

22A:2-1

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 22A:2-1 (Filing fees)

LAWS OF: 1996 CHAPTER: 52

BILL NO: S1181/A1710

SPONSOR(S): Collins & Doria

DATE INTRODUCED: March 4, 1996

COMMITTEE: ASSEMBLY: Judiciary; Appropriations
SENATE: Judiciary; Budget

AMENDED DURING PASSAGE: Yes Substitute S1181/A1710 (1R) enacted

DATE OF PASSAGE: ASSEMBLY: June 27, 1996
SENATE: June 20, 1996

DATE OF APPROVAL: June 28, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes Also attached statement to bill with floor amendments adopted 6-27-96

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:
REPORTS: No
HEARINGS: No

KBP:pp

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§6-C.22A:2-51 &
Note to 52:18A-2,
52:16A-11 &
52:27D-9
§8-Approp.
§9-Note to §§1-8

P.L. 1996, CHAPTER 52, *approved June 28, 1996*
Assembly Substitute (*First Reprint*) for
Senate No. 1181 and Assembly No. 1710

1 AN ACT increasing certain filing fees in civil actions ¹and providing for
2 10 additional Superior Court judgeships,¹ amending ¹[.] and¹
3 supplementing Title 22A of the New Jersey Statutes and making
4 an appropriation.

5

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

8

9 1. N.J.S.22A:2-1 is amended to read as follows:

10 22A:2-1. For services hereinafter mentioned, the Clerk of the
11 Supreme Court shall be entitled to demand and receive the following
12 fees:

13 Upon the filing or entering of the notice of appeal, notice of
14 cross-appeal or notice of petition for certification, notice of
15 cross-petition for certification or notice of petition for review, the
16 appellant, cross-appellant, petitioner or cross-petitioner shall
17 pay~~[\$135.00]~~ ¹~~[\$160.00]~~ \$175.00¹.

18 Upon the filing of the first paper in any motion, petition or
19 application (including an order if it be the first paper), if not in a
20 pending cause or if made after judgment entered, the moving party
21 shall pay \$25.00 which shall cover all fees payable on such motion,
22 petition or application down to and including filing and entering the
23 order therein and taxation of costs.

24 (cf: P.L.1991, c.177, s.5)

25

26 2. N.J.S.22A:2-6 is amended to read as follows:

27 22A:2-6. [a.] Upon the filing or entering of the first paper or
28 proceeding in any action or proceeding in the Law Division of the
29 Superior Court, the plaintiff shall pay to the clerk ~~[\$135.00]~~
30 ¹~~[\$160.00]~~ \$175.00¹ for the first paper filed by him, which shall cover
31 all fees payable therein down to, and including entry of final judgment,
32 taxation of costs, copy of costs and the issuance and recording of final
33 process, except such as may be otherwise provided herein, or provided
34 by law, or the rules of court. ~~[Of the \$135.00 paid to the clerk, \$40.00~~
35 shall be paid over by him to the treasurer of the county in which venue

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 27, 1996.

1 is laid for the use of the county.] Any person filing an answer setting
2 forth a counterclaim or a third party claim in such cause shall pay to
3 the clerk ~~[\$135.00]~~ ~~^~~~~[\$160.00]~~ ~~\$175.00~~¹ for the first paper filed by
4 him. Any person other than the plaintiff filing any other paper in any
5 such cause shall pay to the clerk ~~[\$80.00]~~ ~~^~~~~[\$100.00]~~ ~~\$110.00~~¹ for the
6 first paper filed by him. [After December 31, 1994, the \$135.00 filing
7 fee shall be paid to the clerk, for use by the State.

8 b. From July 1, 1991 to June 30, 1992 the \$80.00 fee set forth in
9 subsection a. for the filing of a paper by a person other than the
10 plaintiff shall be paid to the clerk, for use by the State. After June 30,
11 1992, of the \$80.00 paid to the clerk, \$25.00 shall be paid over by him
12 to the treasurer of the county in which venue is laid for the use of the
13 county. After December 31, 1994, the \$80.00 fee set forth in
14 subsection a. for the filing of a paper by a person other than the
15 plaintiff shall be paid to the clerk, for use by the State.

16 c.] Any person filing a motion in any action or proceeding shall pay
17 to the clerk \$15.00. [From July 1, 1991, to June 30, 1992, the \$15.00
18 motion fee shall be paid to the clerk, for use by the State. After June
19 30, 1992, the \$15.00 motion fee shall be paid over to the treasurer of
20 the county in which venue is laid for the use of the county. After
21 December 31, 1994, the \$15.00 motion fee shall be paid to the clerk,
22 for use by the State.]

23 (cf: P.L.1993, c.275, s.10)

24

25 3. N.J.S.22A:2-12 is amended to read as follows:

26 22A:2-12. Upon the filing of the first paper in any action or
27 proceeding in the Chancery Division of the Superior Court, there shall
28 be paid to the clerk of the court, for the use of the State, the following
29 fees, which, except as hereinafter provided, shall constitute the entire
30 fees to be collected by the clerk for the use of the State, down to the
31 final disposition of the cause:

32 Receivership and partition, ~~[\$135.00]~~ ~~^~~~~[\$160.00]~~ ~~\$175.00~~¹.

33 All other actions and proceedings except in probate cases and
34 actions and proceedings for divorce, ~~[\$135.00]~~ ~~^~~~~[\$160.00]~~ ~~\$175.00~~¹.

35 Actions and proceedings for divorce, \$160.00, \$25.00 of which
36 shall be forwarded by the Clerk of the Superior Court as provided in
37 section 2 of P.L.1993, c.188 (C.52:27D-43.24a).

38 Any person filing a motion in any action or proceeding shall pay to
39 the clerk \$15.00.

40 (cf: P.L.1993, c.188, s.1)

41

42 4. N.J.S.22A:2-13 is amended to read as follows:

43 22A:2-13. Each person other than the plaintiff filing an answering
44 pleading or other answering paper in the Chancery Division of the
45 Superior Court shall at the time of filing the first paper, pay to the
46 clerk the sum of ~~[\$80.00]~~ ~~^~~~~[\$100.00]~~ ~~\$105.00~~¹; which shall cover all

1 fees payable therein except such as may be otherwise provided herein
2 or by law or the rules of court.

3 (cf: P.L.1991, c.177, s.9)

4

5 5. Section 14 of P.L.1991, c.177(C.22A:2-37.1) is amended to
6 read as follows:

7 14. a. In all civil actions and proceedings in the Special Civil Part
8 of the Superior Court, Law Division, only the following fees shall be
9 charged by the clerk and no service shall be performed until the
10 specified fee has been paid:

11 (1) Filing of small claim, one defendant..... \$12.00

12 Each additional defendant..... \$ 2.00

13 (2) Filing of complaint in tenancy, one
14 defendant..... ~~[\$15.00]~~ \$20.00

15 Each additional defendant..... \$ 2.00

16 (3) (a) Filing of complaint, counterclaim,
17 cross-claim or third party complaint
18 in all other civil actions, whether
19 commenced without process or by summons,
20 capias, replevin or attachment where
21 the amount exceeds \$1,000.00..... ~~[\$38.00]~~ \$45.00

22 Each additional defendant..... \$ 2.00

23 (b) Filing of complaint, counterclaim,
24 cross-claim or third party complaint
25 in all other civil actions, whether
26 commenced without process or by
27 summons, capias, replevin or
28 attachment where the amount does not
29 exceed \$1,000.00..... ~~[\$22.00]~~ \$27.00

30 Each additional defendant..... \$ 2.00

31 (4) Filing of answer in all matters except
32 small claims..... ~~[\$ 7.00]~~ \$10.00

33 (5) Service of Process:

34 Summons by mail, each defendant..... \$ 3.00

35 Summons by mail, each defendant at
36 place of business or employment with
37 postal instructions to deliver to
38 addressee only, additional fee..... \$ 3.00

39 Reservice of summons by mail, each defendant..... \$ 3.00

40 Reservice of summons or other original
41 process by court officer, one defendant..... \$ 3.00
42 plus mileage

43 Each additional defendant..... \$ 2.00

44 plus mileage

45 Substituted service of process by the clerk

46 upon the Director of the Division of

- 1 Motor Vehicles..... \$10.00
- 2 (6) Mileage of court officer in serving or executing any process,
- 3 writ, order, execution, notice, or warrant, the distance to be computed
- 4 by counting the number of miles in or out, by the most direct route
- 5 from the place where process is issued, at the same rate per mile set by
- 6 the county governing body for other county employees and the total
- 7 mileage fee rounded upward to the nearest dollar
- 8 (7) Jury of six persons..... \$50.00
- 9 (8) Warrant for possession in tenancy..... \$15.00
- 10 (9) Warrant to arrest, commitment or writ
- 11 of capias ad respondendum, each
- 12 defendant..... \$15.00
- 13 (10) Writ of execution or an order in the
- 14 nature of execution, writs of replevin
- 15 and attachment issued subsequent to
- 16 summons..... \$ 5.00
- 17 (11) For advertising property under execution
- 18 or any order..... \$10.00
- 19 (12) For selling property under execution or
- 20 any order..... \$10.00
- 21 (13) Exemplified copy of judgment (two pages)... \$ 5.00
- 22 each additional page..... \$ 1.00
- 23 b. Except as provided in subsection c., the clerk shall pay over to
- 24 the treasurer of the county in which the action is filed all fees collected
- 25 pursuant to this section. After December 31, 1994, the clerk shall pay
- 26 over to the State all fees collected pursuant to this section, including
- 27 the entire fee collected pursuant to paragraph (3) of subsection a.
- 28 c. From July 1, 1991 to June 30, 1993, the clerk shall pay over to
- 29 the treasurer of the county in which the action is filed \$12.00 of each
- 30 fee paid to the clerk pursuant to paragraph (3) of subsection a., with
- 31 the balance made available for use by the State.
- 32 (cf: P.L.1993, c.275, s.13)
- 33
- 34 6. (New section) a. An amount equal to 95 percent of¹ the
- 35 increase in fees collected pursuant to the provisions of P.L. , c.
- 36 (C.) (now pending before the Legislature as this bill) shall be
- 37 annually appropriated to the Department of Community Affairs for the
- 38 provision to the poor of legal assistance in civil matters by Legal
- 39 Services of New Jersey ¹ and to the Judiciary to fund 10 Superior
- 40 Court judgeships, to supplement other funds appropriated from any
- 41 other source in a fiscal year for these purposes. An appropriation
- 42 pursuant to this section shall not be used to replace appropriations
- 43 from other sources for these purposes¹.
- 44 b. An amount equal to 5% of the increase in fees collected
- 45 pursuant to the provisions of P.L. , c. (C.) (now pending before
- 46 the Legislature as this bill) shall be annually appropriated to the

1 Department of State, Higher Educational Services, to be allocated
2 equally among Rutgers-Newark Law School, Rutgers-Camden Law
3 School and Seton Hall Law School for clinical programs which
4 provide free legal representation to the poor, to supplement other
5 funds appropriated from any other source in a fiscal year for these
6 purposes. An appropriation pursuant to this section shall not be used
7 to replace appropriations from other sources for these purposes.

8 c.¹ There is created in the Department of the Treasury a non-
9 lapsing, revolving fund into which the Treasurer shall deposit annually
10 an amount equal to the revenue derived from the increase in the fees
11 collected pursuant to P.L. , c. (C.) (now pending before the
12 Legislature as this bill). Interest and other income earned on monies
13 deposited into this fund shall be credited to the fund. Moneys in the
14 fund shall be appropriated and distributed annually exclusively for the
15 purposes set forth in ¹[subsection] subsections ¹a. ¹and b. ¹of this
16 section. The State Treasurer shall have performed an audit of this fund
17 biennially following the effective date of P.L. , c. (C.) (now
18 pending before the Legislature as this bill) and the results of the audit
19 shall be included in the report required pursuant to subsection ¹[c.] d.¹
20 of this section.

21 ¹[c.] d.¹ The State Treasurer shall submit an annual report to the
22 Legislature on the use of the fees collected pursuant P.L. , c. (C.)
23 (now pending before the Legislature as this bill) and deposited into the
24 fund created pursuant to subsection ¹[b.] c.¹ of this section. The
25 report shall be submitted to the President of the Senate and Speaker
26 of the General Assembly, and the Senate Budget and Appropriations
27 Committee, Assembly Appropriations Committee, Senate Judiciary
28 Committee and Assembly Judiciary Committee, or their successors.
29

30 ¹7. N.J.S.2B:2-1 is amended to read as follow:

31 2B:2-1. Number of Judges. a. The Superior Court shall consist
32 of ~~[406]~~ 416 judges.

33 b. (1) The Superior Court shall at all times consist of the
34 following number of judges, who at the time of their appointment and
35 reappointment were resident of each county:

36	Atlantic.....	11
37	Bergen.....	27
38	Burlington.....	9
39	Camden.....	15
40	Cape May.....	4
41	Cumberland.....	7
42	Essex.....	34
43	Gloucester.....	9
44	Hudson.....	24
45	Hunterdon.....	3
46	Mercer.....	9

1 Middlesex.....24
2 Monmouth.....17
3 Morris.....15
4 Ocean.....15
5 Passaic.....16
6 Salem.....2
7 Somerset.....6
8 Sussex.....4
9 Union.....20
10 Warren.....3

11 (2) Additionally, the following number of those judges of the
12 Superior Court satisfying the residency requirements set forth above
13 shall at all times sit in the county in which they reside:

14 Atlantic.....4
15 Bergen.....12
16 Burlington.....4
17 Camden.....8
18 Cape May.....2
19 Cumberland.....4
20 Essex.....14
21 Gloucester.....6
22 Hudson.....6
23 Hunterdon.....2
24 Mercer.....6
25 Middlesex.....8
26 Monmouth.....4
27 Morris.....6
28 Ocean.....8
29 Passaic.....6
30 Salem.....2
31 Somerset.....4
32 Sussex.....2
33 Union.....6
34 Warren.....2¹

35 (cf: P.L.1995, c.352)

36
37 ¹[7.]8 a. There is appropriated ¹:

38 (1)¹ \$8,000,000 from the General Fund to the Department of
39 Community Affairs for the provision to the poor of legal assistance in
40 civil matters by Legal Services of New Jersey¹;

41 (2) \$3,000,000 from the General fund to the Judiciary to fund 10
42 Superior Court judgeships; and

43 (3) \$600,000 from the General Fund to the Department of State to
44 be allocated equally among Rutgers-Newark Law School, Rutgers-
45 Camden Law School and Seton Hall Law School for clinical programs
46 which provide legal representation to the poor¹.

1 b. The State Treasurer shall repay the General Fund for any funds
2 appropriated pursuant to this section as funds become available in the
3 fund created pursuant to subsection ¹[b.] c.¹ of section 6 of P.L. , c.
4 (C.) (now pending before the Legislature as this bill.)

5

6 ¹[8.] 9.¹ This act shall take effect 60 days following enactment.

7

8

9

10

11 Increases certain filing fees to provide funds to Legal Services and to
12 support additional Superior Court judgeships; makes an appropriation.

ASSEMBLY, No. 1710

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1996

By Assemblymen COLLINS and DORIA

1 AN ACT increasing certain filing fees in civil actions and amending and
2 supplementing Title 22A of the New Jersey Statutes.

3

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

6

7 1. N.J.S.22A:2-1 is amended to read as follows:

8 22A:2-1. For services hereinafter mentioned, the Clerk of the
9 Supreme Court shall be entitled to demand and receive the following
10 fees:

11 Upon the filing or entering of the notice of appeal, notice of
12 cross-appeal or notice of petition for certification, notice of
13 cross-petition for certification or notice of petition for review, the
14 appellant, cross-appellant, petitioner or cross-petitioner shall
15 pay **[\$135.00]** \$160.00.

16 Upon the filing of the first paper in any motion, petition or
17 application (including an order if it be the first paper), if not in a
18 pending cause or if made after judgment entered, the moving party
19 shall pay \$25.00 which shall cover all fees payable on such motion,
20 petition or application down to and including filing and entering the
21 order therein and taxation of costs.

22 (cf: P.L.1991, c.177, s.5)

23

24 2. N.J.S.22A:2-6 is amended to read as follows:

25 22A:2-6. **[a.]** Upon the filing or entering of the first paper or
26 proceeding in any action or proceeding in the Law Division of the
27 Superior Court, the plaintiff shall pay to the clerk **[\$135.00]** \$160.00
28 for the first paper filed by him, which shall cover all fees payable
29 therein down to, and including entry of final judgment, taxation of
30 costs, copy of costs and the issuance and recording of final process,
31 except such as may be otherwise provided herein, or provided by law,
32 or the rules of court. Of the **[\$135.00]** \$160.00 paid to the clerk,
33 \$40.00 shall be paid over by him to the treasurer of the county in
34 which venue is laid for the use of the county. Any person filing an

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

Matter underlined thus is new matter.

1 answer setting forth a counterclaim or a third party claim in such cause
2 shall pay to the clerk ~~[\$135.00]~~ \$160.00 for the first paper filed by
3 him. Any person other than the plaintiff filing any other paper in any
4 such cause shall pay to the clerk ~~[\$80.00]~~ \$100.00 for the first paper
5 filed by him. **After December 31, 1994, the \$135.00 filing fee shall**
6 **be paid to the clerk, for use by the State.**

7 b. From July 1, 1991 to June 30, 1992 the \$80.00 fee set forth in
8 subsection a. for the filing of a paper by a person other than the
9 plaintiff shall be paid to the clerk, for use by the State. After June 30,
10 1992, of the \$80.00 paid to the clerk, \$25.00 shall be paid over by him
11 to the treasurer of the county in which venue is laid for the use of the
12 county. After December 31, 1994, the \$80.00 fee set forth in
13 subsection a. for the filing of a paper by a person other than the
14 plaintiff shall be paid to the clerk, for use by the State.

15 c. Any person filing a motion in any action or proceeding shall pay
16 to the clerk \$15.00. **From July 1, 1991, to June 30, 1992, the \$15.00**
17 **motion fee shall be paid to the clerk, for use by the State. After June**
18 **30, 1992, the \$15.00 motion fee shall be paid over to the treasurer of**
19 **the county in which venue is laid for the use of the county. After**
20 **December 31, 1994, the \$15.00 motion fee shall be paid to the clerk,**
21 **for use by the State.**

22 (cf: P.L.1993, c.275, s.10)

23

24 3. N.J.S.22A:2-12 is amended to read as follows:

25 22A:2-12. Upon the filing of the first paper in any action or
26 proceeding in the Chancery Division of the Superior Court, there shall
27 be paid to the clerk of the court, for the use of the State, the following
28 fees, which, except as hereinafter provided, shall constitute the entire
29 fees to be collected by the clerk for the use of the State, down to the
30 final disposition of the cause:

31 Receivership and partition, ~~[\$135.00]~~ \$160.00.

32 All other actions and proceedings except in probate cases and
33 actions and proceedings for divorce, ~~[\$135.00]~~ \$160.00.

34 Actions and proceedings for divorce, \$160.00, \$25.00 of which
35 shall be forwarded by the Clerk of the Superior Court as provided in
36 section 2 of P.L.1993, c.188 (C.52:27D-43.24a).

37 Any person filing a motion in any action or proceeding shall pay to
38 the clerk \$15.00.

39 (cf: P.L.1993, c.188, s.1)

40

41 4. N.J.S.22A:2-13 is amended to read as follows:

42 22A:2-13. Each person other than the plaintiff filing an answering
43 pleading or other answering paper in the Chancery Division of the
44 Superior Court shall at the time of filing the first paper, pay to the
45 clerk the sum of ~~[\$80.00]~~ \$100.00; which shall cover all fees payable

1 therein except such as may be otherwise provided herein or by law or
2 the rules of court.

3 (cf: P.L.1991, c.177, s.9)

4

5 5. Section 14 of P.L.1991, c.177(C.22A:2-37.1) is amended to read
6 as follows:

7 14. a. In all civil actions and proceedings in the Special Civil Part
8 of the Superior Court, Law Division, only the following fees shall be
9 charged by the clerk and no service shall be performed until the
10 specified fee has been paid:

11 (1) Filing of small claim, one defendant..... \$12.00

12 Each additional defendant..... \$ 2.00

13 (2) Filing of complaint in tenancy, one
14 defendant..... ~~[\$15.00]~~ \$20.00

15 Each additional defendant..... \$ 2.00

16 (3) (a) Filing of complaint, counterclaim,
17 cross-claim or third party complaint
18 in all other civil actions, whether
19 commenced without process or by summons,
20 capias, replevin or attachment where
21 the amount exceeds \$1,000.00..... ~~[\$38.00]~~ \$45.00

22 Each additional defendant..... \$ 2.00

23 (b) Filing of complaint, counterclaim,
24 cross-claim or third party complaint
25 in all other civil actions, whether
26 commenced without process or by
27 summons, capias, replevin or
28 attachment where the amount does not
29 exceed \$1,000.00..... ~~[\$22.00]~~ \$27.00

30 Each additional defendant..... \$ 2.00

31 (4) Filing of answer in all matters except
32 small claims..... ~~[\$ 7.00]~~ \$10.00

33 (5) Service of Process:

34 Summons by mail, each defendant..... \$ 3.00

35 Summons by mail, each defendant at
36 place of business or employment with
37 postal instructions to deliver to
38 addressee only, additional fee..... \$ 3.00

39 Reservice of summons by mail, each defendant..... \$ 3.00

40 Reservice of summons or other original
41 process by court officer, one defendant..... \$ 3.00
42 plus mileage

43 Each additional defendant..... \$ 2.00

44 plus mileage

45 Substituted service of process by the clerk

46 upon the Director of the Division of

- 1 Motor Vehicles..... \$10.00
- 2 (6) Mileage of court officer in serving or executing any process,
- 3 writ, order, execution, notice, or warrant, the distance to be computed
- 4 by counting the number of miles in or out, by the most direct route
- 5 from the place where process is issued, at the same rate per mile set by
- 6 the county governing body for other county employees and the total
- 7 mileage fee rounded upward to the nearest dollar
- 8 (7) Jury of six persons..... \$50.00
- 9 (8) Warrant for possession in tenancy..... \$15.00
- 10 (9) Warrant to arrest, commitment or writ
- 11 of capias ad respondendum, each
- 12 defendant..... \$15.00
- 13 (10) Writ of execution or an order in the
- 14 nature of execution, writs of replevin
- 15 and attachment issued subsequent to
- 16 summons..... \$ 5.00
- 17 (11) For advertising property under execution
- 18 or any order..... \$10.00
- 19 (12) For selling property under execution or
- 20 any order..... \$10.00
- 21 (13) Exemplified copy of judgment (two pages)... \$ 5.00
- 22 each additional page..... \$ 1.00

23 b. Except as provided in subsection c., the clerk shall pay over to
 24 the treasurer of the county in which the action is filed all fees collected
 25 pursuant to this section. After December 31, 1994, the clerk shall pay
 26 over to the State all fees collected pursuant to this section, including
 27 the entire fee collected pursuant to paragraph (3) of subsection a.

28 c. From July 1, 1991 to June 30, 1993, the clerk shall pay over to
 29 the treasurer of the county in which the action is filed \$12.00 of each
 30 fee paid to the clerk pursuant to paragraph (3) of subsection a., with
 31 the balance made available for use by the State.

32 (cf: P.L.1993, c.275, s.13)

34 6. (New section) An amount equal to the increase in fees collected
 35 pursuant to the provisions of P.L. , c. (C.) (now pending
 36 before the Legislature as this bill) shall be annually appropriated to
 37 the Department of Community Affairs for the provision to the poor of
 38 legal assistance in civil matters by Legal Services of New Jersey.

40 7. This act shall take effect 60 days following enactment.

43 STATEMENT

45 The bill would raise several civil court filing fees in order to provide
 46 an annual appropriation to Legal Services of New Jersey which

1 presently provides legal services to the poor in civil matters under a
2 contract with the Department of Community Affairs. Among the fees
3 increased is the filing fee for instituting an action in the Law Division
4 of Superior Court which would be raised from \$135.00 to \$160.00.

5 It is anticipated that the fee increases proposed in this bill will raise
6 approximately \$8 million annually. These funds are needed to offset
7 an anticipated loss in federal funds by Legal Services.

8

9

10

11

12 _____
Increases certain filing fees to provide funds to Legal Services.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1710

STATE OF NEW JERSEY

DATED: MARCH 11, 1996

The Assembly Judiciary Committee reports favorably Assembly Bill No. 1710.

The bill would raise several civil court filing fees in order to provide an annual appropriation to Legal Services of New Jersey which presently provides legal services to the poor in civil matters under a contract with the Department of Community Affairs. Among the fees increased is the filing fee for instituting an action in the Law Division of Superior Court which would be raised from \$135.00 to \$160.00.

It is anticipated that the fee increases proposed in this bill will raise approximately \$8 million annually. These funds are needed to offset an anticipated loss in federal funds by Legal Services.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1710

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 3, 1950

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1710, with committee amendments.

Assembly Bill No. 1710, as amended, increases several civil court filing fees in order to provide an annual appropriation to Legal Services of New Jersey. This agency presently provides legal services to the poor in civil matters under contract with the Department of Community Affairs.

FISCAL IMPACT:

Among the fees increased is the filing fee for instituting an action in the Law Division of Superior Court which would be increased from \$135.00 to \$160.00. According to the introductory statement to the bill, it is anticipated that this increase would raise approximately \$8 million annually. The funds are needed to offset an anticipated loss in federal funds by Legal Services of New Jersey.

COMMITTEE AMENDMENTS:

The amendments to the bill are technical in nature and remove language outdated in 1995.

STATEMENT TO
ASSEMBLY SUBSTITUTE FOR
SENATE, No. 1181 and ASSEMBLY, No. 1710

with Senate Floor Amendments
(Proposed By Senator DiFRANCESCO)

ADOPTED: JUNE 27, 1996

These amendments increase certain filing fees and provide for 10 additional Superior Court judgeships. This bill provides an appropriation of 3,000,000 for the 10 additional judgeships and provide funding for clinics which provide legal services to the poor operated by Rutgers-Newark Law School, Rutgers-Camden Law School and Seton Hall Law School, and in addition to the \$8,000,000 already appropriated by this bill for legal services.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1181

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 30, 1996

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 1181.

S1181 would raise a number of fees imposed for the filing of various documents in civil actions. Among the fees increased is the filing fee for instituting an action in the Law Division of Superior Court which would be raised from \$135.00 to \$175.00. It is anticipated that the fee increases proposed in this bill will raise approximately \$11 million annually. Of that \$11 million, approximately \$8.2 million would be used to provide an annual appropriation to Legal Services of New Jersey which presently provides legal services to the poor in civil matters under a contract with the Department of Community Affairs.

As introduced, the remaining monies from this fee increase would have been used to fund fifteen additional Superior Court judgeships. As amended by the committee, it is anticipated that the fee increase proposed in S-1181 would fund ten new Superior Court judgeships. The committee amendments also provide that 5% of this fee increase would be used for annual appropriations to Rutgers-Newark Law School, Rutgers-Camden Law School and Seton Hall Law School to fund clinics which provide legal services to the poor.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1181

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 13, 1996

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1181 (1R) with amendments.

Senate Bill No. 1181 (1R), as amended, increases a number of fees imposed for the filing of various documents with the Law Division of the Superior Court in civil actions and increases the number of Superior Court judges from 406 to 416. In addition, the bill specifies the purposes for which this additional revenue is to be appropriated annually.

The bill specifies that an amount equal to 95 percent of the additional revenue representing the increase in the fees is to be appropriated annually to the Department of Community Affairs for a grant to Legal Services of New Jersey to provide legal assistance for poor persons in civil matters under a contract with the Department of Community Affairs, and to the Judiciary to pay for the salaries, fringe benefits and staff costs of 10 additional judges.

An amount equal to the remaining 5 percent of the additional revenue representing the increase in the fees is to be appropriated annually to the Department of State for allocation in equal amounts to the three law schools in the State (Rutgers- Newark Law School, Rutgers - Camden Law School, and Seton Hall Law School) for clinical programs that provide free legal representation for poor persons.

The bill requires that such an appropriation be a supplement to, and not a replacement of, funds appropriated in a fiscal year from other sources for the same purposes. The increase in the fees will be deposited into a revolving, non-lapsing fund created by the bill and the State Treasurer will have an audit performed on the fund biennially. The bill also requires an annual report on the fund.

The bill will take effect 40 days following enactment.

COMMITTEE AMENDMENTS

The amendments adopted by the committee:

* Prohibit the use of the additional revenues collected under the

bill to replace appropriations from other sources for the same purposes. These funds will be a supplement to other funding.

- * Require the additional revenues to be deposited into a non-lapsing, revolving fund by the State Treasurer.

- * Require a biennial audit of the fund.

- * Require an annual report by the State Treasurer to the Legislature on the use of the moneys in the fund.

The committee also made a technical amendment to the bill to correct its title so that it properly reflects the contents of the bill.

FISCAL IMPACT

According to the Administrative Office of the Courts (AOC), this bill will raise approximately \$11.5 million in Fiscal Year 1997, and \$11 million annually in Fiscal Years 1998 and 1999. This estimate assumes that the number of court filings will not decrease as a result of the higher fees. However, filings did decrease by 15 percent in Fiscal Year 1992 after special civil fees were increased, according to the AOC. In addition, it should be noted that given the delayed effective date in the bill, the increase may not be effective for the entire Fiscal Year of 1997.

For Fiscal Year 1997, it is anticipated that approximately \$8 million may be appropriated as a grant to Legal Services of New Jersey as a result of this bill. Currently, the Governor's Fiscal Year 1997 budget recommends an appropriation of \$2.5 million for Fiscal Year 1997 from General Fund revenues for a grant through the Department of Community Affairs for the State Legal Services Office.

It is also anticipated that approximately \$3 million may be appropriated to the Judiciary for the costs of salaries, fringe benefits and staff for 10 additional Superior Court judges as a result of this bill. It is anticipated that approximately \$575,000 may be appropriated to the Department of State for the three law schools in the State as a result of this bill. Each may receive approximately \$191,000 annually.

Finally, the AOC states that it will incur a one-time cost of \$20,000 to reprogram data processing equipment and an additional on-going expense of \$13,000 for a part-time clerk to monitor reports and allocate fees.

FISCAL NOTE TO
ASSEMBLY, No. 1710
STATE OF NEW JERSEY

DATED: May 29, 1996

Assembly Bill No. 1710 of 1996 would increase filing fees in the Supreme and Appellate Courts as well as in the Law, Chancery and Special Civil Divisions of the Supreme Court in order to provide an annual appropriation to the Department of Community Affairs (DCA) to provide legal assistance to the poor in civil matters through Legal Services of New Jersey.

The Administrative Office of the Courts (AOC) states that civil and equity filing have been decreasing since 1991. It is projected that this trend will continue and there will be an annual decrease in civil of 2 percent and in equity of 4 percent.

The AOC notes that based upon the proposed increases in the fee schedule, and assuming that the number of filings will not decrease as a result of the higher fees, the State will collect an additional \$7.78 million in FY1997 and \$7.7 million in FY1998. According to the AOC, in FY1992, when special civil fees were increased, filings decreased by 15 percent. Thus, the above stated revenue figures may be higher than actual collections.

The AOC also states that it will incur a one-time cost of \$120,000 to reprogram its data processing equipment, as well as an ongoing expense of \$13,000 to fund the services of a part time Principal Clerk/Bookkeeper to monitor reports and allocate fees.

The Office of Legislative Services concurs.

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

FISCAL NOTE TO

[First Reprint]
SENATE, No. 1181

STATE OF NEW JERSEY

DATED: JULY 5, 1996

Senate Bill No.1181 (1R) of 1996 increases a number of fees imposed for the filing of various documents with the Law Division of the Superior Court in civil actions and increases the number of Superior Court judges from 406 to 416.

The bill specifies that an amount equal to 95 percent of the additional revenue representing the increase in the fees is to be appropriated annually to the Department of Community Affairs (DCA) for a grant to Legal Services of New Jersey to provide legal assistance for poor persons in civil matters, and to the Judiciary to pay the salaries, fringe benefits and staff costs of 10 additional judges.

An amount equal to the remaining 5 percent of the additional revenue is to be appropriated annually to the Department of State for allocation in equal amounts to the three law schools in the State (Rutgers-Newark Law School, Rutgers-Camden Law School and Seton Hall Law School) for clinical programs that provide free legal representation for poor persons.

The Administrative Office of the Courts states that assuming that the number of filings will not decrease as a result of the increased fees proposed in the bill, the State will collect approximately \$11.5 million in revenue during the first year after its implementation, and \$11 million during each of the second and third year after its implementation.

The AOC notes that the cost of providing the salaries, fringe benefits and staff costs for 10 additional judges would be about \$3 million annually. The remaining collections would be made available to the Department of Community Affairs and the three New Jersey law schools for legal services. Under the bill DCA would receive about \$8 million annually, while the law schools would receive about \$190,000 each.

The AOC further notes that it would incur a one-time cost of about \$20,000 to reprogram its data processing equipment, as well as an ongoing expense of \$13,000 to fund the services of a part-time Principal Clerk/Bookkeeper to monitor reports and allocate fees.

The Office of Legislative Services concurs.

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

[First Reprint]

ASSEMBLY SUBSTITUTE FOR
SENATE, No. 1181 and ASSEMBLY, No. 1710

STATE OF NEW JERSEY

ADOPTED JUNE 24, 1996

Sponsored by Assemblymen COLLINS and DORIA

1 AN ACT increasing certain filing fees in civil actions ¹and providing
2 for 10 additional Superior Court judgeships,¹ amending ¹[.] and¹
3 supplementing Title 22A of the New Jersey Statutes and making
4 an appropriation.

5

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

8

9 1. N.J.S.22A:2-1 is amended to read as follows:

10 22A:2-1. For services hereinafter mentioned, the Clerk of the
11 Supreme Court shall be entitled to demand and receive the following
12 fees:

13 Upon the filing or entering of the notice of appeal, notice of
14 cross-appeal or notice of petition for certification, notice of
15 cross-petition for certification or notice of petition for review, the
16 appellant, cross-appellant, petitioner or cross-petitioner shall
17 pay[\$135.00] ¹[\$160.00] \$175.00¹.

18 Upon the filing of the first paper in any motion, petition or
19 application (including an order if it be the first paper), if not in a
20 pending cause or if made after judgment entered, the moving party
21 shall pay \$25.00 which shall cover all fees payable on such motion,
22 petition or application down to and including filing and entering the
23 order therein and taxation of costs.

24 (cf: P.L.1991, c.177, s.5)

25

26 2. N.J.S.22A:2-6 is amended to read as follows:

27 22A:2-6. [a.] Upon the filing or entering of the first paper or
28 proceeding in any action or proceeding in the Law Division of the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 27, 1996.

1 Superior Court, the plaintiff shall pay to the clerk **[\$135.00]**
2 **'[\$160.00] \$175.00'** for the first paper filed by him, which shall cover
3 all fees payable therein down to, and including entry of final judgment,
4 taxation of costs, copy of costs and the issuance and recording of final
5 process, except such as may be otherwise provided herein, or provided
6 by law, or the rules of court. **[Of the \$135.00 paid to the clerk, \$40.00**
7 **shall be paid over by him to the treasurer of the county in which venue**
8 **is laid for the use of the county.]** Any person filing an answer setting
9 forth a counterclaim or a third party claim in such cause shall pay to
10 the clerk **[\$135.00] **'[\$160.00] \$175.00'**** for the first paper filed by
11 him. Any person other than the plaintiff filing any other paper in any
12 such cause shall pay to the clerk **[\$80.00] **'[\$100.00] \$110.00'**** for
13 the first paper filed by him. **[After December 31, 1994, the \$135.00**
14 **filing fee shall be paid to the clerk, for use by the State.**

15 b. From July 1, 1991 to June 30, 1992 the \$80.00 fee set forth in
16 subsection a. for the filing of a paper by a person other than the
17 plaintiff shall be paid to the clerk, for use by the State. After June 30,
18 1992, of the \$80.00 paid to the clerk, \$25.00 shall be paid over by him
19 to the treasurer of the county in which venue is laid for the use of the
20 county. After December 31, 1994, the \$80.00 fee set forth in
21 subsection a. for the filing of a paper by a person other than the
22 plaintiff shall be paid to the clerk, for use by the State.

23 c. **]** Any person filing a motion in any action or proceeding shall
24 pay to the clerk \$15.00. **[From July 1, 1991, to June 30, 1992, the**
25 **\$15.00 motion fee shall be paid to the clerk, for use by the State. After**
26 **June 30, 1992, the \$15.00 motion fee shall be paid over to the**
27 **treasurer of the county in which venue is laid for the use of the county.**
28 **After December 31, 1994, the \$15.00 motion fee shall be paid to the**
29 **clerk, for use by the State.]**

30 (cf: P.L.1993, c.275, s.10)

31

32 3. N.J.S.22A:2-12 is amended to read as follows:

33 22A:2-12. Upon the filing of the first paper in any action or
34 proceeding in the Chancery Division of the Superior Court, there shall
35 be paid to the clerk of the court, for the use of the State, the following
36 fees, which, except as hereinafter provided, shall constitute the entire
37 fees to be collected by the clerk for the use of the State, down to the
38 final disposition of the cause:

39 Receivership and partition, **[\$135.00] **'[\$160.00] \$175.00'****.

40 All other actions and proceedings except in probate cases and
41 actions and proceedings for divorce, **[\$135.00] **'[\$160.00] \$175.00'****.

42 Actions and proceedings for divorce, \$160.00, \$25.00 of which
43 shall be forwarded by the Clerk of the Superior Court as provided in
44 section 2 of P.L.1993, c.188 (C.52:27D-43.24a).

45 Any person filing a motion in any action or proceeding shall pay to

1 the clerk \$15.00.
2 (cf: P.L.1993, c.188, s.1)

3
4 4. N.J.S.22A:2-13 is amended to read as follows:

5 22A:2-13. Each person other than the plaintiff filing an answering
6 pleading or other answering paper in the Chancery Division of the
7 Superior Court shall at the time of filing the first paper, pay to the
8 clerk the sum of **[\$80.00]** **['\$100.00]** **\$105.00**¹; which shall cover all
9 fees payable therein except such as may be otherwise provided herein
10 or by law or the rules of court.

11 (cf: P.L.1991, c.177, s.9)

12
13 5. Section 14 of P.L.1991, c.177(C.22A:2-37.1) is amended to
14 read as follows:

15 14. a. In all civil actions and proceedings in the Special Civil Part
16 of the Superior Court, Law Division, only the following fees shall be
17 charged by the clerk and no service shall be performed until the
18 specified fee has been paid:

- 19 (1) Filing of small claim, one defendant..... \$12.00
20 Each additional defendant..... \$ 2.00
21 (2) Filing of complaint in tenancy, one
22 defendant..... **[\$15.00]** **\$20.00**
23 Each additional defendant..... \$ 2.00
24 (3) (a) Filing of complaint, counterclaim,
25 cross-claim or third party complaint
26 in all other civil actions, whether
27 commenced without process or by summons,
28 capias, replevin or attachment where
29 the amount exceeds \$1,000.00..... **[\$38.00]** **\$45.00**
30 Each additional defendant..... \$ 2.00
31 (b) Filing of complaint, counterclaim,
32 cross-claim or third party complaint
33 in all other civil actions, whether
34 commenced without process or by
35 summons, capias, replevin or
36 attachment where the amount does not
37 exceed \$1,000.00..... **[\$22.00]** **\$27.00**
38 Each additional defendant..... \$ 2.00
39 (4) Filing of answer in all matters except
40 small claims..... **[\$ 7.00]** **\$10.00**
41 (5) Service of Process:
42 Summons by mail, each defendant..... \$ 3.00
43 Summons by mail, each defendant at
44 place of business or employment with
45 postal instructions to deliver to
46 addressee only, additional fee..... \$ 3.00

- 1 Reservice of summons by mail, each defendant..... \$ 3.00
2 Reservice of summons or other original
3 process by court officer, one defendant..... \$ 3.00
4 plus mileage
5 Each additional defendant..... \$ 2.00
6 plus mileage
7 Substituted service of process by the clerk
8 upon the Director of the Division of
9 Motor Vehicles..... \$10.00
10 (6) Mileage of court officer in serving or executing any process,
11 writ, order, execution, notice, or warrant, the distance to be computed
12 by counting the number of miles in or out, by the most direct route
13 from the place where process is issued, at the same rate per mile set by
14 the county governing body for other county employees and the total
15 mileage fee rounded upward to the nearest dollar
16 (7) Jury of six persons..... \$50.00
17 (8) Warrant for possession in tenancy..... \$15.00
18 (9) Warrant to arrest, commitment or writ
19 of capias ad respondendum, each
20 defendant..... \$15.00
21 (10) Writ of execution or an order in the
22 nature of execution, writs of replevin
23 and attachment issued subsequent to
24 summons..... \$ 5.00
25 (11) For advertising property under execution
26 or any order..... \$10.00
27 (12) For selling property under execution or
28 any order..... \$10.00
29 (13) Exemplified copy of judgment (two pages)... \$ 5.00
30 each additional page..... \$ 1.00
31 b. Except as provided in subsection c., the clerk shall pay over to
32 the treasurer of the county in which the action is filed all fees collected
33 pursuant to this section. After December 31, 1994, the clerk shall pay
34 over to the State all fees collected pursuant to this section, including
35 the entire fee collected pursuant to paragraph (3) of subsection a.
36 c. From July 1, 1991 to June 30, 1993, the clerk shall pay over to
37 the treasurer of the county in which the action is filed \$12.00 of each
38 fee paid to the clerk pursuant to paragraph (3) of subsection a., with
39 the balance made available for use by the State.
40 (cf: P.L.1993, c.275, s.13)
41
42 6. (New section) a. An amount equal to 195 percent of¹ the
43 increase in fees collected pursuant to the provisions of P.L. , c.
44 (C.) (now pending before the Legislature as this bill) shall be
45 annually appropriated to the Department of Community Affairs for the
46 provision to the poor of legal assistance in civil matters by Legal

1 Services of New Jersey ¹ and to the Judiciary to fund 10 Superior
2 Court judgeships, to supplement other funds appropriated from any
3 other source in a fiscal year for these purposes. An appropriation
4 pursuant to this section shall not be used to replace appropriations
5 from other sources for these purposes¹.

6 b. ¹ An amount equal to 5% of the increase in fees collected
7 pursuant to the provisions of P.L. , c. (C.) (now pending before
8 the Legislature as this bill) shall be annually appropriated to the
9 Department of State, Higher Educational Services, to be allocated
10 equally among Rutgers-Newark Law School, Rutgers-Camden Law
11 School and Seton Hall Law School for clinical programs which
12 provide free legal representation to the poor, to supplement other
13 funds appropriated from any other source in a fiscal year for these
14 purposes. An appropriation pursuant to this section shall not be used
15 to replace appropriations from other sources for these purposes.

16 c.¹ There is created in the Department of the Treasury a non-
17 lapsing, revolving fund into which the Treasurer shall deposit annually
18 an amount equal to the revenue derived from the increase in the fees
19 collected pursuant to P.L. , c. (C.) (now pending before the
20 Legislature as this bill). Interest and other income earned on monies
21 deposited into this fund shall be credited to the fund. Moneys in the
22 fund shall be appropriated and distributed annually exclusively for the
23 purposes set forth in ¹ **[subsection] subsections**¹ a. ¹ **and b.**¹ of this
24 section. The State Treasurer shall have performed an audit of this fund
25 biennially following the effective date of P.L. , c. (C.) (now
26 pending before the Legislature as this bill) and the results of the audit
27 shall be included in the report required pursuant to subsection ¹ **[c.]**
28 **d.**¹ of this section.

29 ¹ **[c.] d.**¹ The State Treasurer shall submit an annual report to the
30 Legislature on the use of the fees collected pursuant P.L. , c. (C.)
31 (now pending before the Legislature as this bill) and deposited into the
32 fund created pursuant to subsection ¹ **[b.] c.**¹ of this section. The
33 report shall be submitted to the President of the Senate and Speaker
34 of the General Assembly, and the Senate Budget and Appropriations
35 Committee, Assembly Appropriations Committee, Senate Judiciary
36 Committee and Assembly Judiciary Committee, or their successors.

37
38 ¹7. N.J.S.2B:2-1 is amended to read as follow:

39 2B:2-1. Number of Judges. a. The Superior Court shall consist
40 of **[406] 416** judges.

41 b. (1) The Superior Court shall at all times consist of the
42 following number of judges, who at the time of their appointment and
43 reappointment were resident of each county:

- 44 Atlantic.....11
- 45 Bergen.....27
- 46 Burlington.....9

1	Camden.....	15
2	Cape May.....	4
3	Cumberland.....	7
4	Essex.....	34
5	Gloucester.....	9
6	Hudson.....	24
7	Hunterdon.....	3
8	Mercer.....	9
9	Middlesex.....	24
10	Monmouth.....	17
11	Morris.....	15
12	Ocean.....	15
13	Passaic.....	16
14	Salem.....	2
15	Somerset.....	6
16	Sussex.....	4
17	Union.....	20
18	Warren.....	3

19 (2) Additionally, the following number of those judges of the
20 Superior Court satisfying the residency requirements set forth above
21 shall at all times sit in the county in which they reside:

22	Atlantic.....	4
23	Bergen.....	12
24	Burlington.....	4
25	Camden.....	8
26	Cape May.....	2
27	Cumberland.....	4
28	Essex.....	14
29	Gloucester.....	6
30	Hudson.....	6
31	Hunterdon.....	2
32	Mercer.....	6
33	Middlesex.....	8
34	Monmouth.....	4
35	Morris.....	6
36	Ocean.....	8
37	Passaic.....	6
38	Salem.....	2
39	Somerset.....	4
40	Sussex.....	2
41	Union.....	6
42	Warren.....	2 ¹

43 (cf: P.L.1995, c.352)

44

45 ¹[7.]8¹ a. There is appropriated ¹:

46 (1)¹ \$8,000,000 from the General Fund to the Department of

1 Community Affairs for the provision to the poor of legal assistance in
2 civil matters by Legal Services of New Jersey ¹;

3 (2) \$3,000,000 from the General fund to the Judiciary to fund 10
4 Superior Court judgeships; and

5 (3) \$600,000 from the General Fund to the Department of State to
6 be allocated equally among Rutgers-Newark Law School, Rutgers-
7 Camden Law School and Seton Hall Law School for clinical programs
8 which provide legal representation to the poor¹.

9 b. The State Treasurer shall repay the General Fund for any funds
10 appropriated pursuant to this section as funds become available in the
11 fund created pursuant to subsection ¹[b.] c.¹ of section 6 of P.L. , c.
12 (C.) (now pending before the Legislature as this bill.)

13

14 ¹[8.] 2.¹ This act shall take effect 60 days following enactment.

15

16

17

18

19 Increases certain filing fees to provide funds to Legal Services and to
20 support additional Superior Court judgeships; makes an appropriation.

A-1708 and 1782/ S-1165, sponsored by Assembly Members Paul Kramer (R-Mercer/Middlesex) and John Kelly (R-Bergen/Essex/Passaic) and Senators John Mautheusen (R-Camden/Gloucester) and Wayne Bryant (D-Camden/Gloucester), which limits the adoption of the codes and standards proposed by the State Uniform Construction Code Act to those in effect as of July 1, 1995. This bill provides the Commissioner of Community Affairs with the power to eliminate restrictive and unnecessary construction regulations, and to replace current code provisions with prior code provisions, if the prior code provisions are more consistent with the State Uniform Construction Act.

S-1181/A-1710, sponsored by Senate President Donald DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Senator John Lynch (D-Middlesex/Somerset/Union) and Assemblymen Jack Collins (R-Salem/Cumberland/Gloucester) and Joseph Doria (D-Hudson), increases filing fees in the New Jersey Supreme Court and in the Law and Chancery Divisions of the Superior Court as follows: for filing a complaint, fees increase from \$135 to \$170, for filing an answer fees increase from \$80 to \$110, and for filing a notice of appeal, cross-appeal, petition for certification, cross-petition for certification, or petition for review fees increase from \$135 to \$170. These fee increases will provide funds to the Legal Services of New Jersey, which provides legal services to the poor, and also support additional Superior Court Judgeships.