

2A: 8-5a to 2A: 8-5c

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:8-5a to 2A:8-5c

(Judges--municipal-give local government authority to make additional appointments)

LAWS OF: 1985

CHAPTER: 46

Bill No: S1902

Sponsor(s): Lynch

Date Introduced: June 18, 1984

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: Yes

Amendments during passage denoted by asterisks

Date of Passage: Assembly: Dec. 13, 1984

Senate: Sep. 20, 1984

Date of Approval: February 13, 1985

Following statements are attached if available:

Sponsor statement:

Yes

Attached: Senate amendments, (adopted 9-13-84) with statement

Committee statement:

Assembly

Yes

Senate

Yes

Fiscal Note:

No

Veto Message:

No

Message on Signing:

No

Following were printed:

Reports:

No

Hearings:

No

[SECOND OFFICIAL COPY REPRINT]

SENATE, No 1902

STATE OF NEW JERSEY

INTRODUCED JUNE 18, 1984

By Senator LYNCH

Referred to Committee on Judiciary

AN ACT concerning judges of the municipal courts and supplementing chapter 8 of Title 2A of the New Jersey Statutes and repealing parts of the statutory law.

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

1 **[1. The governing body of a municipality may, as the need may
2 appear, provide for the appointment of any number of judges, not
3 less than one, of the municipal court **with the written consent of*
4 *the assignment judge of the vicinage in which the municipality is*
5 *located.** The number of judges of a municipal court established by
6 two or more municipalities may be provided by ordinances adopted
7 by all the municipalities which entered into the intermunicipal
8 agreement **with the written consent of the assignment judge of the*
9 *vicinage in which the municipalities are located*.]***

1 ***1. In addition to those judges of the municipal court now ap-*
2 *pointed or reappointed pursuant to N. J. S. 2A:8-5, the governing*
3 *body of a municipality may, as the need appears, provide for the*
4 *appointment of any additional number of judges. Where a municip-*
5 *al court has been established by two or more municipalities, the*
6 *number of additional judges of that court may be provided by ordi-*
7 *nances adopted by all the municipalities which entered into the*
8 *inter-municipal agreement.***

1 ****[2. Any judge of a municipal court authorized pursuant to any**
2 **other law shall continue to hold that appointment until the expira-**
3 **tion of his term. Thereafter all appointments shall be provided**
4 **for in accordance with section 1 of this act.]****

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 printed in italics thus is new matter.

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

***—Senate amendments adopted September 13, 1984.**

****—Assembly committee amendments adopted November 19, 1984.**

1 **2.** *No additional judge shall be appointed or reappointed pur-*
2 *suant to this act without the written consent of the assignment*
3 *judge of the vicinage in which the municipality, or municipalities,*
4 *are located.*

1 **3.** *Any judge of a municipal court authorized pursuant to any*
2 *other law shall continue to hold that appointment until the expira-*
3 *tion of his term and his reappointment shall not require the written*
4 *consent of an assignment judge.*

1 **[3.]** **4.** The following are repealed:

2 N. J. S. 2A:8-6;

3 P. L. 1968, c. 293 (C. 2A:8-6.1);

4 P. L. 1972, c. 190 (C. 2A:8-6.2);

5 P. L. 1975, c. 395 (C. 2A:8-6.3);

6 P. L. 1979, c. 357 (C. 2A:8-6.4);

7 P. L. 1983, c. 89 (C. 2A:8-6.5);

8 P. L. 1983, c. 425 (C. 2A:8-6.6); **[and]**

9 P. L. 1983, c. 557 (C. 2A:8-6.7) **[.]** **;** *and*

10 **P. L. 1984, c. 125 (C. 2A:8-6.8).**

1 **[4.]** **5.** This act shall take effect immediately.

SENATE, No 1902

STATE OF NEW JERSEY

INTRODUCED JUNE 18, 1984

By Senator LYNCH

Referred to Committee on Judiciary

AN ACT concerning judges of the municipal courts and supplementing chapter 8 of Title 2A of the New Jersey Statutes and repealing parts of the statutory law.

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

1 1. The governing body of a municipality may, as the need may
2 appear, provide for the appointment of any number of judges, not
3 less than one, of the municipal court. The number of judges of a
4 municipal court established by two or more municipalities may be
5 provided by ordinances adopted by all the municipalities which
6 entered into the intermunicipal agreement.

1 2. Any judge of a municipal court authorized pursuant to any
2 other law shall continue to hold that appointment until the expira-
3 tion of his term. Thereafter all appointments shall be provided
4 for in accordance with section 1 of this act.

1 3. The following are repealed:

2 N. J. S. 2A:8-6;
3 P. L. 1968, c. 293 (C. 2A:8-6.1);
4 P. L. 1972, c. 190 (C. 2A:8-6.2);
5 P. L. 1975, c. 395 (C. 2A:8-6.3);
6 P. L. 1979, c. 357 (C. 2A:8-6.4);
7 P. L. 1983, c. 89 (C. 2A:8-6.5);
8 P. L. 1983, c. 425 (C. 2A:8-6.6); and
9 P. L. 1983, c. 557 (C. 2A:8-6.7).

1 4. This act shall take effect immediately.

STATEMENT

Presently, legislation has to be enacted in order for a municipality to increase the number of judges authorized for its municipal court. This bill permits a municipal governing body to provide for, in its discretion, the number of judgeships authorized for that municipality's municipal court. Where a municipal court was established by two or more municipalities, the number of judges could be provided for by ordinances adopted by all the municipalities which entered into the intermunicipal agreement.

The bill continues authorization for any municipal court judge presently serving. As the number of municipal court judges appointed in a municipality would be within the discretion of the municipal governing body, the bill also repeals those statutes which specifically authorize the appointment of additional municipal court judges in certain municipalities.

51902 (1985)

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1902

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1984

Presently, if a municipality wishes to increase the number of judges authorized for its municipal court, legislation must be enacted. As amended by the committee, this bill would permit a municipal governing body to increase, in its discretion, the number of judgeships authorized for that municipality's municipal court. If a municipal court judge serves more than one municipality, the number of judges could be increased by ordinances adopted by all the municipalities served by that court.

Under the bill, no additional judge could be appointed or reappointed without the written consent of the assignment judge of the vicinage in which the municipality is located. However, any judge of a municipal court authorized pursuant to any other law would continue to hold the appointment until the end of his term and would not need the written consent of an assignment judge for reappointment.

Further, as the additional number of municipal court judges appointed in a municipality would be within the discretion of the governing body, the bill repeals those statutes which specifically authorize the appointment of additional judges in certain municipalities.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1902

STATE OF NEW JERSEY

DATED: JULY 30, 1984

Presently, if a municipality wishes to increase the number of judges authorized for its municipal court, legislation must be enacted. This bill would permit a municipal governing body to increase, in its discretion, the number of judgeships authorized for that municipality's municipal court. If a municipal court judge serves more than one municipality, the number of judges could be increased by ordinances adopted by all the municipalities served by that court.

The bill continues authorization for any municipal court judge presently serving. Additionally, as the number of municipal court judges appointed in a municipality would be within the discretion of the governing body, the bill repeals those statutes which specifically authorize the appointment of additional judges in certain municipalities.

ADOPTED
SEP 13 1984

Senate Amendments ✓

to

Senate Bill No. 1902

by: Senator Lynch
9/13/84

Amend:

Page	Sec.	Line
1	1	3
1	1	6

After "court" Insert "with the written consent of the assignment judge of the vicinage in which the municipality is located."

After "agreement" Insert "with the written consent of the assignment judge of the vicinage in which the municipalities are located."

STATEMENT

S-1902 would permit a municipality governing body to increase, in its discretion, the number of judgeships authorized for that municipality's municipal court. This amendment would require that the assignment judge of the vicinage in which the municipality is located ~~must~~ consent, in writing, to any change in the number of authorized municipal court judges.