

ASSEMBLY, No. 5881

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED DECEMBER 14, 2023

Sponsored by:

Assemblyman CHRIS TULLY

District 38 (Bergen and Passaic)

Assemblyman DONALD A. GUARDIAN

District 2 (Atlantic)

Assemblywoman CLAIRE S. SWIFT

District 2 (Atlantic)

SYNOPSIS

Concerns jurisdiction and operations of regional municipal courts.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning regional municipal courts, amending
2 N.J.S.2B:12-16 and P.L.2000, c.126, and amending and
3 supplementing P.L.2021, c.191.

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

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8 1. N.J.S.2B:12-16 is amended to read as follows:

9 2B:12-16. Territorial jurisdiction. a. A municipal court of a
10 single municipality shall have jurisdiction over cases arising within
11 the territory of that municipality except as provided in section 10 of
12 P.L.1997, c.357 (C.27:25-5.15). A joint municipal court shall have
13 jurisdiction over cases arising within the territory of any of the
14 municipalities which the court serves. The territory of a
15 municipality includes any premises or property located partly in and
16 partly outside of the municipality. A central municipal court shall
17 have jurisdiction over cases arising within the territorial boundaries
18 of the county. A regional municipal court established pursuant to
19 the pilot program set forth in section 1 of P.L.2021, c.191 (C.2B:12-
20 34) shall have territorial jurisdiction over cases arising within the
21 territory of the municipalities participating in the regional
22 municipal court pilot program.

23 b. A municipal court judge, serving as an acting judge in any
24 other municipal court in the county, may also hear matters arising
25 out of that other court, while sitting in the court where the acting
26 judge holds a regular appointment.

27 (cf: P.L.1997, c.357, s.13)

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29 2. Section 2 of P.L.2021, c.191 (C.2B:12-35) is amended to read
30 as follows:

31 2. A regional municipal court shall have territorial and subject
32 matter jurisdiction over all municipal court matters falling within
33 the territorial jurisdiction of the municipal courts of the
34 municipalities in the pilot program. **【All complaints issued in the**
35 **county by the State Police or any Statewide law enforcement**
36 **agency, or by any county law enforcement agency, any county code**
37 **enforcement entity, or by any other non-municipal law enforcement**
38 **agency, shall also fall within the jurisdiction of the regional**
39 **municipal court, consistent with the provisions of N.J.S.2B:12-17**
40 **and N.J.S.2B:12-18.】** A county may, by ordinance, confer the
41 regional municipal court with subject matter jurisdiction over
42 complaints issued by such county law enforcement agencies or
43 county code enforcement entities as may be set forth by ordinance.

44 (cf: P.L.2021, c.191, s.2)

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 3. (New section) All complaints issued in the county on or after
2 the effective date of P.L. , c. (C.) (pending before
3 the Legislature as this bill) by the State Police or any Statewide law
4 enforcement agency, or by any county law enforcement agency, any
5 county code enforcement entity, or by any other non-municipal law
6 enforcement agency, shall be heard in the municipal court of the
7 municipality from which the complaint originates, consistent with
8 the provisions of N.J.S.2B:12-17 and N.J.S.2B:12-18. A regional
9 municipal court established prior to the enactment of P.L. , c.
10 (C.) (pending before the Legislature as this bill) shall retain
11 jurisdiction over all matters pending as of the effective date of
12 P.L. , c. (C.) (pending before the Legislature as this
13 bill). The assignment judge of the vicinage shall have the
14 authority to transfer matters between the municipal courts of the
15 county consistent with the provisions of this section.

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17 4. Section 37 of P.L.2000, c.126 (C.40:23-6.53) is amended to
18 read as follows:

19 37. The governing body of any county may enter into a contract
20 with a private agency or firm for the purpose of collecting
21 delinquent fees, fines, costs, surcharges, and other penalties or
22 assessments imposed, after a final determination of guilt, by a
23 central municipal court established pursuant to subsection e. of
24 N.J.S.2B:12-1, or imposed, after a final determination of guilt, on
25 cases that were filed in a regional municipal court established
26 pursuant to N.J.S.2B:12-34. The use of private agencies or firms to
27 collect delinquent fees, fines, costs, surcharges and other penalties
28 or assessments imposed by a central municipal court or for cases
29 filed in a regional municipal court shall be in accordance with rules
30 or procedures adopted by the Supreme Court. Any such contract
31 shall be made pursuant to the provisions of the “Local Public
32 Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.). The
33 governing body of any county may authorize the assessment of a
34 fee by a private agency or firm not to exceed 22% of the amount
35 collected to be paid by the debtor to the private agency or firm to
36 pay for the costs of collection.
37 (cf: P.L.2009, c.233, s.2)

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39 5. This act shall take effect on the first day of the seventh month
40 following enactment, except that the Administrative Director of the
41 Courts may take any anticipatory action in advance as the director
42 deems necessary for the timely implementation of this act.

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STATEMENT

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47 This bill clarifies the jurisdiction of regional municipal courts
48 established under the pilot program set forth in P.L.2021, c.191

1 (N.J.S.A.2B:12-34, et seq.). Under the pilot program, a county in
2 cooperation with five or more municipalities can create a regional
3 municipal court operated by the county to consolidate the individual
4 courts of participating municipalities.

5 Currently, in addition to having jurisdiction over cases
6 originating from the participating municipalities, the pilot program
7 also required regional municipal courts to handle cases filed by the
8 State Police or any Statewide law enforcement agency, or by any
9 county law enforcement agency, any county code enforcement
10 entity, or by any other non-municipal law enforcement agency, on a
11 countywide basis, even if those matters did not originate from a
12 participating municipality.

13 The bill clarifies that regional municipal courts will no longer be
14 required to hear State Police or county police cases originating from
15 outside the participating municipalities; but counties may still, by
16 ordinance, confer upon the regional municipal court with certain
17 countywide jurisdiction if it chooses to do so. The regional
18 municipal court will retain jurisdiction over currently pending
19 countywide cases, but new cases originating from non-participating
20 municipalities brought after the effective date of the bill will be
21 filed in their municipality of origin.

22 The bill also clarifies that the governing county of a regional
23 municipal court may enter into a contract with a private firm for the
24 collection of delinquent fees, fines, costs, surcharges, and other
25 penalties on behalf of the regional municipal court, pursuant to the
26 Local Public Contracts Law.

27 In the view of the sponsor, requiring regional municipal courts to
28 handle countywide State Police cases has resulted in a higher than
29 anticipated caseload and higher than anticipated expenses where
30 such courts have been established. At the same time, in non-
31 participating municipalities where a large volume of cases involve
32 the State Police or county police, that municipality is required by
33 law, N.J.S.A.2B:12-1, to continue to operate a municipal court even
34 if its caseload has been significantly reduced. In the view of the
35 sponsor, this unintended result runs counter to the cost-savings goal
36 of municipal court consolidation.