penalty (*N.J.S.A.* 2C:14-10) ☐ $ _____ |
| Restitution $ _____ Joint & Several ☐ | Total Financial Obligation $ _____ |

Details

## Additional Conditions

☐ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (*N.J.S.A.* 53:1-20.20 and *N.J.S.A.* 53:1-20.29).

☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (*N.J.S.A.* 2C:43-6.4).

☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (*N.J.S.A.* 2C:43-6.4).

☐ The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (*N.J.S.A.* 2C:43-7.2).

☐ The court imposes a Drug Offender Restraining Order (DORO) (*N.J.S.A.* 2C:35-5.7h). DORO expires _____

☐ The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law *N.J.S.A.* 2C:14-12 or *N.J.S.A.* 2C:44-8).

☐ The court imposes a Stalking Restraining Order (*N.J.S.A.* 2C:12-10.1).

## Findings Per *N.J.S.A.* 2C:47-3

☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.

☐ The court finds that the defendant is amenable to sex offender treatment.

☐ The court finds that the defendant is willing to participate in sex offender treatment.

## License Suspension

☐ CDS / Paraphernalia (*N.J.S.A.* 2C:35-16) ☐ Waived

☐ Auto Theft / Unlawful Taking (*N.J.S.A.* 2C:20-2.1)

☐ Eluding (*N.J.S.A.* 2C:29-2)

☐ Other

| Number of Months | ☐ Non-resident driving privileges revoked |
|---|---|
| Start Date | End Date |
| Details | |
| Driver's License Number | Jurisdiction |

If the court is unable to collect the license, complete the following:
Defendant's Address

| City | State | Zip |
|---|---|---|
| | | |

| Date of Birth | Sex ☐ M ☐ F | Eye Color |
|---|---|---|
| | | |

State of New Jersey v.

S.B.I. # _____ Ind / Acc / Complt # _____

## Time Credits

| Time Spent in Custody<br>*R.* 3:21-8 | Gap Time Spent in Custody<br>*N.J.S.A.* 2C:44-5b(2) | Prior Service Credit |
|---|---|---|
| Date: From - To | Date: From - To | Date: From - To |
| | Total Number of Days _____ | |
| | **Rosado Time**<br>Date: From - To | |
| Total Number of Days _____ | Total Number of Days _____ | Total Number of Days _____ |

## Statement of Reasons - Include all applicable aggravating and mitigating factors

| Attorney for Defendant at Sentencing | Public Defender<br>☐ Yes ☐ No |
|---|---|
| Prosecutor at Sentencing | Deputy Attorney General<br>☐ Yes ☐ No |
| Judge at Sentencing | |
| Judge (Signature) | Date |

## Continuation