

SENATE, No. 609

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

SYNOPSIS

Increases term of municipal court judge to five years.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning municipal court judges and amending
2 N.J.S.2B:12-4.

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

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7 1. N.J.S.2B:12-4 is amended to read as follows:

8 2B:12-4. Judge of municipal court; term of office;
9 appointment. a. Each judge of a municipal court shall serve for a
10 term of **three** five years from the date of appointment and until a
11 successor is appointed and qualified. Any appointment to fill a
12 vacancy not caused by the expiration of term shall be made for the
13 unexpired term only. However, if a county or municipality requires
14 by ordinance that the judge of the municipal court devote full time
15 to judicial duties or limit the practice of law to non-litigated
16 matters, the first appointment after the establishment of that
17 requirement shall be for a full term of **three** five years.

18 b. In municipalities governed by a mayor-council form of
19 government, the municipal court judge shall be appointed by the
20 mayor with the advice and consent of the council. Each judge of a
21 joint municipal court shall be nominated and appointed by the
22 Governor with the advice and consent of the Senate. In all other
23 municipalities, the municipal judge shall be appointed by the
24 governing body of the municipality.

25 c. In a county that has established a central municipal court,
26 the judge of the central municipal court shall be nominated and
27 appointed by the Governor with the advice and consent of the
28 Senate. In those counties having a county executive, the county
29 executive may submit the names of judicial candidates for judge of
30 the central municipal court to the Governor. In all other counties,
31 the governing body may submit the names of judicial candidates for
32 judge of the central municipal court to the Governor.

33 (cf: P.L.1996, c.95, s.3)

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35 2. This act shall take effect immediately and shall apply to
36 appointments made on or after the effective date.

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STATEMENT

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41 Under current law, each judge of a municipal court serves for a
42 term of three years from the date of appointment and until a
43 successor is appointed and qualified. In municipalities governed by
44 a mayor-council form of government, the municipal court judge is
45 appointed by the mayor with the advice and consent of the council.

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 The judge of a joint municipal court is nominated and appointed by
2 the Governor with the advice and consent of the Senate. In all other
3 municipalities, the municipal judge is appointed by the governing
4 body of the municipality.

5 In a county that has established a central municipal court, the
6 judge of the central municipal court is nominated and appointed by
7 the Governor with the advice and consent of the Senate.

8 This bill embodies Recommendation No. 32 of the Report of the
9 Supreme Court Committee on Municipal Court Operations, Fines,
10 and Fees, issued June 2018. According to the report, a longer term
11 of appointment would result in a more experienced bench, provide
12 further stability to the leadership of a municipal court, and represent
13 a shared commitment from all branches of government to provide
14 additional protection to judicial integrity and independence.