

Notice to the Bar

Corrections to Criminal Justice Reform Rule Amendments (August 30, 2016 Omnibus2 Rule Amendment Order)

The Supreme Court by order dated August 30, 2016 adopted a number of Criminal Justice Reform-related rule amendments to be effective January 1, 2017. That order ("Omnibus2 Rule Amendment Order") was previously published as a notice to the bar. This notice sets out a number of corrections to the rule amendments adopted by that order, as follows:

- (1) Rule 3:2-3(a) – In the new text in the second sentence, delete the underscored "and".
- (2) Rule 3:2-3(b) – In the fifth paragraph, replace "the phrase: 'I, Officer _____, certify that I have received telephonic or other approved electronic authorization from _____ (judicial officer's name), _____ (judicial officer's title), for the issuance of the Complaint-Warrant (CDR-2)'" with "the required certification and activate the complaint".
- (3) Rule 3:3-1(a)(1) – Change "a judge, clerk, deputy clerk, authorized municipal court administrator or authorized deputy municipal court administrator (judicial officer)" to "a judicial officer [judge, clerk, deputy clerk, municipal court administrator or deputy municipal court administrator]".
- (4) Rule 3:3-1(a)(2) – Change "allows" to "allow[s]".
- (5) Rule 3:3-1(f) – Change each instance of "N.J.S." to "N.J.S.A." Also, correct the statutory citation for aggravated arson to "N.J.S.A. 2C:17-1(a)(1)". Also, change the semicolon after "terrorism (N.J.S.A. 2C:38-2)" to a comma.
- (6) Rule 3:4-2(c)(1) – In the underscored text, change "subsections (a) and (b) below" to "subsections (A) and (B) below".
- (7) Rule 3:4A(b)(1) – Change both instances of "a continuance or motion" to "a continuance on motion".
- (8) Rule 3:25-4(b)(1) – Change "R. 3:26-2(d)(1)(A)" to "R. 3:26-2(d)(1)".
- (9) Rule 3:25-4(i)(3) – In subparagraphs (B) and (C), change each instance of "Court" to "court".

- (10) Rule 3:25-4(i)(7)(A) – Change both colons to semicolons.
- (11) Rule 3:26-1 – In the underscored language in the source note, change “text of paragraph (a) redesignated” to “text of paragraph (a) amended and redesignated”.
- (12) Rule 3:26-1(a)(1) – In the first sentence, change “ensure” to “assure”.
- (13) Rule 3:26-2(b)(1) – Change “pursuant to section 11 of P.L. 2014, c. 31 (c. 2A:162-25),” to “pursuant to N.J.S.A. 2A:162-25,”.
- (14) Rule 3:26-2(c)(2) – Change “Judge” to “judge”.
- (15) Rule 3:26-2(d)(2) – In the last sentence, change “admissibility to evidence” to “admissibility of evidence”.
- (16) Rule 7:2-1(d) – At the end of the first sentence, change “committee it” to “committed it”.
- (17) Rule 7:2-1(e) – In the first sentence the word “judge” should be in brackets.
- (18) Rule 7:2-1 – In the new language in the source note, delete “paragraph (c) amended, and”.
- (19) Rule 7:4-2(a) – Change “R: 3:4-2” to “R. 3:4-2”.
- (20) Rule 7:4-3(a) – In the new language, initial upper case “Complaint-Warrant”; initial lower case “order” and “judge”.
- (21) Rule 7:4-9(c) – Insert a period after “a restraining order or condition of release”.

Handwritten signature of Glenn A. Grant in blue ink, with the initials "by SOB" written at the end.

Glenn A. Grant, J.A.D.
Acting Administrative Director

Dated: December 9, 2016