

January 20, 1966

LEGISLATIVE HISTORY OF R.S. 2A:8-1
(Municipal courts--establishment)

A new court system was created by the new N.J. Constitution of 1947.

N.J. Constitutional Convention, 1947.

Proceedings, Vol. I, p. 847
(copy enclosed). Resolution by Conven-
tion to the next Legislature/.

COPY NO. 2

1948, Chapter 264 - S358

Introduced May 10 by Senator Lewis.

No statement.

Not amended during passage.

The following bill was introduced in 1948, but did not become law:

1948 - A533 - Introduced August 16 by Sanderson.
Concerned method of appointment of
municipal judges. Did not mention
number/.

1948, Chapter 394, 2 - S416

Introduced August 30 by Senator Lewis.

No statement.

Amended several times during passage.

Section 2 not changed after introduced.

This act made following emendations:

Any municipality having a population of not less than
one thousand/, or any two or more contiguous municipalities
having in the aggregate a population of not less than one
thousand/.

Senator Lewis described his legislative efforts in enacting legislation
establishing the new court system in a magazine article:

Lewis, Arthur W.

Legislation establishing municipal recorders'
courts and county district courts. (N.J. Municipalities,
December 1948, p. 10-13). (copy enclosed).

We searched the following without success:

New Jersey Law Journal - 1948

N.J. Judicial Conference (1st). Proceedings, September 1948.

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NJ Essex County Bar Association. Special
TB24 Committee ... Constitutional Revision
J8 of Judicial Article.
E78 Report ... June 5, 1947.

974.90 N.J. Legislature. Jt. Committee on
C866 Law Revision.
1948 Report [on judiciary]. 1948.

L. 1951, Chapter 94, § 1 - S55
Introduced January 29 by Mr. Bodine.
Not amended during passage.
Statement:

The purpose of this bill is to permit the adoption of simple geographical location names for municipal courts established for a number of municipalities instead of the use of the names of all of the constituent municipalities, thus the "Municipal Court of North Hunterdon" instead of the "Municipal Court of the Townships of Clinton, Tewksbury, Lebanon, and Franklin, and the Boroughs of Hampton, Glen Gardner and Califon."

L. 1953, Chapter 396, § 1 - A524
Introduced March 16 by Bowkley.
Concerns names of municipal courts.

RS/PC

17th Constitutional Convention, 1947
Proceedings Vol. I

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"to be presided over by qualified persons and . . ."

In other words, that sentence will then read:

"... an efficient inferior court system to be presided over by qualified persons and to become effective if . . ."

A new paragraph has been proposed to be inserted, to be known as Paragraph No. 2, which will read:

"That the Legislature consider the enactment of legislation to provide that all judges of the inferior courts receive reasonable fixed compensation which shall have no relation to fees received."

That suggestion was made by Delegate Jorgensen, and I think it has considerable merit and can well be recommended by this Convention to the Legislature. Paragraph 2 would then be considered Paragraph 3.

Mr. President, I would like consent to those two amendments.

Mr. President, suppose I read from "Now therefore be it resolved," and read the entire language of the body of the resolution, as amended.

PRESIDENT: Please do so.

MR. LEWIS (*reading*):

"Now Therefore be it Resolved:

(1) That the Legislature is hereby memorialized to consider the entire inferior court system of this State and to take such action as may be deemed necessary to establish a modern and efficient inferior court system to be presided over by qualified persons and to become effective if at all possible, by September 15, 1948, the date that the Judicial Article adopted by this Convention is to become effective.

(2) That the Legislature consider the enactment of legislation to provide that all judges of the inferior courts receive reasonable fixed compensation which shall have no relation to fees received.

(3) The Secretary of this Convention is hereby directed to transmit a duly authenticated copy of this resolution to the Governor forthwith, and to each house of the Legislature at the opening of the next regular session."

I move the resolution as amended.

PRESIDENT: Is the motion seconded?

FROM THE FLOOR: Seconded.

PRESIDENT: Is there any discussion?

(*Silence*)

PRESIDENT: Are you ready for the question?

FROM THE FLOOR: Question!

PRESIDENT: All in favor, please say "Aye."

(*Chorus of "Ayes"*)

PRESIDENT: Opposed, "No."

(*Silence*)

PRESIDENT: The resolution is adopted. . . . Mr. Smith.

MR. GEORGE F. SMITH: I have a resolution which I would like the Secretary to read.

SECRETARY: Resolution by Mr. George F. Smith (*reading*):