

For immediate release: **Aug. 12, 2019**

Supreme Court Working Group on Municipal Courts Advances Recommendations for Reforming Municipal Courts

A Supreme Court committee composed of representatives from all three branches of government has released its recommendations for reforming the state's municipal courts.

The 38-member working group set forth 17 recommendations that focus on separating sentencing practices from a municipality's need for revenue, modifying the appointment and reappointment process for Municipal Court judges, and consolidating the state's smaller courts.

The working group's recommendations build upon a July 2018 report from the Supreme Court Committee on Municipal Court Operations, Fines, and Fees.

"The goal of the working group was to develop, where possible, a consensus among the three branches of government and various stakeholders in order to implement some of the broader recommendations of the 2018 report, particularly recommendations that require legislative changes," said Chief Justice Stuart Rabner. "This report reflects a collective commitment to ensure that New Jersey's Municipal Courts are fair, independent and accessible to all members of society."

More than half of the report's recommendations focus on reducing the reliance on fees as a source of revenue through changes in collection and enforcement practices and the creation of alternative programs. For example, the working group recommends the Judiciary continue to promote the utilization of payment plans that are reasonable and based on a defendant's ability to pay.

The working group also recommended consideration of legislation that would:

- significantly reduce the usage of license suspensions for failure to pay.
- provide for uniform caps on penalties and fines for lower-level offenses.

- create a traffic ticket deferral program for drivers with minor traffic offenses who maintain a clean driving record for a specific period of time.
- provide financial credits for hours spent in clinical treatment related to an underlying offense.
- reduce certain surcharges and assessments imposed by the Motor Vehicle Commission.

The report also focused on recommendations that would create an impartial and consistent process for the appointment and reappointment of municipal judges. For example, the working group recommended that the New Jersey State Bar Association's county Judicial and Prosecutorial Appointment Committee review the qualifications of candidates for appointment and reappointment and make recommendations to the municipal body. The municipal body would still retain the discretion to make the final decision.

"The working group outlined an impartial and transparent process for the evaluation of judges that works to preserve integrity and independence while also recognizing the need to have local interests appropriately reflected in a municipal court," said Judge Glenn A. Grant, acting Administrative Director of the Courts, who chaired the working group.

The working group also recommended the consideration of legislation that would:

- extend the term of office for the reappointment of municipal court judges from three to five years. (Initial terms would remain at three years).
- extend the term of office for the reappointment of the municipal prosecutor and public defender to three years, with the initial appointment term remaining at one year.

The report also recommends the Legislature consider establishing additional financial incentives to encourage municipal courts to consolidate and, after a three-year period, mandate the regionalization of smaller municipal courts with fewer than 3,000 annual filings.

"New Jersey's municipal court system is one of the best in the country. However, as in all other areas of government and in society as a whole, we must remain vigilant and pursue meaningful reform where needed. The recommendations outlined in this report safeguard the fundamental principles of equal access and treatment for all municipal court users, while promoting the long-standing partnership with New Jersey's municipalities," Judge Grant said.