

NOTICE TO THE BAR

MUNICIPAL COURTS – “INCARCERATED DEFENDANT REQUEST FOR RELIEF FORM” AS REQUIRED BY AMENDED RULE 7:7-2(d)

As part of the 2015 Omnibus Rule Amendment Order the Supreme Court adopted amendments to Rule 7:7-2(d) to standardize the process by which an unrepresented incarcerated defendant can seek relief from a municipal court on a matter within the court's jurisdiction. The rule amendment, which was effective September 1, 2015, provides that the municipal court must respond to the request on the record within 45 days from the date received. The amended rule further provides that all such relief requests are to be submitted to the municipal court on a form approved by the Administrative Director of the Courts. This notice promulgates the required “Incarcerated Defendant Request for Relief Form” for use effective immediately.

Because the rule applies only to matters in which an unrepresented incarcerated defendant seeks relief, the requestor (1) must specify on the form the correctional institution in which the requestor is incarcerated, and (2) must certify that he or she is not represented by an attorney on the relevant charges. The form provides check boxes for the requestor to use to identify the type(s) of relief sought. The requestor can seek more than one type of relief on the form.

The amended rule requires that the requestor submit the completed form to the municipal court and send a copy to the municipal prosecutor. In keeping with the Judiciary's goal of helping self-represented litigants more easily navigate our court system, the form directs the requestor to send both the court's original and the prosecutor's copy of the completed form to the court. Municipal court staff will ensure that the municipal prosecutor receives his/her copy of the form.

To facilitate the municipal court providing a timely written response to the requestor, the bottom of page two of the form provides space for the court to document its response. Unless the judge directs specific different notice to the requestor, the municipal court will mail the completed form back to the requestor advising as to the court's decision, which will serve as the response required under the amended rule.

As specified in the rule and as noted above, the municipal court must respond on the record to an eligible defendant's request(s) for relief within 45 days of the court's receipt of the completed form. If the court does not provide a response to the requestor on the record within that 45-day time, the requestor may seek “immediate [further] relief from the vicinage Municipal Presiding Judge.” Page three of the form sets out the addresses of the Vicinage Presiding Judges for this further relief.

It is likely that some unrepresented incarcerated defendants will continue to send letters to the municipal court requesting relief rather than submit the required form. The amended rule requires the use of the form in those instances. The municipal court may

not consider the inmate's request if it is not submitted on the approved form. Therefore, when a non-conforming request from an unrepresented inmate is received, the municipal court will send the inmate a copy of the approved form and advise that the relief request cannot be considered until the completed form is received. The requestor will also be directed to the Judiciary's Internet website for the fillable version of the approved required form.

The municipal courts routinely receive relief requests from categories of defendants other than unrepresented inmates. Requests for relief received from parties other than those specified in the amended rule will be handled consistent with current practice.

Finally, to ensure that unrepresented inmates will have access to the form, an electronic copy in fillable format is posted on the Judiciary's Internet site under both the Pro Se tab and the Municipal Courts section.

Any questions pertaining to use of the new form may be directed to the Municipal Court Services Division at 609-984-8241.



Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: August 16, 2016



_____ Municipal Court

Incarcerated Defendant Request for Relief Form

This form is for use by unrepresented defendants incarcerated in a New Jersey State or County correctional facility who are asking that a Municipal Court grant relief or in some way modify the status of the defendant's case. **Send this form *only* to the particular Municipal Court that has jurisdiction over the matter(s) in question.** When submitting this completed form to that Municipal Court, you must enclose the original, for the court's use, and one copy, for the Municipal Prosecutor. Please also retain a copy for your records.

The Rules of Court (Rule 7:7-2(d)) require that the Municipal Court respond to a request for relief submitted by an unrepresented incarcerated defendant using this form within 45 days of receipt of the completed form. If at the end of 45 days after submitting the form you have not received a response from the Municipal Court (taking into account mail delivery times), you may seek further relief from the Municipal Presiding Judge of the county within which the particular Municipal Court is located. The addresses for the Municipal Presiding Judges are included on page 3 of this form. When seeking such further relief from the Municipal Presiding Judge, please include a copy of the completed form that you earlier submitted to the particular Municipal Court requesting relief.

Requestor Information			
Name			
AKA (Also Known As)	Date of Birth	U.S. Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No	
Correctional Institution: Name and Address	Inmate Number		
	Projected Release Date		
Home Address (or expected address after release)			
Complaint(s) Information			
Provide as much information as possible to enable the court to identify the complaint(s)			
<input type="checkbox"/> I am not represented by an attorney on any of the following charges.			
Complaint Number(s)	Date of Offense	Charges	Date of Conviction (if appropriate)

Additional page(s) attached if needed.

Municipal Incarcerated Defendant Request for Relief Form

Relief Sought (check all that apply)

- I wish to apply for a municipal public defender.
- I request that my warrant be recalled.
(cite reason) _____

- I request that my bail amount/conditions of release be modified.
(cite reason) _____

- I request that the fines/penalties I owe be converted to jail time.
(cite reason) _____

- I request that the court grant me credit for time served.
(cite reason) _____

- I request that all or a portion of the monies I owe be vacated.
(cite reason) _____

- Other relief sought (describe)

- I would like my matter(s) scheduled for a court hearing.

- Additional page(s) attached if needed.

I 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

Requestor's Signature

For Court Use Only

Date Received: _____ Explanation: _____
Granted: _____
Partially Granted: _____
Denied: _____

Date Signed

Judge's Signature

Vicinage Municipal Presiding Judges

(for Further Relief if No Response to the Completed Form Received within 45 Days)

As indicated on page 1 of this form, if the Municipal Court to which you submit this completed form does not respond within 45 days, under the Court Rules you may seek further relief from the Municipal Presiding Judge who oversees that and the other Municipal Courts in the county. The addresses of the Municipal Presiding Judges by county/counties are as follows. (Reminder: Initial submission of the completed forms does not go to the Municipal Presiding Judge, but rather to the particular Municipal Court having jurisdiction over the matter(s).)

Atlantic/Cape May Vicinage

Municipal Presiding Judge
Mays Landing Criminal Courts Complex
4997 Unami Boulevard
Mays Landing, NJ 08330

Bergen Vicinage

Municipal Presiding Judge
Bergen County Justice Center
10 Main Street, Suite 309
Hackensack, NJ 07601

Burlington Vicinage

Municipal Presiding Judge
Burlington County Courts Facility
49 Rancocas Road
Mount Holly, New Jersey 08060

Camden Vicinage

Municipal Presiding Judge
6 Executive Campus
Suite 300
Cherry Hill, NJ 08002

Essex Vicinage

Municipal Presiding Judge
Essex County Veterans Courthouse
50 West Market Street
Newark, New Jersey 07102

Hudson Vicinage

Municipal Presiding Judge
Administration Building
595 Newark Ave. – Rm. 406
Jersey City, NJ 07306

Mercer Vicinage

Municipal Presiding Judge
Mercer County Courthouse
209 South Broad Street
Trenton, NJ 08650

Middlesex Vicinage

Municipal Presiding Judge
Middlesex County Courthouse
56 Paterson Street
New Brunswick, NJ 08903

Monmouth Vicinage

Municipal Presiding Judge
Monmouth County Courthouse
71 Monument Park – Rm. 322 S
Freehold, NJ 07728

Morris/Sussex Vicinage

Municipal Presiding Judge
Morris County Courthouse
Washington & Court Streets
Morristown, NJ 07963

Ocean Vicinage

Municipal Presiding Judge
Ocean County Justice Complex
120 Hooper Ave
Toms River, NJ 08754

Passaic Vicinage

Municipal Presiding Judge
Passaic County Courthouse
77 Hamilton Street – Room 648
Paterson, NJ 07505

Union Vicinage

Municipal Presiding Judge
Union County Courthouse
2 Broad Street
Elizabeth, NJ 07207

Somerset/Hunterdon/Warren Vicinage

Municipal Presiding Judge
Somerset County Courthouse
20 North Bridge Street
Somerville, NJ 08876

Gloucester/Cumberland/Salem Vicinage

Municipal Presiding Judge
Municipal Division Office
19 North Broad Street
Woodbury, NJ 08096