

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>.

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH 2/29/08

P.L. 2006, CHAPTER 20, *approved May 25, 2006*
Assembly, No. 1219

1 **AN ACT** concerning municipal court administrators and amending
2 N.J.S.2B:12-11.

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

6
7 1. N.J.S.2B:12-11 is amended to read as follows:
8 2B:12-11. Certification of municipal court administrators.

9 a. The Supreme Court may appoint a Municipal Court
10 Administrator Certification Board. That board shall:

11 (1) Design examinations for certification of municipal court
12 administrators;

13 (2) Establish courses satisfying training requirements in subjects
14 closely related to the duties of a municipal court administrator; and

15 (3) Establish procedures and fees for certification.

16 b. A person shall be certified as a Municipal Court
17 Administrator if the person:

18 (1) Is a high school graduate;

19 (2) Has a combination of two years of either full-time
20 government employment performing duties related to those of a
21 municipal court administrator, or higher education;

22 (3) Completes the training required by the board;

23 (4) Passes the examination held by the board, and

24 (5) Pays any required certification fee.

25 c. A person who is a municipal court administrator and has been
26 serving in that position for five years on the effective date of this
27 act shall be certified as a municipal court administrator if the person
28 passes the examination held by the board and pays any required
29 certification fee. A person who is a municipal court administrator
30 and has been serving in that position for three years on the effective
31 date of this act shall be certified as a municipal court administrator
32 if the person completes the training required by the board, passes
33 the examination held by the board and pays any required
34 certification fee.

35 d. Starting on the fifth anniversary of the effective date of
36 P.L. , c. (pending before the Legislature as this bill), no person
37 shall be appointed as a municipal court administrator unless that
38 person holds a municipal court administrator certificate issued by
39 the Supreme Court. Municipal court administrators hired in the
40 interim between that effective date and the fifth anniversary
41 following that effective date shall have five years from the date of
42 hire to obtain certification.

43 e. Starting on the fifth anniversary of the effective date of
44 P.L. , c. (pending before the Legislature as this bill), after a

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 vacancy in the office of municipal court administrator, the
2 governing body may appoint a person who does not hold a
3 municipal court administrator certificate to serve as a municipal
4 court administrator, on an interim basis, for a period not to exceed
5 one year commencing on the date of the appointment. Any person
6 so appointed may, in consultation with the judge of the municipal
7 court, be reappointed as a municipal court administrator, on an
8 interim basis, for two subsequent one-year terms. The municipal
9 court administrator appointed on an interim basis may be
10 reappointed for a fourth, and, if necessary, a fifth additional one-
11 year term, provided the municipal court administrator is currently
12 enrolled in the certification program and needs additional time to
13 complete that program.

14 (1) Time served as an interim municipal court administrator may
15 be credited toward the experience authorized as a substitute for the
16 college education requirement under paragraph (2) of subsection b.
17 of this section.

18 (2) Time served as a municipal court administrator, on an
19 interim basis, may not be credited as time served as a municipal
20 court administrator for the purpose of acquiring tenure under
21 section 1 of P.L.1953, c. 168 (C.2A:8-13.1) and section 1 of
22 P.L.1975, c.39 (C.2A:8-13.3).

23 f. Notwithstanding the provisions of P.L. , c. (pending before
24 the Legislature as this bill), a person who is serving as a municipal
25 court administrator on the effective date of P.L. , c. (pending
26 before the Legislature as this bill), may continue to hold the
27 position of municipal court administrator in that municipality,
28 provided the person satisfactorily completes, within five years of
29 the effective date of P.L. , c. (pending before the Legislature as
30 this bill), the training required by this section and thereafter
31 satisfies the continuing education required of certified municipal
32 court administrators. If a municipal court administrator qualified
33 under this subsection transfers to a position as a municipal court
34 administrator in another municipality, that administrator will be
35 treated as a newly-hired administrator for purposes of this section.

36 g. The Supreme Court of New Jersey may adopt rules to
37 implement the purposes of P.L. , c. (pending before the
38 Legislature as this bill).

39 h. A municipal court administrator certificate may be revoked or
40 suspended by the board for dishonest practices or failure to
41 perform, or neglect of, duties of a municipal court administrator.
42 (cf: N.J.S. 2B:12-11)

43

44 2. This act shall take effect immediately.

A1219

3

1



2

3

Requires all municipal court administrators to be certified and

4

provides for interim municipal court administrator appointments

5

under certain circumstances.

ASSEMBLY, No. 1219

STATE OF NEW JERSEY

212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblymen Gordon, Gusciora, Manzo, Hackett and Assemblywoman Cruz-Perez

SYNOPSIS

Requires all municipal court administrators to be certified and provides for interim municipal court administrator appointments under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



A1219 DIEGNAN, BARNES

2

1 AN ACT concerning municipal court administrators and amending
2 N.J.S.2B:12-11.

3

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

6

7 1. N.J.S.2B:12-11 is amended to read as follows:

8 2B:12-11. Certification of municipal court administrators.

9 a. The Supreme Court may appoint a Municipal Court
10 Administrator Certification Board. That board shall:

11 (1) Design examinations for certification of municipal court
12 administrators;

13 (2) Establish courses satisfying training requirements in subjects
14 closely related to the duties of a municipal court administrator; and

15 (3) Establish procedures and fees for certification.

16 b. A person shall be certified as a Municipal Court
17 Administrator if the person:

18 (1) Is a high school graduate;

19 (2) Has a combination of two years of either full-time
20 government employment performing duties related to those of a
21 municipal court administrator, or higher education;

22 (3) Completes the training required by the board;

23 (4) Passes the examination held by the board, and

24 (5) Pays any required certification fee.

25 c. A person who is a municipal court administrator and has been
26 serving in that position for five years on the effective date of this
27 act shall be certified as a municipal court administrator if the person
28 passes the examination held by the board and pays any required
29 certification fee. A person who is a municipal court administrator
30 and has been serving in that position for three years on the effective
31 date of this act shall be certified as a municipal court administrator
32 if the person completes the training required by the board, passes
33 the examination held by the board and pays any required
34 certification fee.

35 d. Starting on the fifth anniversary of the effective date of
36 P.L. , c. (now pending before the Legislature as this bill), no
37 person shall be appointed as a municipal court administrator unless
38 that person holds a municipal court administrator certificate issued
39 by the Supreme Court. Municipal court administrators hired in the
40 interim between that effective date and the fifth anniversary
41 following that effective date shall have five years from the date of
42 hire to obtain certification.

43 e. Starting on the fifth anniversary of the effective date of
44 P.L. , c. (now pending before the Legislature as this bill), after a
45 vacancy in the office of municipal court administrator, the

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 governing body may appoint a person who does not hold a
2 municipal court administrator certificate to serve as a municipal
3 court administrator, on an interim basis, for a period not to exceed
4 one year commencing on the date of the appointment. Any person
5 so appointed may, in consultation with the judge of the municipal
6 court, be reappointed as a municipal court administrator, on an
7 interim basis, for two subsequent one-year terms. The municipal
8 court administrator appointed on an interim basis may be
9 reappointed for a fourth, and, if necessary, a fifth additional one-
10 year term, provided the municipal court administrator is currently
11 enrolled in the certification program and needs additional time to
12 complete that program.

13 (1) Time served as an interim municipal court administrator may
14 be credited toward the experience authorized as a substitute for the
15 college education requirement under paragraph (2) of subsection b.
16 of this section.

17 (2) Time served as a municipal court administrator, on an
18 interim basis, may not be credited as time served as a municipal
19 court administrator for the purpose of acquiring tenure under
20 section 1 of P.L.1953, c. 168 (C.2A:8-13.1) and section 1 of
21 P.L.1975, c. 39 (C.2A:8-13.3).

22 f. Notwithstanding the provisions of P.L. , c. (now pending
23 before the Legislature as this bill), a person who is serving as a
24 municipal court administrator on the effective date of P.L. , c.
25 (now pending before the Legislature as this bill), may continue to
26 hold the position of municipal court administrator in that
27 municipality, provided the person satisfactorily completes, within
28 five years of the effective date of P.L. , c. (now pending before
29 the Legislature as this bill), the training required by this section and
30 thereafter satisfies the continuing education required of certified
31 municipal court administrators. If a municipal court administrator
32 qualified under this subsection transfers to a position as a municipal
33 court administrator in another municipality, that administrator will
34 be treated as a newly-hired administrator for purposes of this
35 section.

36 g. The Supreme Court of New Jersey may adopt rules to
37 implement the purposes of P.L. , c. (now pending before the
38 Legislature as this bill).

39 h. A municipal court administrator certificate may be revoked or
40 suspended by the board for dishonest practices or failure to
41 perform, or neglect of, duties of a municipal court administrator.
42 (P.L.1993, c.293, s.1)

43

44 2. This act shall take effect immediately.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

This bill would amend N.J.S.A.2B:12-11 concerning municipal court administrators to require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill would also provide for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms, in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided that he is enrolled in the certification program and needs additional time to complete that program. The bill also provides that time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.2.

The bill also provides that a person who is serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1219

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 2006

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1219.

This bill would amend N.J.S.A.2B:12-11 concerning municipal court administrators to require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill would also provide for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms, in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided that he is enrolled in the certification program and needs additional time to complete that program. The bill also provides that time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.2.

The bill also provides that a person who is serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1219

STATE OF NEW JERSEY

DATED: MAY 11, 2006

The Senate Judiciary Committee reports favorably Assembly Bill No. 1219.

This bill would amend N.J.S.A.2B:12-11 concerning municipal court administrators to require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill provides for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms (second and third terms), in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided he is enrolled in the certification program and needs additional time to complete that program. Time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.3.

The bill also provides that a person serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

This bill is identical to Senate, No. 118.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1219
STATE OF NEW JERSEY
212th LEGISLATURE

DATED: APRIL 21, 2006

SUMMARY

- Synopsis:** Requires all municipal court administrators to be certified and provides for interim municipal court administrator appointments under certain circumstances.
- Type of Impact:** No Impact.
- Agencies Affected:** Judiciary, Municipal Courts.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	No Impact - See Comments Below		
Local Cost	No Impact - See Comments Below		

- The Office of Legislative Services **concurs** with the Executive estimate.
- Assembly Bill No. 1219 of 2006 would require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill.
- The bill also provides that a person who is serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators.
- In a fiscal note for the prior legislative session, the Administrative Office of the Courts (AOC) stated that enactment of this bill would result in no additional expenditures nor generate additional revenue for the Judiciary.
- The AOC's Division of Municipal Court Services notes that the AOC offers municipal court administrator certificate training under its ongoing training program. There are currently approximately 700 municipal court administrators in 535 municipalities Statewide, of which approximately 442 hold certification.

BILL DESCRIPTION

Assembly Bill No. 1219 of 2006 would require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill would also provide for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms, in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided that he is enrolled in the certification program and needs additional time to complete that program. The bill also provides that time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.2.

The bill also provides that a person who is serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

FISCAL ANALYSIS

EXECUTIVE BRANCH

In a fiscal note for the prior legislative session, the AOC stated that enactment of this bill would result in no additional expenditures nor generate additional revenue for the Judiciary.

The AOC's Division of Municipal Court Services notes that the AOC offers municipal court administrator certificate training under its ongoing training program. There are currently approximately 700 municipal court administrators in 535 municipalities Statewide, of which approximately 442 hold certification.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with the Executive estimate.

Section: Judiciary

*Analyst: Anne Raughley
Principal Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

A1219

3

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

SENATE, No. 118

STATE OF NEW JERSEY 212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:
Senator JOSEPH CONIGLIO
District 38 (Bergen)

SYNOPSIS

Requires all municipal court administrators to be certified and provides for interim municipal court administrator appointments under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



S118 CONIGLIO

2

1 AN ACT concerning municipal court administrators and amending
2 N.J.S.2B:12-11.

3

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

6

7 1. N.J.S.2B:12-11 is amended to read as follows:

8 2B:12-11. Certification of municipal court administrators.

9 a. The Supreme Court may appoint a Municipal Court
10 Administrator Certification Board. That board shall:

11 (1) Design examinations for certification of municipal court
12 administrators;

13 (2) Establish courses satisfying training requirements in subjects
14 closely related to the duties of a municipal court administrator; and

15 (3) Establish procedures and fees for certification.

16 b. A person shall be certified as a Municipal Court Administrator
17 if the person:

18 (1) Is a high school graduate;

19 (2) Has a combination of two years of either full-time
20 government employment performing duties related to those of a
21 municipal court administrator, or higher education;

22 (3) Completes the training required by the board;

23 (4) Passes the examination held by the board, and

24 (5) Pays any required certification fee.

25 c. A person who is a municipal court administrator and has been
26 serving in that position for five years on the effective date of this
27 act shall be certified as a municipal court administrator if the person
28 passes the examination held by the board and pays any required
29 certification fee. A person who is a municipal court administrator
30 and has been serving in that position for three years on the effective
31 date of this act shall be certified as a municipal court administrator
32 if the person completes the training required by the board, passes
33 the examination held by the board and pays any required
34 certification fee.

35 d. Starting on the fifth anniversary of the effective date of
36 P.L. , c. (now pending before the Legislature as this bill), no
37 person shall be appointed as a municipal court administrator unless
38 that person holds a municipal court administrator certificate issued
39 by the Supreme Court. Municipal court administrators hired in the
40 interim between that effective date and the fifth anniversary
41 following that effective date shall have five years from the date of
42 hire to obtain certification.

43 e. Starting on the fifth anniversary of the effective date of
44 P.L. , c. (now pending before the Legislature as this bill), after a

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 vacancy in the office of municipal court administrator, the
2 governing body may
3 appoint a person who does not hold a municipal court administrator
4 certificate to serve as a municipal court administrator, on an
5 interim basis, for a period not to exceed one year commencing on
6 the date of the appointment. Any person so appointed may, in
7 consultation with the judge of the municipal court, be reappointed
8 as a municipal court administrator, on an interim basis, for two
9 subsequent one-year terms.

10 The municipal court administrator appointed on an interim basis
11 may be reappointed for a fourth, and, if necessary, a fifth additional
12 one-year term, provided the municipal court administrator is
13 currently enrolled in the certification program and needs additional
14 time to complete that program.

15 (1) Time served as an interim municipal court administrator may
16 be credited toward the experience authorized as a substitute for the
17 college education requirement under paragraph (2) of subsection b.
18 of this section.

19 (2) Time served as a municipal court administrator, on an interim
20 basis, may not be credited as time served as a municipal court
21 administrator for the purpose of acquiring tenure under section 1 of
22 P.L.1953, c. 168 (C.2A:8-13.1) and section 1 of P.L.1975, c. 39
23 (C.2A:8-13.3).

24 f. Notwithstanding the provisions of P.L. , c. (now pending
25 before the Legislature as this bill), a person who is serving as a
26 municipal court administrator on the effective date of P.L. ,
27 c. (now pending before the Legislature as this bill), may continue
28 to hold the position of municipal court administrator in that
29 municipality, provided the person satisfactorily completes, within
30 five years of the effective date of P.L. , c. (now pending before
31 the Legislature as this bill), the training required by this section and
32 thereafter satisfies the continuing education required of certified
33 municipal court administrators. If a municipal court administrator
34 qualified under this subsection transfers to a position as a municipal
35 court administrator in another municipality, that administrator will
36 be treated as a newly-hired administrator for purposes of this
37 section.

38 g. The Supreme Court of New Jersey may adopt rules to
39 implement the purposes of P.L. , c. (now pending before the
40 Legislature as this bill).

41 h. A municipal court administrator certificate may be revoked or
42 suspended by the board for dishonest practices or failure to
43 perform, or neglect of, duties of a municipal court administrator.
44 (P.L.1993, c.293, s.1)

45
46 2. This act shall take effect immediately.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

STATEMENT

This bill would amend N.J.S.A.2B:12-11 concerning municipal court administrators to require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill would also provide for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms, in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided that he is enrolled in the certification program and needs additional time to complete that program. The bill also provides that time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.2.

The bill also provides that a person who is serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 118

STATE OF NEW JERSEY

DATED: MAY 11, 2006

The Senate Judiciary Committee reports favorably Senate Bill No. 118.

This bill would amend N.J.S.A.2B:12-11 concerning municipal court administrators to require all municipal court administrators to hold a municipal court administrator certificate starting five years from the date of enactment of this bill. This bill provides for a five-year window for those administrators hired in the interim between the effective date of the bill and the fifth anniversary of enactment of the bill. These municipal court administrators would have five years from the date of hire to obtain certification.

In addition, the bill addresses the situation where a vacancy occurs in the office of a municipal court administrator. Under these circumstances, the governing body may appoint an interim administrator. A municipal court certificate is not necessary in order to serve as an interim administrator. The bill provides that the interim administrator can be reappointed for two subsequent one-year terms (second and third terms), in consultation with the municipal court judge. The bill would allow an interim administrator to be reappointed for a fourth and fifth term provided he is enrolled in the certification program and needs additional time to complete that program. Time served as an interim administrator can be credited toward the higher education requirement in the law but may not be credited for the purposes of obtaining tenure pursuant to N.J.S.A.2A:8-13.1 and N.J.S.A.2A:8-13.3.

The bill also provides that a person serving as a municipal court administrator on the effective date of the bill may continue to hold the position of municipal court administrator in that municipality, provided the person satisfactorily completes, within five years of the effective date of the bill, the required training and thereafter satisfies the continuing education required of certified municipal court administrators. However, if an administrator qualified under this act transfers to a position in another municipality, that administrator will be treated as a newly-hired administrator.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

This bill is identical to Assembly, No. 1219.