

ASSEMBLY, No. 3769

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Requires municipal court judge to disclose to governing body of municipality information concerning certain decisions by the Advisory Committee on Judicial Conduct.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain municipal court judges and
2 supplementing Title 2B of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Any judge, temporary judge or acting judge of a
8 municipal court, and any attorney who has applied for the position
9 of judge of a municipal court, who has been issued a private
10 reprimand, censure, admonition or caution by the New Jersey
11 Supreme Court's Advisory Committee on Judicial Conduct, shall
12 disclose that fact to the appointing authority within 30 days of such
13 issuance.

14 b. As used in this act, "appointing authority" has the following
15 meaning:

16 (1) In municipalities governed by a mayor-council form of
17 government, it means the mayor;

18 (2) In the case of a joint municipal court or central municipal
19 court, it means the Governor; and

20 (3) In all other municipalities, it means the governing body of
21 the municipality.

22
23 2. This act shall take effect immediately.
24
25

26 STATEMENT
27

28 Pursuant to the Rules of Court, allegations of misconduct against
29 municipal court judges are handled by the Advisory Committee on
30 Judicial Conduct, which conducts hearings and determines whether
31 public or private discipline should be imposed against the judge. If
32 the Committee issues a private reprimand, admonition or caution,
33 this information is not made available to the municipal governing
34 body, which is responsible for hiring the municipal court judge and
35 paying his salary.

36 This bill provides that any judge, temporary judge or acting
37 judge of a municipal court, and any attorney who has applied for the
38 position of judge of a municipal court, who has been issued a
39 private reprimand, censure, admonition or caution by the New
40 Jersey Supreme Court's Advisory Committee on Judicial Conduct,
41 shall disclose that fact to the appointing authority within 30 days of
42 the issuance.

43 The bill defines "appointing authority" to mean the entity that
44 appoints the judge. Under current law, set out in subsection b. of
45 N.J.S.2B:12-4, municipal court judges are appointed by three types
46 of entities: In municipalities with a mayor-council form of
47 government, the judge is appointed by the mayor with the advice
48 and consent of the council. In municipalities where there is a joint

1 municipal court and in a county with a central municipal court, the
2 judge is appointed by the Governor with the advice and consent of
3 the Senate. (A joint municipal court is a municipal court that is
4 shared by two or more municipalities. A central municipal court
5 adjudicates cases filed by the county health department, county
6 police department, county park police, and other county entities.) In
7 all other municipalities, the judge is appointed by the governing
8 body of the municipality.