

**ASSEMBLY, No. 2760**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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INTRODUCED MAY 19, 2008

**Sponsored by:**

**Assemblywoman NELLIE POU**

**District 35 (Bergen and Passaic)**

**Assemblywoman ELEASE EVANS**

**District 35 (Bergen and Passaic)**

**Assemblyman THOMAS P. GIBLIN**

**District 34 (Essex and Passaic)**

**Co-Sponsored by:**

**Assemblyman Diegnan, Assemblywomen Voss, Cruz-Perez, Assemblymen Moriarty and Ramos**

**SYNOPSIS**

Establishes “Court Security Enhancement Fund” and increases court fees.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 9/16/2008)**

1 AN ACT establishing the “Court Security Enhancement Fund,”  
2 increasing court fees, and amending and supplementing various  
3 parts of the statutory law.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. (New section) The Legislature finds and declares:

9 a. Open access to secure safe courts is necessary for the orderly  
10 functioning of our society and promotes public confidence in the  
11 stability of government;

12 b. It is vital that citizens feel confident and safe in seeking  
13 access to their courts and that court personnel feel safe in the  
14 performance of their duties;

15 c. New Jersey’s municipal courtrooms and county courthouses  
16 are some of the most frequently visited public buildings in the  
17 State;

18 d. The estimated 23 million persons who visit New Jersey  
19 municipal courtrooms and county courthouses are at risk from  
20 random acts of violence, terrorism, assault and escape attempts by  
21 criminal defendants, gang retaliation, and the hostile, often  
22 dangerous conduct of persons who are emotionally upset following  
23 court events;

24 e. Recent incidents of violence in federal and state courts  
25 across the country have highlighted the need for improved security  
26 at court facilities;

27 f. Breaches of court security and violence towards judges,  
28 attorneys, jurors, witnesses, court personnel and other participants  
29 in the judicial process have resulted in serious injuries or death in  
30 other states;

31 g. The additional federal and state homeland security funds  
32 made available after September 11 have largely bypassed the state  
33 courts;

34 h. Despite laudable efforts, county and municipal governments  
35 do not have sufficient financial resources to provide adequate  
36 security for court facilities without imposing additional property tax  
37 burdens on their citizens;

38 i. The Administrative Office of the Courts has promulgated  
39 court security standards to respond to the new security realities;

40 j. A continuous source of funding is needed to assist counties  
41 and municipalities in providing and maintaining safe and secure  
42 court facilities; and

43 k. It is entirely appropriate for those citizens who use the  
44 courts to share in the cost of developing and maintaining safe and  
45 secure court facilities.

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       2. (New section) As used in this act:

2       “Court facility” means a municipal courtroom and related court  
3 offices that may be part of a municipal government complex; or a  
4 courthouse, court annex, or court complex or other office or  
5 structure owned or leased by a county necessary for the functioning  
6 of the Superior Court, including the Probation Division of the  
7 Superior Court. Court facility shall not include “judicial facility  
8 costs,” pursuant to Article VI, Section VIII of the Constitution of  
9 the State of New Jersey.

10       “Court security standards” means the court security standards  
11 promulgated by the Administrative Director of the Courts for the  
12 Superior Court and the municipal courts of this State.

13       “Facility” means a physical structure as well as the grounds  
14 adjacent to the structure.

15       “Local government” means county and municipal government in  
16 this State.

17       “Security equipment” includes electronic or mechanical  
18 equipment used to detect or diminish a security threat and may  
19 include, but is not limited to: weapons screening technologies,  
20 duress and intrusion alarms, ballistic shielding, “line of sight”  
21 safeguards, interior and exterior controlled lighting, video  
22 monitoring systems, card access systems, and emergency power  
23 systems.

24  
25       3. (New section) a. There is established in the General Fund a  
26 separate, non-lapsing, dedicated account to be known as the “Court  
27 Security Enhancement Fund.” Each fiscal year, the State Treasurer  
28 shall deposit all revenues derived from the increase in fees,  
29 assessments, and penalties authorized pursuant to P.L.       ,       ,  
30 c. (C.       ) (pending before the Legislature as this bill) under  
31 R.S.39:5-41, subsection b. of section 14 of P.L.1991, c.261  
32 (C.2C:25-30), N.J.S.22A:2-1, N.J.S.22A:2-6, N.J.S.22A:2-12,  
33 N.J.S.22A:2-13, section 14 of P.L.1991, c.177 (C.22A:2-37.1),  
34 section 2 of P.L.1993, c.188 (C.52:27D-43.24a), and sections 12  
35 and 13 of P.L.       , c. (C.       ) (pending before the Legislature as  
36 this bill) to the “Court Security Enhancement Fund.” Moneys in the  
37 fund, including any interest accruing thereon, shall be used for the  
38 additional costs incurred in supplementing local government  
39 funding to enhance court security. The State Treasurer shall  
40 administer the fund and disburse money from the fund to local  
41 government for improvements to court security as recommended by  
42 the Administrative Director of the Courts.

43       b. Until such time that the Administrative Director of the Courts  
44 determines that all local government units have achieved the court  
45 security standards, local governing bodies may apply to the  
46 Administrative Director of the Courts on an annual basis for grants  
47 from the “Court Security Enhancement Fund” to supplement local  
48 government funding for the procurement of security equipment and

1 security-related structural modifications necessary to achieve the  
2 court security standards. Subject to the availability of money in the  
3 fund, the State Treasurer shall disburse money from the fund to  
4 supplement local government funding to enhance court security as  
5 recommended by the Administrative Director of the Courts. Court  
6 security grants awarded pursuant to this section shall be used only  
7 for the procurement of security equipment or structural  
8 modifications initiated after the effective date of this act. The  
9 Administrative Director of the Courts shall issue guidelines  
10 prescribing the procedures to be followed when applying for grants  
11 as well as the criteria to be used to evaluate grant applications and  
12 for administering the fund, generally. When awarding grants to  
13 municipalities that apply for court security funding, the  
14 Administrative Director of the Courts shall give preference to those  
15 municipalities that have entered into agreements to share or merge  
16 municipal court services.

17 c. At such time that the Administrative Director of the Courts  
18 determines that all local government units have achieved the court  
19 security standards, monies in the fund shall be distributed to local  
20 government based on a formula developed by the Administrative  
21 Director of the Courts. If court security standards are maintained,  
22 monies distributed under this section shall be used to offset local  
23 funding for the enhancement and maintenance of security at court  
24 facilities including, but not limited to: salaries of armed security  
25 officers, salaries of technicians to operate court security equipment,  
26 training for local officials and personnel on issues of court security;  
27 the development and coordination of emergency and disaster  
28 response protocols related to the operation of the court, and other  
29 security items as approved by the Administrative Director of the  
30 Courts. Notwithstanding the distribution of funds by formula as  
31 provided in this section, the Administrative Director of the Courts  
32 may reserve a sum equal to no more than five percent of the monies  
33 deposited in the fund annually for the emergent purchase or  
34 replacement of court security equipment to local government units  
35 that demonstrate a critical need.

36 d. The Administrative Office of the Courts shall monitor the  
37 use of the funds distributed in accordance with this act and local  
38 government shall cooperate in such monitoring efforts. The  
39 Administrative Director of the Courts may seek reimbursement of  
40 funds that are not expended for the purposes of court security and  
41 may recommend that the State Treasurer deny future funding to a  
42 local government unit.

43 e. Subject to the approval of the Administrative Director of the  
44 Courts, a sum equal to no more than five percent of the monies  
45 deposited in the fund annually may be used to defray the costs of  
46 administering the grant program, developing and maintaining a  
47 statewide security incident reporting system, providing technical  
48 assistance to local officials with regard to court security, providing

1 for security at court facilities not owned or leased by local  
2 government, and other statewide court security initiatives.

3

4 4. R.S.39:5-41 is amended to read as follows:

5 39:5-41. a. All fines, penalties and forfeitures imposed and  
6 collected under authority of law for any violations of R.S.39:4-63  
7 and R.S.39:4-64 shall be forwarded by the judge to whom the same  
8 have been paid to the proper financial officer of a county, if the  
9 violation occurred within the jurisdiction of that county's central  
10 municipal court, established pursuant to N.J.S.2B:12-1 et seq. or the  
11 municipality wherein the violation occurred, to be used by the  
12 county or municipality to help finance litter control activities in  
13 addition to or supplementing existing litter pickup and removal  
14 activities in the municipality.

15 b. Except as otherwise provided by subsection a. of this  
16 section, all fines, penalties and forfeitures imposed and collected  
17 under authority of law for any violations of the provisions of this  
18 Title, other than those violations in which the complaining witness  
19 is the chief administrator, a member of his staff, a member of the  
20 State Police, a member of a county police department and force or a  
21 county park police system in a county that has established a central  
22 municipal court, an inspector of the Board of Public Utilities, or a  
23 law enforcement officer of any other State agency, shall be  
24 forwarded by the judge to whom the same have been paid as  
25 follows: one-half of the total amount collected to the financial  
26 officer, as designated by the local governing body, of the respective  
27 municipalities wherein the violations occurred, to be used by the  
28 municipality for general municipal use and to defray the cost of  
29 operating the municipal court; and one-half of the total amount  
30 collected to the proper financial officer of the county wherein they  
31 were collected, to be used by the county as a fund for the  
32 construction, reconstruction, maintenance and repair of roads and  
33 bridges, snow removal, the acquisition and purchase of rights-of-  
34 way, and the purchase, replacement and repair of equipment for use  
35 on said roads and bridges therein. Up to 25% of the money  
36 received by a municipality pursuant to this subsection, but not more  
37 than the actual amount budgeted for the municipal court, whichever  
38 is less, may be used to upgrade case processing.

39 All fines, penalties and forfeitures imposed and collected under  
40 authority of law for any violations of the provisions of this Title, in  
41 which the complaining witness is a member of a county police  
42 department and force or a county park police system in a county  
43 that has established a central municipal court, shall be forwarded by  
44 the judge to whom the same have been paid to the financial officer,  
45 designated by the governing body of the county, for all violations  
46 occurring within the jurisdiction of that court, to be used for general  
47 county use and to defray the cost of operating the central municipal  
48 court.

1 Whenever any county has deposited moneys collected pursuant  
2 to this section in a special trust fund in lieu of expending the same  
3 for the purposes authorized by this section, it may withdraw from  
4 said special trust fund in any year an amount which is not in excess  
5 of the amount expended by the county over the immediately  
6 preceding three-year period from general county revenues for said  
7 purposes. Such moneys withdrawn from the trust fund shall be  
8 accounted for and used as are other general county revenues.

9 c. (Deleted by amendment, P.L.1993, c.293.)

10 d. Notwithstanding the provisions of subsections a. and b. of  
11 this section, \$1 shall be added to the amount of each fine and  
12 penalty imposed and collected through a court under authority of  
13 any law for any violation of the provisions of Title 39 of the  
14 Revised Statutes or any other motor vehicle or traffic violation in  
15 this State and shall be forwarded by the person to whom the same  
16 are paid to the State Treasurer. In addition, upon the forfeiture of  
17 bail, \$1 of that forfeiture shall be forwarded to the State Treasurer.  
18 The State Treasurer shall annually deposit those moneys so  
19 forwarded in the "Body Armor Replacement" fund established  
20 pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4). Beginning  
21 in the fiscal year next following the effective date of this act, the  
22 State Treasurer annually shall allocate from those moneys so  
23 forwarded an amount not to exceed \$400,000 to the Department of  
24 Personnel to be expended exclusively for the purposes of funding  
25 the operation of the "Law Enforcement Officer Crisis Intervention  
26 Services" telephone hotline established and maintained under the  
27 provisions of P.L.1998, c.149 (C.11A:2-25 et al.).

28 e. Notwithstanding the provisions of subsections a. and b. of  
29 this section, \$1 shall be added to the amount of each fine and  
30 penalty imposed and collected through a court under authority of  
31 any law for any violation of the provisions of Title 39 of the  
32 Revised Statutes or any other motor vehicle or traffic violation in  
33 this State and shall be forwarded by the person to whom the same  
34 are paid to the State Treasurer. The State Treasurer shall annually  
35 deposit those moneys so forwarded in the "New Jersey Spinal Cord  
36 Research Fund" established pursuant to section 9 of P.L.1999, c.201  
37 (C.52:9E-9). In order to comply with the provisions of Article VIII,  
38 Section II, paragraph 5 of the State Constitution, a municipal or  
39 county agency which forwards moneys to the State Treasurer  
40 pursuant to this subsection may retain an amount equal to 2% of the  
41 moneys which it collects pursuant to this subsection as  
42 compensation for its administrative costs associated with  
43 implementing the provisions of this subsection.

44 f. Notwithstanding the provisions of subsections a. and b. of  
45 this section, \$1 shall be added to the amount of each fine and  
46 penalty imposed and collected through a court under authority of  
47 any law for any violation of the provisions of Title 39 of the  
48 Revised Statutes or any other motor vehicle or traffic violation in

1 this State and shall be forwarded by the person to whom the same  
2 are paid to the State Treasurer. The State Treasurer shall annually  
3 deposit those moneys so forwarded in the "Autism Medical  
4 Research and Treatment Fund" established pursuant to section 1 of  
5 P.L.2003, c.144 (C.30:6D-62.2).

6 g. Notwithstanding the provisions of subsections a. and b. of  
7 this section, \$2 shall be added to the amount of each fine and  
8 penalty imposed and collected by a court under authority of any law  
9 for any violation of the provisions of Title 39 of the Revised  
10 Statutes or any other motor vehicle or traffic violation in this State  
11 and shall be forwarded by the person to whom the same are paid to  
12 the State Treasurer. The State Treasurer shall annually deposit  
13 those moneys so forwarded in the "New Jersey Forensic DNA  
14 Laboratory Fund" established pursuant to P.L.2003, c.183. Prior to  
15 depositing the moneys into the fund, the State Treasurer shall  
16 forward to the Administrative Office of the Courts an amount not to  
17 exceed \$475,000 from moneys initially collected pursuant to this  
18 subsection to be used exclusively to establish a collection  
19 mechanism and to provide funding to update the Automated Traffic  
20 System Fund created pursuant to N.J.S.2B:12-30 to implement the  
21 provisions of this subsection.

22 The authority to impose additional fines and penalties under this  
23 subsection shall take effect 90 days after the effective date of  
24 P.L.2003, c.183 and shall expire five years thereafter. Not later  
25 than the 180th day prior to such expiration, the Attorney General  
26 shall prepare and submit to the Governor and the Legislature a  
27 report on the collection and use of DNA samples under P.L.1994,  
28 c.136. The report shall cover the period beginning on that effective  
29 date and ending four years thereafter. The report shall indicate  
30 separately, for each one-year period during those four years that  
31 begins on that effective date or an anniversary thereof, the number  
32 of each type of biological sample taken and the total cost of taking  
33 that type of sample, and also the number of identifications and  
34 exonerations achieved through the use of the samples. In addition,  
35 the report shall evaluate the effectiveness, including cost  
36 effectiveness, of having the samples available to further police  
37 investigations and other forensic purposes.

38 h. Notwithstanding the provisions of subsections a. and b. of  
39 this section, \$1 shall be added to the amount of each fine and  
40 penalty imposed and collected under authority of any law for any  
41 violation of the provisions of Title 39 of the Revised Statutes or any  
42 other motor vehicle or traffic violation in this State and shall be  
43 forwarded by the person to whom the same are paid to the State  
44 Treasurer. The State Treasurer shall annually deposit those moneys  
45 so forwarded in the "New Jersey Brain Injury Research Fund"  
46 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).  
47 The Administrative Office of the Courts may retain an amount  
48 equal to \$475,000 from the moneys which it initially collects

1 pursuant to this subsection, prior to depositing any moneys in the  
2 "New Jersey Brain Injury Research Fund," in order to meet the  
3 expenses associated with utilizing the Automated Traffic System  
4 Fund created pursuant to N.J.S.2B:12-30 to implement the  
5 provisions of this subsection and serve other statutory purposes.

6 i. Notwithstanding the provisions of subsections a. and b. of  
7 this section, all fines and penalties imposed and collected under  
8 authority of law for any violation related to the unlawful operation  
9 or the sale of a vehicle under section 1 of P.L.1955, c.53 (C.39:3-  
10 17.1) shall be forwarded by the judge to whom the same have been  
11 paid to the State Treasurer, if the complaining witness is the chief  
12 administrator, a member of his staff, a member of the State Police,  
13 an inspector of the Board of Public Utilities, or a law enforcement  
14 officer or other official of any other State agency; or, if the  
15 complaining witness is not one of the foregoing, one-half to the  
16 chief financial officer of the county and one-half to the chief  
17 financial officer of the municipality wherein the violation occurred.

18 j. Notwithstanding the provisions of subsections a. and b. of this  
19 section, \$3 shall be added to the amount of each fine and penalty  
20 imposed and collected by a court under authority of any law for any  
21 violation of the provisions of Title 39 of the Revised Statutes or any  
22 other motor vehicle or traffic violation and forwarded to the State  
23 Treasurer. The State Treasurer shall annually deposit those moneys  
24 so forwarded in the "Court Security Enhancement Fund"  
25 established pursuant to subsection a. of section 3 of P.L. \_\_\_\_\_,  
26 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill).

27 (cf: P.L.2007, c.178, s.2)

28  
29 5. Section 14 of P.L.1991, c.261 (C.2C:25-30) is amended to  
30 read as follows:

31 14. a. Except as provided below, a violation by the defendant of  
32 an order issued pursuant to this act shall constitute an offense under  
33 subsection b. of N.J.S.2C:29-9 and each order shall so state. All  
34 contempt proceedings conducted pursuant to N.J.S.2C:29-9  
35 involving domestic violence orders, other than those constituting  
36 indictable offenses, shall be heard by the Family Part of the  
37 Chancery Division of the Superior Court. All contempt proceedings  
38 brought pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.) shall be  
39 subject to any rules or guidelines established by the Supreme Court  
40 to guarantee the prompt disposition of criminal matters.  
41 Additionally, and notwithstanding the term of imprisonment  
42 provided in N.J.S.2C:43-8, any person convicted of a second or  
43 subsequent nonindictable domestic violence contempt offense shall  
44 serve a minimum term of not less than 30 days. Orders entered  
45 pursuant to paragraphs (3), (4), (5), (8) and (9) of subsection b. of  
46 section 13 of this act shall be excluded from enforcement under  
47 subsection b. of N.J.S.2C:29-9; however, violations of these orders  
48 may be enforced in a civil or criminal action initiated by the



1 plaintiff or by the court, on its own motion, pursuant to applicable  
2 court rules.

3 b. A defendant who is found guilty of contempt pursuant to  
4 subsection a. of this section shall be assessed a civil penalty of \$25,  
5 which shall be forwarded to the State Treasurer for deposit in a  
6 separate account, to be known as the “Court Security Enhancement  
7 Fund,” created pursuant to subsection a. of section 3 of P.L. ,  
8 c. (C. ) (pending before the Legislature as this bill).  
9 (cf: P.L.1994, c.94, s.6)

10

11 6. N.J.S.22A:2-1 is amended to read as follows:

12 22A:2-1. For services hereinafter mentioned, the Clerk of the  
13 Supreme Court shall be entitled to demand and receive the  
14 following fees:

15 Upon the filing or entering of the notice of appeal, notice of  
16 cross-appeal or notice of petition for certification, notice of cross-  
17 petition for certification or notice of petition for review, the  
18 appellant, cross-appellant, petitioner or cross-petitioner shall pay  
19 ~~[\$200.00]~~ \$205.

20 Upon the filing of the first paper in any motion, petition or  
21 application (including an order if it be the first paper), if not in a  
22 pending cause or if made after judgment entered, the moving party  
23 shall pay \$30.00 shall cover all fees payable on such motion,  
24 petition or application down to and including filing and entering the  
25 order therein and taxation of costs.

26 (cf: P.L.2002, c.34, s.25)

27

28 7. N.J.S.22A:2-6 is amended to read as follows:

29 22A:2-6. Upon the filing or entering of the first paper or  
30 proceeding in any action or proceeding in the Law Division of the  
31 Superior Court, the plaintiff shall pay to the clerk ~~[\$200.00]~~ \$205  
32 for the first paper filed by him, which shall cover all fees payable  
33 therein down to, and including entry of final judgment, taxation of  
34 costs, copy of costs and the issuance and recording of final process,  
35 except such as may be otherwise provided herein, or provided by  
36 law, or the rules of court. Any person filing an answer setting forth  
37 a counterclaim or a third party claim in such cause shall pay to the  
38 clerk ~~[\$200.00]~~ \$205 for the first paper filed by him. Any person  
39 other than the plaintiff filing any other paper in any such cause shall  
40 pay to the clerk ~~[\$135.00]~~ \$140 for the first paper filed by him.

41 Any person filing a motion in any action or proceeding shall pay  
42 to the clerk \$30.00.

43 (cf: P.L.2002, c.34, s.26)

44

45 8. N.J.S.22A:2-12 is amended to read as follows:

46 22A:2-12. Payment of fees in Chancery Division of Superior  
47 Court upon filing of first paper. Upon the filing of the first paper in  
48 any action or proceeding in the Chancery Division of the Superior

1 Court, there shall be paid to the clerk of the court, for the use of the  
2 State, the following fees, which, except as hereinafter provided,  
3 shall constitute the entire fees to be collected by the clerk for the  
4 use of the State, down to the final disposition of the cause:

5 Receivership and partition, **[\$200.00]** \$205.

6 All other actions and proceedings except in probate cases and  
7 actions and proceedings for divorce or dissolution of a civil union,  
8 **[\$200.00]** \$205.

9 Actions and proceedings for divorce or dissolution of a civil  
10 union, **[\$250.00]** \$255, \$25.00 of which shall be forwarded by the  
11 Clerk of the Superior Court as provided in section 2 of P.L.1993,  
12 c.188 (C.52:27D-43.24a).

13 Any person filing a motion in any action or proceeding shall pay  
14 to the clerk \$30.00.

15 (cf: P.L.2006, c.103, s.85)

16

17 9. Section 2 of P.L.1993, c.188 (C.52:27D-43.24a) is amended  
18 to read as follows:

19 2. Forwarding of filing fee. The Clerk of the Superior Court  
20 shall forward \$25.00 of the **[\$250.00]** \$255 filing fee for a divorce  
21 or a dissolution of a civil union provided for in N.J.S.22A:2-12 on a  
22 quarterly basis to the Department of Community Affairs.

23 (cf: P.L.2006, c.103, s.86)

24

25 10. N.J.S.22A:2-13 is amended to read as follows:

26 22A:2-13. Each person other than the plaintiff filing an  
27 answering pleading or other answering paper in the Chancery  
28 Division of the Superior Court shall at the time of filing the first  
29 paper, pay to the clerk the sum of **[\$135.00]** \$140; which shall  
30 cover all fees payable therein except such as may be otherwise  
31 provided herein or by law or the rules of court.

32 (cf: P.L.2002, c.34, s.30)

33

34 11. Section 14 of P.L.1991, c.177 (C.22A:2-37.1) is amended to  
35 read as follows:

36 14. a. From the effective date of the amendments made to this  
37 section by section 1 of P.L.2003, c.259 through the fifth year  
38 thereafter:

39 In all civil actions and proceedings in the Special Civil Part of  
40 the Superior Court, Law Division, only the following fees shall be  
41 charged by the clerk and no service shall be performed until the  
42 specified fee has been paid:

43 (1) Filing of small claim, one defendant **[\$15.00]** \$20

44 Each additional defendant \$ 2.00

45 (2) Filing of complaint in tenancy,

46 one defendant **[\$25.00]** \$30

47 Each additional defendant \$ 2.00

1 (3) (a) Filing of complaint or other initial  
2 pleading containing a counterclaim, cross-claim  
3 or third party complaint in all other civil actions,  
4 whether commenced without process or by summons,  
5 capias, replevin or attachment where the amount  
6 exceeds the small claims monetary limit **[\$50.00] \$55**  
7 Each additional defendant \$ 2.00  
8 (b) Filing of complaint or other initial  
9 pleading containing a counterclaim, cross-claim  
10 or third party complaint in all other civil actions,  
11 whether commenced without process or by summons,  
12 capias, replevin or attachment where the amount  
13 does not exceed the small claims monetary limit **[\$32.00] \$37**  
14 Each additional defendant \$ 2.00  
15 (4) Filing of appearance or answer  
16 to a complaint or third party complaint in all  
17 matters except small claims **[\$15.00] \$20**  
18 (5) Service of Process: Fees for service of process, including:  
19 summons by mail, each defendant; summons by mail each  
20 defendant at place of business or employment with postal  
21 instructions to deliver to addressee only; reservice of summons by  
22 mail, each defendant; postage for substituted service of process by  
23 the clerk upon the Chief Administrator of the New Jersey Motor  
24 Vehicle Commission in addition to the substituted service fee  
25 provided below; and wage execution by mail to a federal agency,  
26 shall be set by the Administrative Director of the Courts. The fee  
27 for service of process shall not exceed the postal rates for ordinary  
28 and certified mail, return receipt requested, and may include an  
29 administrative fee that shall not exceed \$0.25 for each defendant  
30 served with process by mail. The total service of process fee shall  
31 be rounded upward to the nearest dollar. For the purposes of this  
32 paragraph, service of process means the simultaneous mailing by  
33 ordinary and certified mail, return receipt requested, to the  
34 defendant at the address provided by the plaintiff.  
35 Reservice of summons or other original process by  
36 court officer, one defendant \$ 3.00  
37 plus mileage  
38 Each additional defendant \$2.00  
39 plus mileage  
40 Substituted service of process by the clerk upon  
41 the Chief Administrator of the  
42 New Jersey Motor Vehicle Commission \$10.00  
43 (6) Mileage of court officer in serving or executing any process,  
44 writ, order, execution, notice, or warrant, the distance to be  
45 computed by counting the number of miles in and out, by the most  
46 direct route from the place where process is issued, at the same rate  
47 per mile set by the State for other State employees and the total  
48 mileage fee rounded upward to the nearest dollar

1	(7) Jury of six persons	\$50.00
2	(8) Warrant for possession in tenancy	\$15.00
3	(9) Warrant to arrest, commitment	
4	or writ of capias ad respondendum, each defendant	\$15.00
5	(10) Writ of execution or an order in	
6	the nature of execution, writs of replevin and	
7	attachment issued subsequent to summons	\$ 5.00
8	(11) For advertising property under execution	
9	or any order	\$10.00
10	(12) For selling property under	
11	execution or any order	\$10.00
12	(13) Exemplified copy of judgment	
13	(two pages)	\$ 5.00
14	each additional page	\$ 1.00
15	(cf: P.L.2003, c.259, s.1)	

16  
17 12. (New section) Revenue derived from the increase in fees  
18 provided by operation of N.J.S.22A:2-5 and section 2 of P.L.1993,  
19 c.74 (C.22A:5-1), shall be deposited in the "Court Security  
20 Enhancement Fund" established pursuant to subsection a. of section  
21 3 of P.L. , c. (C. ) (pending before the Legislature as this  
22 bill).

23  
24 13. (New section) a. (1) In addition to any other fine, fee or  
25 assessment imposed, any person convicted of a crime, disorderly or  
26 petty disorderly persons offense, or any juvenile adjudicated  
27 delinquent for an offense, which if committed by an adult would  
28 constitute a crime, disorderly or petty disorderly persons offense,  
29 shall be assessed a penalty of \$25 for each conviction.

30 (2) In addition to any term or condition that may be included in  
31 an agreement for supervisory treatment pursuant to N.J.S.2C:43-12  
32 et seq., or imposed as a term or condition of conditional discharge  
33 pursuant to section 3 of P.L.1987, c.106 (C.2C:36A-1), a participant  
34 in either program shall be required to pay an assessment fee of \$25.

35 b. All assessments provided for in this section shall be collected  
36 as provided for collection of fines and restitutions in section 3 of  
37 P.L.1979, c.396 (C.2C:46-4) and shall be forwarded to the State  
38 Treasurer to be deposited into the "Court Security Enhancement  
39 Fund" created pursuant to subsection a. of section 3 of P.L. ,  
40 c. (C. ) (pending before the Legislature as this bill).

41  
42 14. Section 3 of P.L.1979, c.396 (C.2C:46-4) is amended to read  
43 as follows:

44 3. a. All fines, assessments imposed pursuant to section 2 of  
45 P.L.1979, c.396 (C.2C:43-3.1), all penalties imposed pursuant to  
46 section 1 of P.L.1999, c.295 (C.2C:43-3.5), all penalties imposed  
47 pursuant to section 11 of P.L.2001, c.81 (C.2C:43-3.6), all penalties  
48 imposed pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10) or

1 section 13 of P.L. , c. (C. ) (pending before the Legislature  
2 as this bill), and restitution shall be collected as follows:

3 (1) All fines, assessments imposed pursuant to section 2 of  
4 P.L.1979, c.396 (C.2C:43-3.1), all penalties imposed pursuant to  
5 section 1 of P.L.1999, c.295 (C.2C:43-3.5), all penalties imposed  
6 pursuant to section 11 of P.L.2001, c.81 (C.2C:43-3.6), all penalties  
7 imposed pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10) or  
8 section 13 of P.L. , c. (C. ) (pending before the Legislature  
9 as this bill), and restitution imposed by the Superior Court or  
10 otherwise imposed at the county level, shall be collected by the  
11 county probation division except when such fine, assessment or  
12 restitution is imposed in conjunction with a custodial sentence to a  
13 State correctional facility or in conjunction with a term of  
14 incarceration imposed pursuant to section 25 of P.L.1982, c.77  
15 (C.2A:4A-44) in which event such fine, assessment or restitution  
16 shall be collected by the Department of Corrections or the Juvenile  
17 Justice Commission established pursuant to section 2 of P.L.1995,  
18 c.284 (C.52:17B-170). An adult prisoner of a State correctional  
19 institution or a juvenile serving a term of incarceration imposed  
20 pursuant to section 25 of P.L.1982, c.77 (C.2A:4A-44) who has not  
21 paid an assessment imposed pursuant to section 2 of P.L.1979,  
22 c.396 (C.2C:43-3.1), a penalty imposed pursuant to section 1 of  
23 P.L.1999, c.295 (C.2C:43-3.5) a penalty imposed pursuant to  
24 section 1 of P.L.2005, c.73 (C.2C:14-10) , a penalty imposed  
25 pursuant to section 13 of P.L. , c. (C. ) (pending before  
26 the Legislature as this bill), or restitution shall have the assessment,  
27 penalty, fine or restitution deducted from any income the inmate  
28 receives as a result of labor performed at the institution or on any  
29 type of work release program or, pursuant to regulations  
30 promulgated by the Commissioner of the Department of Corrections  
31 or the Juvenile Justice Commission, from any personal account  
32 established in the institution for the benefit of the inmate.

33 (2) All fines, assessments imposed pursuant to section 2 of  
34 P.L.1979, c.396 (C.2C:43-3.1), any penalty imposed pursuant to  
35 section 1 of P.L.1999, c.295 (C.2C:43-3.5) and restitution imposed  
36 by a municipal court shall be collected by the municipal court  
37 administrator except if such fine, assessments imposed pursuant to  
38 section 2 of P.L.1979, c.396 (C.2C:43-3.1), or restitution is ordered  
39 as a condition of probation in which event it shall be collected by  
40 the county probation division.

41 b. Except as provided in subsection c. with respect to fines  
42 imposed on appeals following convictions in municipal courts and  
43 except as provided in subsection i. with respect to restitution  
44 imposed under the provisions of P.L.1997, c.253 (C.2C:43-3.4 et  
45 al.), all fines imposed by the Superior Court or otherwise imposed  
46 at the county level, shall be paid over by the officer entitled to  
47 collect same to:

1 (1) The county treasurer with respect to fines imposed on  
2 defendants who are sentenced to and serve a custodial term,  
3 including a term as a condition of probation, in the county jail,  
4 workhouse or penitentiary except where such county sentence is  
5 served concurrently with a sentence to a State institution; or

6 (2) The State Treasurer with respect to all other fines.

7 c. All fines imposed by municipal courts, except a central  
8 municipal court established pursuant to N.J.S.2B:12-1 on  
9 defendants convicted of crimes, disorderly persons offenses and  
10 petty disorderly persons offenses, and all fines imposed following  
11 conviction on appeal therefrom, and all forfeitures of bail shall be  
12 paid over by the officer entitled to collect same to the treasury of  
13 the municipality wherein the municipal court is located.

14 In the case of an intermunicipal court, fines shall be paid into the  
15 municipal treasury of the municipality in which the offense was  
16 committed, and costs, fees, and forfeitures of bail shall be  
17 apportioned among the several municipalities to which the court's  
18 jurisdiction extends according to the ratios of the municipalities'  
19 contributions to the total expense of maintaining the court.

20 In the case of a central municipal court, established by a county  
21 pursuant to N.J.S.2B:12-1, all costs, fines, fees and forfeitures of  
22 bail shall be paid into the county treasury of the county where the  
23 central municipal court is located.

24 d. All assessments imposed pursuant to section 2 of P.L.1979,  
25 c.396 (C.2C:43-3.1) shall be forwarded and deposited as provided  
26 in that section.

27 e. All mandatory Drug Enforcement and Demand Reduction  
28 penalties imposed pursuant to N.J.S.2C:35-15 shall be forwarded  
29 and deposited as provided for in that section.

30 f. All forensic laboratory fees assessed pursuant to  
31 N.J.S.2C:35-20 shall be forwarded and deposited as provided for in  
32 that section.

33 g. All restitution ordered to be paid to the Victims of Crime  
34 Compensation Board pursuant to N.J.S.2C:44-2 shall be forwarded  
35 to the board for deposit in the Victims of Crime Compensation  
36 Board Account.

37 h. All assessments imposed pursuant to section 11 of P.L.1993,  
38 c.220 (C.2C:43-3.2) shall be forwarded and deposited as provided  
39 in that section.

40 i. All restitution imposed on defendants under the provisions  
41 of P.L.1997, c.253 (C.2C:43-3.4 et al.) for costs incurred by a law  
42 enforcement entity in extraditing the defendant from another  
43 jurisdiction shall be paid over by the officer entitled to collect same  
44 to the law enforcement entities which participated in the extradition  
45 of the defendant.

46 j. All penalties imposed pursuant to section 1 of P.L.1999,  
47 c.295 (C.2C:43-3.5) shall be forwarded and deposited as provided  
48 in that section.

1 k. All penalties imposed pursuant to section 11 of P.L.2001,  
2 c.81 (C.2C:43-3.6) shall be forwarded and deposited as provided in  
3 that section.

4 l. All mandatory penalties imposed pursuant to section 1 of  
5 P.L.2005, c.73 (C.2C:14-10) shall be forwarded and deposited as  
6 provided in that section.

7 m. All penalties imposed pursuant to section 13 of P.L. \_\_\_\_\_,  
8 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill) shall be  
9 forwarded and deposited in the "Court Security Enhancement  
10 Fund," as provided in that section.

11 (cf: P.L.2005, c.73, s.5)

12

13 15. Section 13 of P.L.1991, c.329 (C.2C:46-4.1) is amended to  
14 read as follows:

15 13. Moneys that are collected in satisfaction of any assessment  
16 imposed pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1), or  
17 in satisfaction of restitution or fines imposed in accordance with the  
18 provisions of Title 2C of the New Jersey Statutes or with the  
19 provisions of section 24 of P.L.1982, c.77 (C.2A:4A-43), shall be  
20 applied in the following order:

21 a. first, in satisfaction of all assessments imposed pursuant to  
22 section 2 of P.L.1979, c.396 (C.2C:43-3.1);

23 b. second, except as provided in subsection f. of this section, in  
24 satisfaction of any restitution ordered;

25 c. third, in satisfaction of all assessments imposed pursuant to  
26 section 11 of P.L.1993, c.220 (C.2C:43-3.2);

27 d. fourth, in satisfaction of any forensic laboratory fee assessed  
28 pursuant to N.J.S.2C:35-20;

29 e. fifth, in satisfaction of any mandatory Drug Enforcement  
30 and Demand Reduction penalty assessed pursuant to N.J.S.2C:35-  
31 15;

32 f. sixth, in satisfaction of any anti-drug profiteering penalty  
33 imposed pursuant to N.J.S.2C:35A-1 et seq.;

34 g. seventh, in satisfaction of any anti-money laundering  
35 profiteering penalty imposed pursuant to section 9 of P.L.1999,  
36 c.25;

37 h. eighth, in satisfaction of restitution for any extradition costs  
38 imposed pursuant to section 4 of P.L.1997, c.253 (C.2C:43-3.4);

39 i. ninth, in satisfaction of any penalty imposed pursuant to  
40 section 1 of P.L.1999, c.295 (C.2C:43-3.5);

41 j. tenth, in satisfaction of any penalty imposed pursuant to  
42 section 11 of P.L.2001, c.81 (C.2C:43-3.6);

43 k. eleventh, in satisfaction of the mandatory penalty imposed  
44 pursuant to section 1 of P.L.2005, c.73 (C.2C:14-10); **[and]**

45 l. twelfth, in satisfaction of the mandatory penalty imposed  
46 pursuant to section 13 of P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (pending before the  
47 Legislature as this bill); and

