

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:16-11

(Counsel fees - orders to pay -  
to be entered by Superior Court  
Clerk in the same manner as other  
judgments)

LAWS OF: 1983

CHAPTER: 299

Bill No: A1812

Sponsor(s): Kern and others

Date Introduced: September 20, 1982

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 6, 1982

**Senate:** June 23, 1983

Date of Approval: August 8, 1983

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

**Senate** Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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8-8-83

[OFFICIAL COPY REPRINT]  
**ASSEMBLY, No. 1812**

**STATE OF NEW JERSEY**

INTRODUCED SEPTEMBER 20, 1982

By Assemblymen KERN, BENNETT, HERMAN and FLYNN

AN ACT concerning the entering of Superior Court Judgments, and  
amending N. J. S. 2A:16-11.

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

1 1. N. J. S. 2A:16-11 is amended to read as follows:

2 2A:16-11. The Clerk of the Superior Court shall keep a book  
3 known as a civil judgment and order docket in which shall be  
4 entered, without any request, an abstract of each judgment or order  
5 for the payment of money, *including a judgment or order to pay*  
6 *counsel fees \*and other fees or costs\**, entered from, or made in,  
7 the Superior Court. A judgment or order for the payment of money  
8 is one which has been reduced to a fixed dollar amount. Any  
9 judgment for periodic payments where a total amount has not been  
10 fixed shall not be considered as having been reduced to a fixed  
11 dollar amount unless a judgment fixing arrearages has been  
11A entered.

12 The entry required by this section shall constitute the record of  
13 the judgment, order or decree and a transcript thereof duly certified  
14 by the clerk of the court shall be a plenary evidence of such judg-  
15 ment, order or decree.

16 The clerk shall also make an entry upon the civil judgment  
17 and order docket indicating the nature of every judgment or order  
18 and an entry on return showing execution of process and the date  
19 when such judgment or order was entered.

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:**

**\*—Assembly committee amendment adopted October 18, 1982.**

## STATEMENT

N. J. S. 2A:16-11 was amended by P. L. 1981, c. 388 so as to provide for the entering of abstracts of civil judgments by the Superior Court clerk without the need for the prevailing party to make a request therefor. This has been interpreted by the clerk's office as not pertaining to orders to pay counsel fees, unless the order directs it to be entered as a judgment. This bill provides that orders to pay counsel fees will be entered, without request, in the same manner as other orders and judgments for the payment of money.

A1812 (1982)

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1812**  
with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 7, 1982

As amended, this bill requires that orders to pay counsel fees and other fees or costs would automatically be entered into the abstracts for civil judgments.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1812

**STATE OF NEW JERSEY**

DATED: MARCH 30, 1983

N. J. S. 2A:16-11 which deals with the docketing of civil judgments was amended by P. L. 1981, c. 388 so as to provide that judgments from all divisions of the Superior Court involving the payment of money may be docketed without the need for the prevailing party to make a request for docketing. Previously, only judgments from the Law Division were automatically docketed. The change accomplished by P. L. 1981, c. 388 with regard to the docketing of judgments has been interpreted by some clerk's offices as not pertaining to orders to pay counsel fees unless the order specifically states that it is to be entered as a judgment. Assembly Bill No. 1812 provides that orders to pay counsel fees and other fees and costs will be entered, without request, in the same manner as other orders and judgments for the payment of money.