

2A: 8-5.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A: 8-5.2

(Municipal judges--allow appointment of acting judges)

LAWS OF: 1983

CHAPTER: 430

Bill No: S3039

Sponsor(s): O'Connor

Date Introduced: January 20, 1983

Committee: Assembly: Judiciary, Law, Public Safety and Defense

Senate: Judiciary

Amended during passage: Yes

Amendments during passage denoted by asterisks

Date of Passage:

Assembly: December 8, 1983

Senate: June 20, 1983

Date of Approval: January 5, 1984

Following statements are attached if available:

Sponsor statement:

Yes (Below)

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

~~No~~ yes

Following were printed:

Reports:

No

Hearings:

No

Sponsor's statement:

This bill permits municipalities to appoint acting municipal judges as the need arises. This would alleviate the tremendous backlog in the municipal courts and facilitate the prompt administration of justice.

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**SENATE, No. 3039****STATE OF NEW JERSEY**

INTRODUCED JANUARY 20, 1983

By Senator O'CONNOR

Referred to Committee on Judiciary

AN ACT concerning the appointment of acting municipal judges and supplementing chapter 8 of Title 2A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. Each municipality may appoint\*, *at the request of the*  
2 *assignment judge of the vicinage wherein the particular munici-*  
3 *pality is located,\** one or more acting municipal judges, as the need  
3A may appear, who while sitting, shall have all the powers of a  
3B municipal court judge. *\*An acting judge shall serve for a term of*  
3C *up to one year.\**

4 b. Each acting judge shall be appointed as follows:

5 (1) In municipalities governed by a mayor-council form of gov-  
6 ernment, by the mayor with the advice and consent of the council,  
7 except that in municipalities governed under the borough law  
8 (chapters 86 to 94 of Title 40 of the Revised Statutes), if the mayor  
9 fails to nominate an acting judge within 30 days after the need  
10 appears, or the council fails to confirm a nomination made by the  
11 mayor within 30 days after it is made, the council shall appoint  
12 the acting judge;

13 (2) In all other municipalities, by the governing body of the  
14 municipality;

15 (3) Where the acting judge would sit in a municipal court  
16 serving two or more municipalities, by the Governor with the  
17 advice and consent of the Senate.

1 2. This act shall take effect immediately.

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Senate committee amendments adopted March 30, 1983.**

**SENATE, No. 3039**

**STATE OF NEW JERSEY**

INTRODUCED JANUARY 20, 1983

By Senator O'CONNOR

Referred to Committee on Judiciary

AN ACT concerning the appointment of acting municipal judges and supplementing chapter 8 of Title 2A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. Each municipality may appoint one or more acting municipal  
2 judges, as the need may appear, who while sitting, shall have all  
3 the powers of a municipal court judge.

4 b. Each acting judge shall be appointed as follows:

5 (1) In municipalities governed by a mayor-council form of gov-  
6 ernment, by the mayor with the advice and consent of the council,  
7 except that in municipalities governed under the borough law  
8 (chapters 86 to 94 of Title 40 of the Revised Statutes), if the mayor  
9 fails to nominate an acting judge within 30 days after the need  
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11 mayor within 30 days after it is made, the council shall appoint  
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13 (2) In all other municipalities, by the governing body of the  
14 municipality;

15 (3) Where the acting judge would sit in a municipal court  
16 serving two or more municipalities, by the Governor with the  
17 advice and consent of the Senate.

1 2. This act shall take effect immediately.

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**STATEMENT**

This bill permits municipalities to appoint acting municipal judges as the need arises. This would alleviate the tremendous backlog in the municipal courts and facilitate the prompt administration of justice.

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
SENATE, No. 3039

STATE OF NEW JERSEY

DATED: OCTOBER 11, 1983

In order to alleviate municipal court backlogs, this bill would permit municipalities to appoint acting municipal court judges on an as needed basis. An acting municipal court judge would be appointed under the same procedure as presently required for the appointment of a regular municipal court judge in that community. An acting municipal court judge would have all the powers of a regularly appointed municipal court judge. The Senate Judiciary Committee amended the bill to provide that temporary municipal court judges would be appointed by the municipality at the request of the assignment judge of the vicinage wherein the particular municipality is located. The amendments also limit the term of an acting municipal court judge to up to one year. The amendments were suggested by the Administrative Office of the Courts.

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SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 3039**

**STATE OF NEW JERSEY**

DATED: MARCH 29, 1983

In order to alleviate municipal court backlogs, this bill would permit municipalities to appoint acting municipal court judges on an as needed basis. An acting municipal court judge would be appointed under the same procedure as presently required for the appointment of a regular municipal court judge in that community. An acting municipal court judge would have all the powers of a regularly appointed municipal court judge. The committee amended the bill to provide that temporary municipal court judges would be appointed by the municipality at the request of the assignment judge of the vicinage wherein the particular municipality is located. The amendments would also limit the term of an acting municipal court judge to up to one year. These amendments were suggested by the Administrative Office of the Courts.

BILLS SIGNED

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JANUARY 5, 1984

S-1911, sponsored by State Senator Carmen A. Orechio, D-Essex, which permits license plates on sanitation trucks to be displayed more than 48 inches above the ground.

S-1993, sponsored by State Senator Herman T. Costello, D-Burlington, which increases the Lottery Commission's authority to impose sanctions for violations by ticket sellers.

S-3039, sponsored by State Senator Edward T. O'Connor, which would permit the appointment of acting municipal court judges on an as-needed basis.

S-3574, sponsored by State Senator Gerald R. Stockman, D-Mercer, which eliminates the limit placed upon the Division of Youth and Family Services for providing emergency funds to families with children to prevent out-of-the-home placement of those children.

A-1752, sponsored by Assemblyman Dennis L. Riley, D-Camden, which prohibits mobile home park owners and operators from evicting residents for posting "for sale" signs on their mobile homes.

A-2006, sponsored by Assemblyman Vincent O. Pellecchia, D-Passaic, which restores to the Passaic County Prosecutor's Office county detective positions lost when the statute fixing the number of positions available was amended last year.

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