

NOTICE TO THE BAR

Comments Requested on Criminal Practice Committee Supplemental Report

The Supreme Court Criminal Practice Committee's 2004-2007 Report was published for comment by Notice dated February 13, 2007. Published here for comment is the Criminal Practice Committee's Supplemental Report.

The Criminal Practice Committee's Supplemental Report recommends amendments to Rule 3:26-1 ("Right to Bail Before Conviction") that should be considered in tandem with the Family Practice Committee's proposal, as contained in its previously published 2004-2007 report, for a new Rule 5:12-6 ("Matters Involving Law Enforcement"). Both the Criminal Practice Committee's recommendations and the Family Practice Committee's recommendations emanated from the Report of the Joint Ad Hoc Committee on Civil and Criminal Child Abuse Cases, which ad hoc committee report is included as an appendix to the Supplemental Report published here.

The Supplemental Report from the Criminal Practice Committee is in the form of an April 18, 2007 memorandum from Judge Edwin Stern, the Practice Committee Chair. As described therein, the proposed amendment to Rule 3:26-1 "is designed to create a procedure to avoid the issuance of conflicting orders for visitation by the Family [judges] and no-contact bail [orders] by the Criminal Division in child abuse and neglect cases."

The Supreme Court invites written comments on this Supplemental Report, which also will be available for downloading on the Judiciary's Internet web site at <http://www.judiciary.state.nj.us/reports2007/index.htm>. Please send any such comments as soon as possible to:

Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts
Rules Comments
Hughes Justice Complex; P.O. Box 037 Trenton, New Jersey 08625-0037

Comments on the Committee reports and recommendations may also be submitted via Internet e-mail to the following address: Comments.Mailbox@njcourts.gov.

The Supreme Court will not consider comments submitted anonymously. Thus, those submitting comments by mail should include their name and address (and those submitting comments by e-mail should include their name and e-mail address). However, comments submitted in response to this notice will be maintained in confidence if the author specifically requests confidentiality. In the absence of such a request, the author's identity and his or her comments may be subject to public disclosure after the Court has acted on the Committee reports and supplemental reports.

The Supreme Court will be acting on the committee reports and recommendations in June 2007, with any rule amendments likely to become effective September 1, 2007.

Philip S. Carchman, J.A.D.
Acting Administrative Director of the Courts
Dated: April 24, 2007

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