



New Jersey Judiciary
Certification Application for Appointment as Private Prosecutor

State of New Jersey vs. \_\_\_\_\_

Docket Number(s): \_\_\_\_\_

Charge(s) \_\_\_\_\_

Attorney Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

This Certification is supplied to the \_\_\_\_\_ Superior Court, pursuant to the provisions of R. 3:23-9(d) and State v. Storm, 141 N.J. 245 (1995) to provide the court and the prosecutor with all facts that may foreseeably affect the fairness of the proceedings to enable the court to determine whether I may be appointed as an impartial private prosecutor for \_\_\_\_\_, the complaining witness in the above matter.

1. (Please circle the applicable letter). The complaining witness is:
(a) an individual, (b) a business, or (c) an entity with its own police department
(please describe): (please describe):
\_\_\_\_\_

2. There is no actual conflict of interest arising from my representation of, and fee arrangement with, the complaining witness. [ ]
Check if correct.
If not, please explain:
\_\_\_\_\_

3. The prosecutor has elected not to conduct the prosecution. [ ]
Check if correct.
If not, please explain:
\_\_\_\_\_

4. The defendant is or is expected to be represented by [YES] [NO] [UNKNOWN]
counsel.
Notice has been given to defendant's attorney [YES] [NO]

5. There is no civil litigation, existing or anticipated, between the complaining witness and the defendant concerning the same or similar facts as are contained in the complaint. In the event of such civil litigation, I have informed the complaining witness that neither I nor any member of my firm will undertake the complaining witness' representation in that matter.

Check if correct.  
If not, please explain:

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6. There are no other facts that could reasonably affect the impartiality of the private prosecutor and the fairness of the proceedings or otherwise create an appearance of impropriety.

Check if correct.  
If not, please explain:

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Comments:

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Please attach additional sheets if necessary.

### **CERTIFICATION IN LIEU OF OATH**

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: \_\_\_\_\_ Name of Applicant: \_\_\_\_\_