

47:3-13

LEGISLATIVE HISTORY CHECKLIST

NJSA: 47:3-13

(County records certain - allow destruction by county clerk)

LAWS OF: 1983

CHAPTER: 321

Bill No: A201

Sponsor(s): Gill

Date Introduced: Pre-filed

Committee: Assembly: Judiciary, Law, Public Safety and Defense

Senate: Judiciary

Amended during passage: NO

Date of Passage: Assembly: September 30, 1982

Senate: June 27, 1983

Date of Approval: September 1, 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~~ Yes

Following were printed:

Reports: NO

Hearings: NO

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ASSEMBLY, No. 201

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Assemblyman GILL

AN ACT to amend the title of "An act concerning the destruction or other disposition of certain papers on file in the offices of the county clerks, pertaining to the former courts of oyer and terminer, circuit courts, courts of common pleas, courts of quarter sessions and courts of special sessions," approved July 25, 1953 (P. L. 1953, c. 270), so that the same shall read "An act concerning the destruction or other disposition of certain papers on file in the offices of the county clerks, pertaining to the former courts of oyer and terminer, circuit courts, courts of common pleas, courts of quarter sessions, courts of special sessions and county courts" and to amend the body of said act.

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

1 1. The title of P. L. 1953, c. 270 (C. 47:3-13 et seq.) is amended
2 to read as follows: "An Act concerning the destruction or other
3 disposition of certain papers on file in the offices of the county
4 clerks, pertaining to the former courts of oyer and terminer,
5 circuit courts, courts of common pleas, courts of quarter sessions
6 **[and]**, courts of special sessions *and county courts*".

1 2. Section one of P. L. 1953, c. 270 (C. 47:3-13) is amended to
2 read as follows:

3 1. Whenever any papers have been on file for more than 25 years
4 in the office of any county clerk, pertaining to the former court of
5 oyer and terminer, circuit court, court of common pleas, court of
6 quarter sessions **[and]**, court of special sessions, *and county court*
7 of said county, and form no part of the record of an enforceable
8 judgment, the Superior Court Assignment Judge of the county,
9 wherein such papers are on file, may order and direct the clerk
10 of the county to remove or destroy such papers or otherwise
11 effectively obliterate the records therein.

1 3. This act shall take effect immediately.

EXPLANATION—Matter enclosed in bold-faced brackets **[thus]** in the above bill
is not enacted and is intended to be omitted in the law.

STATEMENT

The county court was created in the 1947 revised State Constitution and was abolished by Constitutional referendum and absorbed into the Superior Court as of December 7, 1979, after only 34 years of existence.

Accordingly, every county clerk who has the care and custody of old court files is sitting with thousands of county court cases wherein judgment has been satisfied or never renewed. They are taking up valuable storage space and collecting dust because there is no statutory provision to destroy after 25 years (a judgment being good for only 20 years).

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Accordingly, every county clerk who has the care and custody of old court files is sitting with thousands of county court cases wherein judgment has been satisfied or never renewed. They are taking up valuable storage space and collecting dust because there is no statutory provision to destroy after 25 years (a judgment being good for only 20 years).

A201 (1982)

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO
ASSEMBLY, No. 201

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 1982

This bill would allow county clerks to destroy county court records which are more than 25 years old. The need for this bill was occasioned by the increase in volume of court records which are no longer necessary due to the abolition of the county courts in 1979 when they became absorbed into the Superior Court.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 201

STATE OF NEW JERSEY

DATED: JUNE 20, 1983

This bill would permit county clerks to destroy county court records which form no part of an enforceable judgment if the records are more than 25 years old.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

SEP 12 1983

THURSDAY, SEPTEMBER 1, 1983

185 W. State Street
Trenton, N. J.

Governor Thomas H. Kean has signed the following bills:

A-1515, sponsored by Assemblywoman Catherine A. Costa, D-Burlington, which consolidates 56 separate existing laws into a single act governing the operation of State Parks and Forests.

A-3396, sponsored by Assemblyman Willie Brown, D-Essex, which amends the New Jersey Local Development Financing Fund Act to include a county development corporation as a project sponsored with the approval of the county government.

A-3265, sponsored by Assemblyman John S. Watson, D-Mercer; which validates certain transfer of title in lands and buildings to War Memorial Commissions. The bill will permit the State to convey title to the land occupied by the Trenton War Memorial Building to the Trenton and Mercer County War Memorial Commission.

A-1301, sponsored by Assemblyman Thomas H. Paterniti, D-Middlesex, which provides for salvage certificates of title for stolen and destroyed motor vehicles. The bill is intended to prevent the use of regular certificates of title from being used to register stolen vehicles after the original vehicle has been stolen or wrecked. It requires the owner of a stolen or wrecked vehicle to turn in the regular certificate in exchange for a "salvage" certificate. Should a stolen vehicle be recovered, the owner can obtain a new certificate of title by turning in the salvage certificate.

A-201, sponsored by Assemblyman Edward K. Gill, R-Union, which permits county clerks to destroy county court records if the records are more than 25 years old and form no part of an enforceable judgment.