

# 2B:19-2

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001                      **CHAPTER:** 421  
**NJSA:** 2B:19-2                      (Unpaid municipal court fines)  
**BILL NO:** A3277                      (Substituted for S2212)  
**SPONSOR(S):** Russo

**DATE INTRODUCED:** March 8, 2001

**COMMITTEE:**                      **ASSEMBLY:** Judiciary

**SENATE:** Judiciary

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                      **ASSEMBLY:** December 17, 2001

**SENATE:** January 7, 2002

**DATE OF APPROVAL:** January 8, 2002

### FOLLOWING ARE ATTACHED IF AVAILABLE:

#### FINAL TEXT OF BILL (Original version of bill enacted)

#### A3277

**SPONSORS STATEMENT:** (Begins on page 4 of original bill) Yes

**COMMITTEE STATEMENT:**                      **ASSEMBLY:** Yes

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

#### S2212

**SPONSORS STATEMENT:** (Begins on page 4 of original bill) Yes  
Bill and Sponsors Statement identical to A3277

**COMMITTEE STATEMENT:**                      **ASSEMBLY:** No

**SENATE:** Yes  
Identical to Senate Statement for A3277

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

### FOLLOWING WERE PRINTED:

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

# ASSEMBLY, No. 3277

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MARCH 8, 2001

**Sponsored by:**

**Assemblyman DAVID C. RUSSO**

**District 40 (Bergen and Passaic)**

**Co-Sponsored by:**

**Senator Bucco**

**SYNOPSIS**

Authorizes use of the comprehensive enforcement program to collect unpaid municipal court fines.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/8/2002)**

1 AN ACT authorizing the Comprehensive Enforcement Program to  
2 collect unpaid municipal court fines and amending P.L.1995, c.9.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 2 of P.L.1995, c.9 (C.2B:19-2) is amended to read as  
8 follows:

9 2. The Legislature finds and declares that:

10 a. The Judiciary routinely enters judgments and court orders  
11 setting forth assessments, surcharges, fines and restitution against  
12 litigants pursuant to statutory law.

13 b. The enforcement of court orders is crucial to ensure respect for  
14 the rule of law and credibility of the court process.

15 c. Despite monitoring of judgments and court orders by probation  
16 divisions and other segments of the Judiciary responsible for doing so,  
17 many orders are not complied with because there is a lack of central  
18 coordination, funding, automation, and control.

19 d. The Judiciary has successfully developed a hearing officer  
20 program in child support enforcement and a pilot criminal enforcement  
21 court project, which is in the process of being expanded, that have  
22 demonstrated significant increases in collections and compliance.

23 e. The Governor's Management Review Commission has reviewed  
24 the collections process in New Jersey and made recommendations  
25 supporting the establishment and funding of a Statewide  
26 comprehensive enforcement program operated by the Judiciary.

27 f. Upon passage of this act, the Supreme Court and the Chief  
28 Justice will establish a Statewide comprehensive enforcement program  
29 [within the present structure of the Superior Court] which will  
30 provide for the enforcement of court orders and oversee collection of  
31 court-ordered fines, assessments, surcharges and judgments in the  
32 civil, criminal and family divisions, the Tax Court and in [certain]  
33 municipal court [matters] as provided in section 6 of [this act]  
34 P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program  
35 will provide for the collection of certain surcharges administratively  
36 imposed by the Division of Motor Vehicles as provided in section 6 of  
37 [this act] P.L.1995, c.9 (C.2B:19-6). The comprehensive  
38 enforcement program will utilize the child support hearing officer  
39 model and the pilot project criminal enforcement court model,  
40 supported by a Statewide automation system designed to increase  
41 collections, compliance and accountability.

42 (cf: P.L.1997, c.280, s.1).

**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       2. Section 6 of P.L.1995, c.9 (C.2B:19-6) is amended to read as  
2 follows:

3       6. a. All matters involving the collection of moneys in the Superior  
4 Court and Tax Court which have not been resolved in accordance with  
5 an order of the court may be transferred, pursuant to court rule, to the  
6 comprehensive enforcement program for such action as may be  
7 appropriate.

8       b. (1) A municipal court may request that all matters which have  
9 not been resolved in accordance with an order of that court be  
10 transferred to the comprehensive enforcement program in accordance  
11 with the provisions of section 9 of P.L.1995, c.9 (C.2B:19-9) for such  
12 action as may be appropriate. All moneys collected through the  
13 comprehensive enforcement program which result from the enforcing  
14 of orders transferred from any municipal court shall be subject to the  
15 25% deduction authorized pursuant to section 4 of this act except for  
16 moneys collected in connection with the enforcement of orders related  
17 to parking violations.

18       (2) Nothing contained in this act shall prevent any municipal court  
19 from contracting the services of a private collection agency to collect  
20 any moneys which have not been remitted in accordance with an order  
21 of that court.

22       c. The Director of the Division of Motor Vehicles may refer  
23 matters of surcharges imposed administratively under the New Jersey  
24 Merit Rating Plan in accordance with the provisions of section 6 of  
25 P.L.1983, c.65 (C.17:29A-35) which have not been satisfied to the  
26 comprehensive enforcement program in accordance with the  
27 procedures established pursuant to section 4 of P.L.1997, c.280  
28 (C.2B:19-10) to be reduced to judgment and for such additional action  
29 as may be appropriate. All moneys collected through the  
30 comprehensive enforcement program which result from the collection  
31 of these surcharge moneys shall be subject to the 25% deduction  
32 authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

33       d. (1) At the request of the Public Defender, the Clerk of the  
34 Superior Court shall refer every unsatisfied lien, filed by the Public  
35 Defender, to the comprehensive enforcement program for collection.  
36 All moneys collected through the comprehensive enforcement program  
37 which result from the collection of these liens shall be subject to the  
38 deduction authorized pursuant to section 4 of P.L. 1995, c.9  
39 (C.2B:19-4).

40       (2) Upon satisfaction of a public defender lien through the  
41 comprehensive enforcement program, the comprehensive enforcement  
42 program shall notify the Clerk of the Superior Court within 10 days of  
43 satisfaction and the satisfaction of the lien shall be entered in the  
44 Superior Court Judgment Index.

45 (cf: P.L.2000, c.120, s.3)

1 3. Section 9 of P.L.1995, c.9 (C.2B:19-9) is amended to read as  
2 follows:

3 9. Any recommendation by a comprehensive enforcement hearing  
4 officer shall be in conformity with court rules and shall be approved  
5 by:

6 a. a judge of the Superior Court [prior to entry] for Superior  
7 Court matters and for any municipal court matters in which a final  
8 judgment has been docketed in the Superior Court; or

9 b. a judge of the municipal court, designated by the Assignment  
10 Judge of the vicinage, for municipal court matters in which a final  
11 judgment has not been docketed with the Superior Court.

12 (cf: P.L.1995,c.9,s.9).

13

14 4. This act shall take effect immediately.

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#### STATEMENT

18

19 Currently, millions of dollars in municipal court fines resulting from  
20 violations of traffic laws, quasi-criminal statutes, and ordinances  
21 remain unpaid. While municipal courts attempt to collect these  
22 outstanding fines through driver's license suspensions and the issuance  
23 of warrants, these remedies are only marginally effective.

24 On January 16, 2001, the New Jersey Supreme Court authorized  
25 the use of the Comprehensive Enforcement Program (established by  
26 P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities.  
27 Enforcement by the Comprehensive Enforcement Program (the "CEP")  
28 would target persons who have failed to comply with a time-payment  
29 order and whose driver's licenses have already been suspended due to  
30 their noncompliance.

31 To implement this proposal, this bill would amend N.J.S.A.2B:19-  
32 2, 2B:19-6 and 2B:19-9. The bill would allow for the expansion of  
33 the CEP into municipal courts and allow municipal court judges to  
34 review and approve orders recommended by CEP hearing officers to  
35 collect municipal court fines.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3277**

**STATE OF NEW JERSEY**

DATED: MARCH 22, 2001

The Assembly Judiciary Committee reports favorably Assembly Bill No. 3277.

Currently, millions of dollars in municipal court fines resulting from violations of traffic laws, quasi-criminal statutes, and ordinances remain unpaid. While municipal courts attempt to collect these outstanding fines through driver's license suspensions and the issuance of warrants, these remedies are only marginally effective.

On January 16, 2001, the New Jersey Supreme Court authorized the use of the Comprehensive Enforcement Program (established by P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities. Enforcement by the Comprehensive Enforcement Program (the "CEP") would target persons who have failed to comply with a time-payment order and whose driver's licenses have already been suspended due to their noncompliance.

To implement this proposal, this bill would amend N.J.S.A.2B:19-2, 2B:19-6 and 2B:19-9. The bill would allow for the expansion of the CEP into municipal courts and allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.

This bill is identical to Senate, No. 2212.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3277**

**STATE OF NEW JERSEY**

DATED: JANUARY 3, 2002

The Senate Judiciary Committee reports favorably Assembly Bill No. 3277.

On January 16, 2001, the New Jersey Supreme Court authorized the use of the Comprehensive Enforcement Program (established by P.L. 1995, c.9) to collect unpaid fines owed to municipalities. In order to implement this proposal, this bill would allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.



**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 3277**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JANUARY 22, 2002

**SUMMARY**

**Synopsis:** Authorizes use of the comprehensive enforcement program to collect unpaid municipal court fees.

**Type of Impact:** Local revenue

**Agencies Affected:** Judiciary, Municipal Governments

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	None	None	None
<b>Local Revenue</b>	Unknown	Unknown	Unknown

- ! Assembly Bill No. 3277 of 2001 would allow for the expansion of the Comprehensive Enforcement Court (CEP) into municipal courts and allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.
- ! The Office of Legislative Services (OLS) states that the amount of municipal court fine revenue to be collected on behalf of the municipalities is unknown. The OLS further notes that existing statute authorizes the Comprehensive Enforcement program to deduct 25 percent of all collections to defray the cost of operating the program. As a result, enactment of this bill would create no additional cost for the State.

**BILL DESCRIPTION**

Assembly Bill No. 3277 of 2001 would allow for the expansion of the Comprehensive Enforcement Court (CEP) into municipal courts and allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.

Currently, millions of dollars in municipal court fines resulting from violations of traffic laws, quasi-criminal statutes, and ordinances remain unpaid. While municipal courts attempt

to collect these outstanding fines through driver's license suspensions and the issuance of warrants, these remedies are only marginally effective.

On January 16, 2001, the New Jersey Supreme Court authorized the use of the Comprehensive Enforcement Program (established by P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities. Enforcement by the Comprehensive Enforcement Program (the "CEP") would target persons who have failed to comply with a time-payment order and whose driver's licenses have already been suspended due to their noncompliance.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services (OLS) states that the amount of municipal court fine revenue to be collected on behalf of the municipalities is unknown. The OLS further notes that existing statute authorizes the Comprehensive Enforcement program to deduct 25 percent of all collections to defray the cost of operating the program. As a result, enactment of this bill would create no additional cost for the State.

Section: *Judiciary*

Analyst: *Anne C. Raughley*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

**SENATE, No. 2212**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED MARCH 15, 2001

**Sponsored by:**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris)**

**SYNOPSIS**

Authorizes use of the Comprehensive Enforcement Program to collect unpaid municipal court fines.

**CURRENT VERSION OF TEXT**

As introduced.



S2212 BUCCO

2

1 AN ACT authorizing the Comprehensive Enforcement Program to  
2 collect unpaid municipal court fines and amending P.L.1995, c.9.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 2 of P.L.1995, c.9 (C.2B:19-2) is amended to read as  
8 follows:

9 2. The Legislature finds and declares that:

10 a. The Judiciary routinely enters judgments and court orders  
11 setting forth assessments, surcharges, fines and restitution against  
12 litigants pursuant to statutory law.

13 b. The enforcement of court orders is crucial to ensure respect for  
14 the rule of law and credibility of the court process.

15 c. Despite monitoring of judgments and court orders by probation  
16 divisions and other segments of the Judiciary responsible for doing so,  
17 many orders are not complied with because there is a lack of central  
18 coordination, funding, automation, and control.

19 d. The Judiciary has successfully developed a hearing officer  
20 program in child support enforcement and a pilot criminal enforcement  
21 court project, which is in the process of being expanded, that have  
22 demonstrated significant increases in collections and compliance.

23 e. The Governor's Management Review Commission has reviewed  
24 the collections process in New Jersey and made recommendations  
25 supporting the establishment and funding of a Statewide  
26 comprehensive enforcement program operated by the Judiciary.

27 f. Upon passage of this act, the Supreme Court and the Chief  
28 Justice will establish a Statewide comprehensive enforcement program  
29 [within the present structure of the Superior Court] which will  
30 provide for the enforcement of court orders and oversee collection of  
31 court-ordered fines, assessments, surcharges and judgments in the  
32 civil, criminal and family divisions, the Tax Court and in [certain]  
33 municipal court [matters] as provided in section 6 of [this act]  
34 P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program  
35 will provide for the collection of certain surcharges administratively  
36 imposed by the Division of Motor Vehicles as provided in section 6 of  
37 [this act] P.L.1995, c.9 (C.2B:19-6). The comprehensive  
38 enforcement program will utilize the child support hearing officer  
39 model and the pilot project criminal enforcement court model,  
40 supported by a Statewide automation system designed to increase  
41 collections, compliance and accountability.

42 (cf: P.L.1997, c.280, s.1).

**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.**

**S2212 BUCCO**

1       2. Section 6 of P.L.1995, c.9 (C.2B:19-6) is amended to read as  
2 follows:

3       6. a. All matters involving the collection of moneys in the Superior  
4 Court and Tax Court which have not been resolved in accordance with  
5 an order of the court may be transferred, pursuant to court rule, to the  
6 comprehensive enforcement program for such action as may be  
7 appropriate.

8       b. (1) A municipal court may request that all matters which have  
9 not been resolved in accordance with an order of that court be  
10 transferred to the comprehensive enforcement program in accordance  
11 with the provisions of section 9 of P.L.1995, c.9 (C.2B:19-9) for such  
12 action as may be appropriate. All moneys collected through the  
13 comprehensive enforcement program which result from the enforcing  
14 of orders transferred from any municipal court shall be subject to the  
15 25% deduction authorized pursuant to section 4 of this act except for  
16 moneys collected in connection with the enforcement of orders related  
17 to parking violations.

18       (2) Nothing contained in this act shall prevent any municipal court  
19 from contracting the services of a private collection agency to collect  
20 any moneys which have not been remitted in accordance with an order  
21 of that court.

22       c. The Director of the Division of Motor Vehicles may refer  
23 matters of surcharges imposed administratively under the New Jersey  
24 Merit Rating Plan in accordance with the provisions of section 6 of  
25 P.L.1983, c.65 (C.17:29A-35) which have not been satisfied to the  
26 comprehensive enforcement program in accordance with the  
27 procedures established pursuant to section 4 of P.L.1997, c.280  
28 (C.2B:19-10) to be reduced to judgment and for such additional action  
29 as may be appropriate. All moneys collected through the  
30 comprehensive enforcement program which result from the collection  
31 of these surcharge moneys shall be subject to the 25% deduction  
32 authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

33       d. (1) At the request of the Public Defender, the Clerk of the  
34 Superior Court shall refer every unsatisfied lien, filed by the Public  
35 Defender, to the comprehensive enforcement program for collection.  
36 All moneys collected through the comprehensive enforcement program  
37 which result from the collection of these liens shall be subject to the  
38 deduction authorized pursuant to section 4 of P.L. 1995, c.9  
39 (C.2B:19-4).

40       (2) Upon satisfaction of a public defender lien through the  
41 comprehensive enforcement program, the comprehensive enforcement  
42 program shall notify the Clerk of the Superior Court within 10 days of  
43 satisfaction and the satisfaction of the lien shall be entered in the  
44 Superior Court Judgment Index.

45 (cf: P.L.2000, c.120, s.3)

**S2212 BUCCO**

1       3. Section 9 of P.L.1995, c.9 (C.2B:19-9) is amended to read as  
2 follows:

3       9. Any recommendation by a comprehensive enforcement hearing  
4 officer shall be in conformity with court rules and shall be approved  
5 by:

6       a. a judge of the Superior Court [prior to entry] for Superior  
7 Court matters and for any municipal court matters in which a final  
8 judgment has been docketed in the Superior Court; or

9       b. a judge of the municipal court, designated by the Assignment  
10 Judge of the vicinage, for municipal court matters in which a final  
11 judgment has not been docketed with the Superior Court.

12 (cf: P.L.1995,c.9,s.9).

13

14       4. This act shall take effect immediately.

15

16

17

STATEMENT

18

19       Currently, millions of dollars in municipal court fines resulting from  
20 violations of traffic laws, quasi-criminal statutes, and ordinances  
21 remain unpaid. While municipal courts attempt to collect these  
22 outstanding fines through driver's license suspensions and the issuance  
23 of warrants, these remedies are only marginally effective.

24       On January 16, 2001, the New Jersey Supreme Court authorized  
25 the use of the Comprehensive Enforcement Program (established by  
26 P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities.  
27 Enforcement by the Comprehensive Enforcement Program (the "CEP")  
28 would target persons who have failed to comply with a time-payment  
29 order and whose driver's licenses have already been suspended due to  
30 their noncompliance.

31       To implement this proposal, this bill would amend N.J.S.A.2B:19-  
32 2, 2B:19-6 and 2B:19-9. The bill would allow for the expansion of  
33 the CEP into municipal courts and allow municipal court judges to  
34 review and approve orders recommended by CEP hearing officers to  
35 collect municipal court fines.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**SENATE, No. 2212**

**STATE OF NEW JERSEY**

DATED: JANUARY 3, 2002

The Senate Judiciary Committee reports favorably Senate Bill No. 2212.

On January 16, 2001, the New Jersey Supreme Court authorized the use of the Comprehensive Enforcement Program (established by P.L.1995, c.9) to collect unpaid fines owed to municipalities. In order to implement this proposal, this bill would allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 2212**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JANUARY 10, 2002

**SUMMARY**

**Synopsis:** Authorizes use of the comprehensive enforcement program to collect unpaid municipal court fees.

**Type of Impact:** Local revenue

**Agencies Affected:** Judiciary, Municipal Governments

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	None	None	None
<b>Local Revenue</b>	Unknown	Unknown	Unknown

- ! Senate Bill No. 2212 of 2001 would allow for the expansion of the Comprehensive Enforcement Court (CEP) into municipal courts and allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.
- ! The Office of Legislative Services (OLS) states that the amount of municipal court fine revenue to be collected on behalf of the municipalities is unknown. The OLS further notes that existing statute authorizes the Comprehensive Enforcement program to deduct 25 percent of all collections to defray the cost of operating the program. As a result, enactment of this bill would create no additional cost for the State.

**BILL DESCRIPTION**

Senate Bill No. 2212 of 2001 would allow for the expansion of the Comprehensive Enforcement Court (CEP) into municipal courts and allow municipal court judges to review and approve orders recommended by CEP hearing officers to collect municipal court fines.

Currently, millions of dollars in municipal court fines resulting from violations of traffic laws, quasi-criminal statutes, and ordinances remain unpaid. While municipal courts attempt to collect these outstanding fines through driver's license suspensions and the issuance of



warrants, these remedies are only marginally effective.

On January 16, 2001, the New Jersey Supreme Court authorized the use of the Comprehensive Enforcement Program (established by P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities. Enforcement by the Comprehensive Enforcement Program (the "CEP") would target persons who have failed to comply with a time-payment order and whose driver's licenses have already been suspended due to their noncompliance.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services (OLS) states that the amount of municipal court fine revenue to be collected on behalf of the municipalities is unknown. The OLS further notes that existing statute authorizes the Comprehensive Enforcement program to deduct 25 percent of all collections to defray the cost of operating the program. As a result, enactment of this bill would create no additional cost for the State.

Section: *Judiciary*

Analyst: *Anne C. Raughley*  
*Lead Fiscal Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

P.L. 2001, CHAPTER 421, *approved January 8, 2002*

Assembly, No. 3277

1 **AN ACT** authorizing the Comprehensive Enforcement Program to  
2 collect unpaid municipal court fines and amending P.L.1995, c.9.

3

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

6

7 1. Section 2 of P.L.1995, c.9 (C.2B:19-2) is amended to read as  
8 follows:

9 2. The Legislature finds and declares that:

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11 setting forth assessments, surcharges, fines and restitution against  
12 litigants pursuant to statutory law.

13 b. The enforcement of court orders is crucial to ensure respect for  
14 the rule of law and credibility of the court process.

15 c. Despite monitoring of judgments and court orders by probation  
16 divisions and other segments of the Judiciary responsible for doing so,  
17 many orders are not complied with because there is a lack of central  
18 coordination, funding, automation, and control.

19 d. The Judiciary has successfully developed a hearing officer  
20 program in child support enforcement and a pilot criminal enforcement  
21 court project, which is in the process of being expanded, that have  
22 demonstrated significant increases in collections and compliance.

23 e. The Governor's Management Review Commission has reviewed  
24 the collections process in New Jersey and made recommendations  
25 supporting the establishment and funding of a Statewide  
26 comprehensive enforcement program operated by the Judiciary.

27 f. Upon passage of this act, the Supreme Court and the Chief  
28 Justice will establish a Statewide comprehensive enforcement program  
29 **[within the present structure of the Superior Court]** which will  
30 provide for the enforcement of court orders and oversee collection of  
31 court-ordered fines, assessments, surcharges and judgments in the  
32 civil, criminal and family divisions, the Tax Court and in **[certain]**  
33 municipal court **[matters]** as provided in section 6 of **[this act]**  
34 P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program  
35 will provide for the collection of certain surcharges administratively  
36 imposed by the Division of Motor Vehicles as provided in section 6 of  
37 **[this act]** P.L.1995, c.9 (C.2B:19-6). The comprehensive  
38 enforcement program will utilize the child support hearing officer  
39 model and the pilot project criminal enforcement court model,  
40 supported by a Statewide automation system designed to increase

**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 collections, compliance and accountability.  
2 (cf: P.L.1997, c.280, s.1).

3  
4 2. Section 6 of P.L.1995, c.9 (C.2B:19-6) is amended to read as  
5 follows:

6 6. a. All matters involving the collection of moneys in the Superior  
7 Court and Tax Court which have not been resolved in accordance with  
8 an order of the court may be transferred, pursuant to court rule, to the  
9 comprehensive enforcement program for such action as may be  
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11 b. (1) A municipal court may request that all matters which have  
12 not been resolved in accordance with an order of that court be  
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18 25% deduction authorized pursuant to section 4 of this act except for  
19 moneys collected in connection with the enforcement of orders related  
20 to parking violations.

21 (2) Nothing contained in this act shall prevent any municipal court  
22 from contracting the services of a private collection agency to collect  
23 any moneys which have not been remitted in accordance with an order  
24 of that court.

25 c. The Director of the Division of Motor Vehicles may refer  
26 matters of surcharges imposed administratively under the New Jersey  
27 Merit Rating Plan in accordance with the provisions of section 6 of  
28 P.L.1983, c.65 (C.17:29A-35) which have not been satisfied to the  
29 comprehensive enforcement program in accordance with the  
30 procedures established pursuant to section 4 of P.L.1997, c.280  
31 (C.2B:19-10) to be reduced to judgment and for such additional action  
32 as may be appropriate. All moneys collected through the  
33 comprehensive enforcement program which result from the collection  
34 of these surcharge moneys shall be subject to the 25% deduction  
35 authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

36 d. (1) At the request of the Public Defender, the Clerk of the  
37 Superior Court shall refer every unsatisfied lien, filed by the Public  
38 Defender, to the comprehensive enforcement program for collection.  
39 All moneys collected through the comprehensive enforcement program  
40 which result from the collection of these liens shall be subject to the  
41 deduction authorized pursuant to section 4 of P.L. 1995, c.9  
42 (C.2B:19-4).

43 (2) Upon satisfaction of a public defender lien through the  
44 comprehensive enforcement program, the comprehensive enforcement  
45 program shall notify the Clerk of the Superior Court within 10 days of  
46 satisfaction and the satisfaction of the lien shall be entered in the

1 Superior Court Judgment Index.

2 (cf: P.L.2000, c.120, s.3)

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4 3. Section 9 of P.L.1995, c.9 (C.2B:19-9) is amended to read as  
5 follows:

6 9. Any recommendation by a comprehensive enforcement hearing  
7 officer shall be in conformity with court rules and shall be approved  
8 by:

9 a. a judge of the Superior Court [prior to entry] for Superior  
10 Court matters and for any municipal court matters in which a final  
11 judgment has been docketed in the Superior Court; or

12 b. a judge of the municipal court, designated by the Assignment  
13 Judge of the vicinage, for municipal court matters in which a final  
14 judgment has not been docketed with the Superior Court.

15 (cf: P.L.1995,c.9,s.9).

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17 4. This act shall take effect immediately.

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#### STATEMENT

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22 Currently, millions of dollars in municipal court fines resulting from  
23 violations of traffic laws, quasi-criminal statutes, and ordinances  
24 remain unpaid. While municipal courts attempt to collect these  
25 outstanding fines through driver's license suspensions and the issuance  
26 of warrants, these remedies are only marginally effective.

27 On January 16, 2001, the New Jersey Supreme Court authorized  
28 the use of the Comprehensive Enforcement Program (established by  
29 P.L.1995, c.9) to collect these unpaid fines on behalf of municipalities.  
30 Enforcement by the Comprehensive Enforcement Program (the "CEP")  
31 would target persons who have failed to comply with a time-payment  
32 order and whose driver's licenses have already been suspended due to  
33 their noncompliance.

34 To implement this proposal, this bill would amend N.J.S.A.2B:19-  
35 2, 2B:19-6 and 2B:19-9. The bill would allow for the expansion of  
36 the CEP into municipal courts and allow municipal court judges to  
37 review and approve orders recommended by CEP hearing officers to  
38 collect municipal court fines.

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44 Authorizes use of the comprehensive enforcement program to collect  
unpaid municipal court fines.

## CHAPTER 421

**AN ACT** authorizing the Comprehensive Enforcement Program to collect unpaid municipal court fines and amending P.L.1995, c.9.

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

1. Section 2 of P.L.1995, c.9 (C.2B:19-2) is amended to read as follows:

C.2B:19-2 Findings, declarations.

2. The Legislature finds and declares that:
  - a. The Judiciary routinely enters judgments and court orders setting forth assessments, surcharges, fines and restitution against litigants pursuant to statutory law.
  - b. The enforcement of court orders is crucial to ensure respect for the rule of law and credibility of the court process.
  - c. Despite monitoring of judgments and court orders by probation divisions and other segments of the Judiciary responsible for doing so, many orders are not complied with because there is a lack of central coordination, funding, automation, and control.
  - d. The Judiciary has successfully developed a hearing officer program in child support enforcement and a pilot criminal enforcement court project, which is in the process of being expanded, that have demonstrated significant increases in collections and compliance.
  - e. The Governor's Management Review Commission has reviewed the collections process in New Jersey and made recommendations supporting the establishment and funding of a Statewide comprehensive enforcement program operated by the Judiciary.
  - f. Upon passage of this act, the Supreme Court and the Chief Justice will establish a Statewide comprehensive enforcement program which will provide for the enforcement of court orders and oversee collection of court-ordered fines, assessments, surcharges and judgments in the civil, criminal and family divisions, the Tax Court and in municipal court as provided in section 6 of P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program will provide for the collection of certain surcharges administratively imposed by the Division of Motor Vehicles as provided in section 6 of P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program will utilize the child support hearing officer model and the pilot project criminal enforcement court model, supported by a Statewide automation system designed to increase collections, compliance and accountability.

2. Section 6 of P.L.1995, c.9 (C.2B:19-6) is amended to read as follows:

C.2B:19-6 Unresolved money collection matters; DMV surcharges; public defender liens.

6. a. All matters involving the collection of moneys in the Superior Court and Tax Court which have not been resolved in accordance with an order of the court may be transferred, pursuant to court rule, to the comprehensive enforcement program for such action as may be appropriate.

b. (1) A municipal court may request that all matters which have not been resolved in accordance with an order of that court be transferred to the comprehensive enforcement program in accordance with the provisions of section 9 of P.L.1995, c.9 (C.2B:19-9) for such action as may be appropriate. All moneys collected through the comprehensive enforcement program which result from the enforcing of orders transferred from any municipal court shall be subject to the 25% deduction authorized pursuant to section 4 of this act except for moneys collected in connection with the enforcement of orders related to parking violations.

(2) Nothing contained in this act shall prevent any municipal court from contracting the services of a private collection agency to collect any moneys which have not been remitted in accordance with an order of that court.

c. The Director of the Division of Motor Vehicles may refer matters of surcharges imposed administratively under the New Jersey Merit Rating Plan in accordance with the provisions of section 6 of P.L.1983, c.65 (C.17:29A-35) which have not been satisfied to the comprehensive enforcement program in accordance with the procedures established pursuant to section 4 of P.L.1997, c.280 (C.2B:19-10) to be reduced to judgment and for such additional action as may be appropriate. All moneys collected through the comprehensive enforcement program which result from the collection of these surcharge moneys shall be subject to the 25% deduction

authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

d. (1) At the request of the Public Defender, the Clerk of the Superior Court shall refer every unsatisfied lien, filed by the Public Defender, to the comprehensive enforcement program for collection. All moneys collected through the comprehensive enforcement program which result from the collection of these liens shall be subject to the deduction authorized pursuant to section 4 of P.L. 1995, c.9 (C.2B:19-4).

(2) Upon satisfaction of a public defender lien through the comprehensive enforcement program, the comprehensive enforcement program shall notify the Clerk of the Superior Court within 10 days of satisfaction and the satisfaction of the lien shall be entered in the Superior Court Judgment Index.

3. Section 9 of P.L.1995, c.9 (C.2B:19-9) is amended to read as follows:

C.2B:19-9 Recommendation of hearing officer; approval.

9. Any recommendation by a comprehensive enforcement hearing officer shall be in conformity with court rules and shall be approved by:

a. a judge of the Superior Court for Superior Court matters and for any municipal court matters in which a final judgment has been docketed in the Superior Court; or

b. a judge of the municipal court, designated by the Assignment Judge of the vicinage, for municipal court matters in which a final judgment has not been docketed with the Superior Court.

4. This act shall take effect immediately.

Approved January 8, 2002.