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**To: Assignment Judges
Trial Court Administrators**

DIRECTIVE # 01-23

From: Glenn A. Grant, Administrative Director



Questions may be directed to the Probation Services Division at (609) 815-3810 ext. 55316.

Subj: Recovery Court – Revised Legal Rejection Codes

Date: January 17, 2023

This directive promulgates a revised version of the list of legal rejection codes used in eCourts for Recovery Court. The existing codes have remained largely unchanged since inception of the then Drug Court program in 2002. The updated list limits the reasons for legal rejections to those specifically set forth either in the statute or in the Recovery Court manual. The new list of legal rejection codes is now in effect.

The revisions more clearly identify the specific reasons for which a potential Recovery Court client is being legally rejected from admission into the program. The current broad rejection reason of “Statute” is being eliminated. Prosecutors now will be required to indicate whether a case being reviewed is Track One or Track Two. For Track One, the specific permissible rejection reasons are outlined in the statute (N.J.S.A. 2C:35-14a). For Track Two, the rejection reasons are not from the statute, but rather are from the manual.

Eliminated as acceptable legal rejection reasons/codes are those not set forth either in the manual or the statute. For example, clients no longer can be rejected for program admission because they have previously been in the program or because of a “co-defendant issue.” Also, the legal

rejection reason of “immigration status” has been made more precise as “immigration detainer.”

By making these reasons for legal rejections more specific and more directly tied to the provisions of the statute or the manual, Recovery Court will be able to better monitor and identify any equity issues in the application and admission process.

Questions regarding the revised list of legal rejection codes in eCourts for Recovery Court may be directed to Cornell Williamson by email at Cornell.Williamson@njcourts.gov or by telephone at (609) 815-3810 ext. 55316.

Attachment

cc: Chief Justice Stuart Rabner
Criminal Presiding Judges
Recovery Court Judges
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Cornell Williamson, Statewide Recovery Court Manager
Special Assistants to the Administrative Director
Criminal Division Managers and Assistants
Probation Division Managers and Assistants
Marcia Matthews, Assistant Recovery Court Manager

Recovery Court

List of Legal Rejection Codes

1. Track One - Prior violent conviction bar - N.J.S.A. 2C:35-14a(7)
 - a. T1 Prior violent conviction bar
 - b. T1 Prior Violent
2. Track One - Two or more prior convictions - N.J.S.A. 2C:35-14a(6)
 - a. T1 Two or more prior conviction
 - b. T1 2+ Priors
3. Track One – Inappropriate for Probation/Danger to the community - N.J.S.A. 2C:35-14a(9)
 - a. T1 Inappropriate/Danger
 - b. T1 Inappro/danger
4. Track One - Present offense not related to substance use disorder - N.J.S.A. 2C:35-14a(3) or (4)
 - a. T1 Pres offen not related - use
 - b. T1Not related to use
5. Track One - Possessed firearm during present offense - N.J.S.A. 2C:35-14a(5)
 - a. T1 Gun possession pres offense
 - b. T1 Gun posses
6. Track One - Statutory provisions - N.J.S.A. 2C:35-14a(1), (2), or (8)
 - a. T1 2C:35-14a(1),(2) or(8)
 - b. T135-14a(1),(2)or(8)
7. Track One - Current charges not eligible for sentencing to Recovery Court - N.J.S.A. 2C:35-14b
 - a. T1 Charge not eligible for RC
 - b. T1 No RC eligible
8. Track Two - Inappropriate for Probation/Danger to the community
 - a. T2 Inappropriate/Danger
 - b. T2 Inappro/danger
9. Track Two - Less than two years left on probation
 - a. T2 Less - two years left prob
 - b. T2 <2yr left prob
10. Track Two - Current charges not eligible for sentencing to Recovery Court - N.J.S.A. 2C:45-1
 - a. T2 Charge not eligible for RC
 - b. T2 No RC eligible
11. Track One or Two – Extradition demand or IAD detainer
 - a. T1T2 Extradition or IAD detain
 - b. T1T2 ExtraditelAD
12. Track One or Two - Immigration detainer
 - a. T1T2 Immigration detainer
 - b. T1T2 Immigrat det
13. Track One or Two – Out of state resident
 - a. T1T2 Out of state resident
 - b. T1T2 Out of state