

May 26, 1966

R.S. 43:6-6.15

LEGISLATIVE NOTES ON R.S. 43:6-6.15
(Practice of laws by retired judges)

COPY NO 1

No similar bill introduced in 1962.

- L. 1963, Chapter 183, § 3 - S130
Introduced January 28 by Senator Farley.
No statement.
May 6 - Committee Substitute passed Senate amended.
December 9 - Passed Assembly under emergency Resolution.
January 23 - Approved.

No hearings or reports on this legislation were located.

New Jersey Law Journal's articles on judges' retirement:

- 82 NJLJ 156, Utilizing Retired Judges
85 NJLJ 212, Judicial Experience - A Precious Commodity
*88 NJLJ 408, Restriction on Court Practice of Retired Judges
95 NJLJ 457, Law Practice by Retired Supreme and Superior Court Judges
98 NJLJ 713, Notice to Retired Judges and the Bar

* especially on point

RS/PC

CHAPTER 183 LAWS OF N. J. 1963

APPROVED JAN. 23, 1964

[OFFICIAL COPY REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 130

STATE OF NEW JERSEY

ADOPTED MARCH 18, 1963

A SUPPLEMENT to "An act concerning the retirement and death of certain judicial officers and payments to be made as a result thereof," approved September 13, 1948 (P. L. 1948, c. 391).

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

1 1. Any person who (a) holds the office of Chief Justice or associate
2 justice of the Supreme Court or judge of the Superior Court, and (b) shall
3 have served at least 15 years continuously and in the aggregate as a member
4 of the Supreme Court, Superior Court or County Court, the last 10 years of
5 said 15-year period having been served in the Supreme or Superior Courts,
6 *or as an Advisory Master to the Superior Court, or partially in the said*
7 *courts and partially as said Advisory Master,* and (c) has attained the age of
8 65 years but shall not have attained the age of 70 years, may retire from judi-
9 cial office upon filing his resignation in the office of the Secretary of State,
10 accompanied by a statement that it is so filed for the purpose of taking ad-
11 vantage of the provisions of this act. He shall thereafter be paid an annual
12 pension during the remainder of his natural life, in an amount equal to and
13 payable in the same manner as the pension that would be payable to him
14 under the act to which this act is a supplement had he attained the mandatory
15 retirement age of 70 years.

1 2. Any person who takes advantage of the provisions of this act shall not
2 be entitled to a pension under the act to which this act is a supplement;

3 however, for the purpose of providing a widow's pension, a pension payable
4 under the provisions of this act shall be deemed to be payable under the pro-
5 visions of the act to which this act is a supplement.

1 3. No person who retires under the provisions of this act shall engage in
2 the practice of law before any of the courts of this State.

1 4. Any person who retires under the provisions of this act may be desig-
2 nated and assigned by the Chief Justice of the Supreme Court to perform such
3 duties as he shall be willing to undertake. A person accepting such an assign-
4 ment shall not receive any compensation for the performance of the duties
5 assigned to him, but shall be reimbursed for all reasonable expenses incurred
6 in connection therewith. Such designation and acceptance shall be in writing
7 and shall be filed in the office of the clerk of the Supreme Court.

1 5. This act shall be applicable to persons now or hereafter holding the
2 offices of Chief Justice or associate justice of the Supreme Court or judge of
3 the Superior Court.

1 6. This act shall take effect immediately.

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SENATE, No. 130

STATE OF NEW JERSEY

INTRODUCED JANUARY 28, 1963

By Senator FARLEY

Referred to Committee on Judiciary

A SUPPLEMENT to "An act concerning the retirement and death of certain judicial officers and payments to be made as a result thereof," approved September 13, 1948 (P. L. 1948, c. 391).

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

1 1. Whenever a person (a) holds the office of Chief Justice of the Supreme
2 Court, associate justice of the Supreme Court or judge of the Superior Court,
3 and (b) shall have served at least 15 years in the aggregate in one or more of
4 the judicial offices of associate justice of the old Supreme Court, justice of the
5 former court of errors and appeals, judge of a former court of Common pleas,
6 Chief Justice of the Supreme Court, associate justice of the Supreme Court
7 or judge of the Superior Court, and (c) has attained the age of 65 years but
8 shall not have attained the age of 70 years, he may retire from the judicial
9 office held by him upon filing his resignation of his said judicial office in the
10 office of the Secretary of State, accompanied by the statement that it is so
11 filed for the purpose of taking advantage of the provisions of this supplement-
12 tary act. He shall be paid thereafter an annual pension during the remainder
13 of his natural life, in an amount equal to the pension that would be payable to
14 him under the act to which this act is a supplement had he attained the man-
15 datory retirement age of 70 years. The pension so payable under this supple-
16 mental act shall be payable in the same manner as in the case of pensions
17 payable under the act to which this act is a supplement.

1 2. Any person who shall take advantage of the provisions of this supple-
2 mental act shall not be entitled to a pension under the act to which this act
3 is a supplement, but for the purpose of providing a widow's pension under
4 the act to which this act is a supplement, a pension payable under the pro-
5 visions of this supplemental act shall be deemed to be payable under the pro-
6 visions of the act to which this act is a supplement.

1 3. No such person so retired under the provisions of this supplemental
2 act shall engage in the practice of law before any of the courts of this State.

1 4. Any such person so retired under the provisions of this supplementary
2 act may be designated and assigned by the Chief Justice of the Supreme Court
3 to perform such judicial duties in the Superior Court as he shall be willing to
4 undertake. Upon any such designation and acceptance he shall have all of the
5 powers of a judge of the Superior Court. He shall be reimbursed for his ex-
6 penses but shall not receive any compensation for the performance of his said
7 judicial duties. Any such designation and acceptance shall be in writing and
8 shall be filed in the office of the clerk of the Superior Court.

1 5. This act shall be applicable to persons now or hereafter holding said
2 offices.

1 6. This act shall take effect immediately.

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 130

STATE OF NEW JERSEY

ADOPTED MARCH 18, 1963

A SUPPLEMENT to "An act concerning the retirement and death of certain judicial officers and payments to be made as a result thereof," approved September 13, 1948 (P. L. 1948, c. 391).

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

1 1. Any person who (a) holds the office of Chief Justice or associate
2 justice of the Supreme Court or judge of the Superior Court, and (b) shall
3 have served at least 15 years continuously and in the aggregate as a member
4 of the Supreme Court, Superior Court or County Court, the last 10 years of
5 said 15-year period having been served in the Supreme or Superior Courts,
6 and (c) has attained the age of 65 years but shall not have attained the age of
7 70 years, may retire from judicial office upon filing his resignation in the office
8 of the Secretary of State, accompanied by a statement that it is so filed for
9 the purpose of taking advantage of the provisions of this act. He shall there-
10 after be paid an annual pension during the remainder of his natural life, in
11 an amount equal to and payable in the same manner as the pension that would
12 be payable to him under the act to which this act is a supplement had he
13 attained the mandatory retirement age of 70 years.

1 2. Any person who takes advantage of the provisions of this act shall not
2 be entitled to a pension under the act to which this act is a supplement;

3 however, for the purpose of providing a widow's pension, a pension payable
4 under the provisions of this act shall be deemed to be payable under the pro-
5 visions of the act to which this act is a supplement.

1 3. No person who retires under the provisions of this act shall engage in
2 the practice of law before any of the courts of this State.

1 4. Any person who retires under the provisions of this act may be desig-
2 nated and assigned by the Chief Justice of the Supreme Court to perform such
3 duties as he shall be willing to undertake. A person accepting such an assign-
4 ment shall not receive any compensation for the performance of the duties
5 assigned to him, but shall be reimbursed for all reasonable expenses incurred
6 in connection therewith. Such designation and acceptance shall be in writing
7 and shall be filed in the office of the clerk of the Supreme Court.

1 5. This act shall be applicable to persons now or hereafter holding the
2 offices of Chief Justice or associate justice of the Supreme Court or judge of
3 the Superior Court.

1 6. This act shall take effect immediately.

SENATE COMMITTEE AMENDMENTS TO
SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 130

STATE OF NEW JERSEY

ADOPTED APRIL 29, 1963

Amend page 1, section 1, line 5, after "Courts," insert "or as an Advisory Master to the Superior Court, or partially in the said courts and partially as said Advisory Master,"

FOR RELEASE: January 24, 1964

FROM: Office of the Governor

Governor Richard J. Hughes has signed the following bills:

Senate Bill No. 130 -- which supplements the present pension rights to authorize the permissive retirement of the Chief Justice or associate justices of the Supreme Court or judges of the Superior Court at age 65 years or older. Previously, such justices and judges were not eligible to receive a pension until attaining the age of 70 although members of the State's other pension systems are eligible for retirement benefits at age 60 and thereafter.

Any justice or judge who accepts a pension under this supplemental act is prohibited from engaging in the practice of law before any of the courts of the State. The act does authorize any person who retires under its provisions to undertake such duties as he shall be assigned by the Chief Justice. No additional compensation is authorized for such duties other than reimbursement for all reasonable expenses.

Assembly Bill No. 636 -- which clarifies the title to a certain parcel of real property. Kenneth G. Stern died intestate, leaving as his only heirs two adopted children of his deceased brother. The children already own one-half of the property which had been owned by Mr. Stern at the time of his death. This bill authorizes these children to take clear title to the entire parcel of property. Legislation is required because at the time of Mr. Stern's death adopted children were not permitted to inherit property from collateral relatives such as uncles. This provision of the law has since been amended and adopted children now have such a right.

Assembly Bill No. 752 -- amends the law to provide that the position of Chief Examiner and Secretary shall be in the competitive classified service rather than in the unclassified service.

Assembly Bill No. 773 -- validates certain school district bonds which had not received the written endorsement of the State Commissioner of Education and of the Local Government Board prior to the school district meeting or election provided that such endorsements are obtained before the bonds are issued and that no legal action to question the validity of the meeting or election has been or will be instituted within 30 days of the effective date of the act.