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# 1988-1989 ANNUAL REPORT

NEW JERSEY JUDICIARY





# 1988-1989 ANNUAL REPORT

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NEW JERSEY JUDICIARY  
ADMINISTRATIVE OFFICE OF THE COURTS

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Richard J. Hughes Justice Complex • CN-037 • Trenton, New Jersey • 08625

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ADMINISTRATIVE OFFICE OF THE COURTS  
STATE OF NEW JERSEY

ROBERT D. LIPSCHER  
ADMINISTRATIVE DIRECTOR OF THE COURTS



CN-037  
TRENTON, NEW JERSEY 08625

To the Chief Justice and the Associate Justices  
of the Supreme Court of New Jersey

I am pleased to present the annual report of the Judiciary for the 1988-89 court year. This was a difficult year, one of increasing case filings and growing backlogs. Yet it was also a year of decision and action. The determination to meet the needs of the Criminal courts due to increasing drug prosecutions, the ability to make substantial strides toward the goal of comprehensive statewide automation of case processing and record keeping, and the promise of an overall approach to complementary dispute resolution -- all of these show the continued willingness of our court system to strive for excellence.

This annual report is a testament to the enormous dedication and hard work of New Jersey's judges and court staff. Faced with growing burdens in all types of cases, they continue to attend to the individual needs of each case while still searching for ways to improve the court system as a whole. We are indeed fortunate to be working in one of the finest court systems of the nation.

*Robert D. Lipscher*  
Robert D. Lipscher





# FOCUS: THE CRIMINAL CASELOAD

# THE CRIMINAL CASELOAD

New Jersey's court system has experienced a tremendous growth in its criminal caseload in recent years. Responsible and effective management of cases has been impeded by the surge in criminal arrests—particularly drug arrests—since 1987. A front-runner in the campaign against drugs, New Jersey's law enforcement initiatives have been reflected in President Bush's strategy to eliminate the distribution and use of illegal drugs throughout the nation.

## New Jersey's Drug Abuse Prevention Initiative

The sale and use of illegal drugs is widely recognized as New Jersey's most serious law enforcement concern. Recent estimates indicate that more than half of the crimes committed in the State are related to controlled, dangerous substances, and that illegal drugs cost New Jersey citizens at least \$1.5 billion each year.

In 1987, in response to Governor Kean's call for immediate action to combat the drug problem, the Legislature unanimously adopted the Comprehensive Drug Reform Act. The Act, one of the farthest-reaching drug enforcement laws in the United States, is based upon the strategy of focusing law enforcement efforts against narcotics sellers and users at "street level;" emphasizes a distinction among drug offenders "based on the seriousness of the offense, considering the nature, quantity, and purity of the controlled substance involved;" and provides for "strict punishment, deterrence, and incapacitation" of the most dangerous offenders, and "the rehabilitation of drug dependent persons." Major provisions of the Act include:

- Mandatory penalties for a variety of narcotics offenses, including a three-year minimum term of incarceration without possibility of

parole for any person who distributes or possesses with intent to distribute drugs within 1,000 feet of any school property ["safety zones"], and significantly enhanced punishment for offenders previously convicted of drug distribution offenses;

- The loss of driving privileges for not less than six months for all persons convicted of any drug-related offense;

- Mandatory drug enforcement and demand reduction penalties for all offenders, the funds from which will support drug prevention, education, and public awareness programs;

- The re-examination and amendment of criminal laws and

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**The courts are beyond their capacity to handle cases in a just and timely fashion.**

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practices so as to ensure prompt disposition of all drug-related criminal charges; and

- The re-assignment or appointment of additional personnel and procurement of equipment as necessary to enhance narcotics enforcement programs.

The July 1987 enactment of the Comprehensive Drug Reform Act was followed by the release of the Attorney General's Statewide Narcotics Action Plan, which has intensified substantially narcotics enforcement activity on the State, county, and local levels during the past two years. The Plan required:

- The establishment of a narco-

tics task force in each county to work in conjunction with the statewide narcotics task force;

- The development of reliable means for maintaining and patrolling school drug free "safety zones";

- The implementation of programs and initiatives to enhance basic police patrol functions, targeted narcotics investigations, and anti-smuggling efforts, as well as to identify and eradicate controlled dangerous substance production facilities;

- The development of programs to coordinate and expedite the prosecution of drug offenses and offenders (uniform state guidelines regarding all plea negotiations in drug cases); to streamline the trial process (the use of grand juries and speedy trial planning committees); and to ensure the uniform implementation and judicial interpretation of the Comprehensive Drug Reform Act.

## The Effect of the Drug Abuse Prevention Initiative on the Criminal Calendar

The Drug Reform Act and the Narcotics Action Plan have resulted in a marked increase in the number of drug arrests, and a consequent increase in the criminal caseload. During 1988-89, there were 65,317 reported arrests of adults and juveniles for drug abuse violations, a 29% increase over the number of drug arrests reported in 1987-88.

The problems the State criminal courts are experiencing mirror those nationwide. The current emphasis has been on law enforcement initiatives, not resources, and the courts consequently are being overwhelmed with new cases, far beyond their present capacity to handle them in a timely and just fashion. The courts disposed of a record 45,872 cases last



year, but a total of 53,213 were filed. For the third consecutive year, filings have exceeded dispositions, and pending caseloads have increased.

Indictable complaints filed in-

creased 23% over the past two years. During the 1988-89 court year, 103,000 indictable complaints were filed, and 53,213 defendants were indicted. In the criminal system, more

than 52,000 pre- and post-indictment cases are active.

The caseload volume has immense consequences for the criminal justice system, which simply does not have the capacity and the resources to handle it. Currently about 67,000 defendants are on the street, without supervision or treatment, and for the guilty, without punishment. Since only two counties provide pre-trial supervision, about 23,000 fugitives fail to appear for court hearings or trials. Once tried if found guilty, overcrowded prisons require that effective alternatives to punishment be developed.

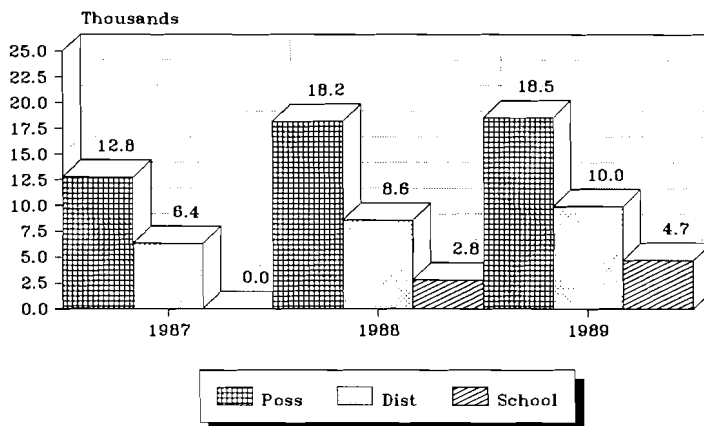
The backlog of criminal cases has grown to 12,400 indictments already beyond the four-month time goal set by the Supreme Court as a dispositional goal. Six thousand of these cases already are a year old from day of indictment. Additionally, the backlog of cases awaiting indictment for more than two months is 17,378, virtually double what it was just two years ago.

In March 1989, the Chief Justice instituted a 90-day backlog reduction program and a short-term, stopgap transfer of 20 judges from the Civil to the Criminal Division. Adding judges alone, however, was not sufficient, since prosecutors and defenders needed to be available to work in those courts. As part of the plan, the Attorney General agreed to transfer 13 deputy attorneys general to local prosecutors' offices, and the Public Advocate received funds to hire 39 additional public defenders.

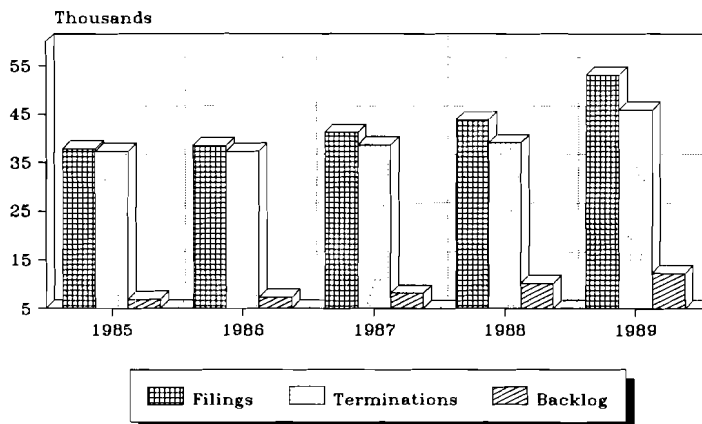
The goal of the program was to reduce the case backlog by 2,200 drug cases in 90 days, with trial teams commencing in May and June. Each team received at least 110 drug cases to be disposed of.

Notwithstanding significant early concern regarding the possibility for success, the program exceeded all expectations (see accompanying chart on next page): 2,941 combined

## Adult Criminal Drug Arrests January-June 1987-1989



## INDICTMENTS 1985 - 1989



dispositions and warrants were 134% of the total goal of 2,200.

While the other criminal courts were able to dispose of cases at a normal pace, the program nevertheless placed a strain on all supporting resources. Initially it was hoped that such a strain could be absorbed for the short term of the three-month stopgap plan, and this hope largely was realized. However, the message from all participants was clear that longer-term transfers of judges must be made and accompanied by investigative support, law enforcement, and clerical staff.

### Long-term Considerations

Long-term planning is underway to overcome the deluge of the criminal justice system. Backlog has now

grown to major proportions, and unless a way is found to increase the capacity of the system, Chief Justice Wilentz has warned that "a catastrophic breakdown" in the criminal justice system will follow.

Of the 22,094 active indictments, including 12,279 in backlog, about 3,300 cases are *expected* to be over the Supreme Court's four-month time goal because an estimated 15% percent of criminal cases, due to circumstances surrounding the case, will take longer than the normal, expected time. Consequently, about 9,100 cases in backlog must be disposed. Each full-time criminal judge is able to handle about 300 backlog cases per year. Therefore, about 30 judge-years are required simply to eliminate the excessive backlog.

Backlog reduction, however, will

be pursued by the courts through many efforts already proven to contribute to the overall efficiency of the system. Some of those innovations already in use include: central first appearances; differentiated case management; pre-indictment plea conferences; matched trial teams of judge, prosecutors, and defenders; Municipal Court judges' hearing suppression motions in Municipal Court cases; greater judicial participation in plea negotiations; and increased prosecutorial screening.

These innovations, which do not require additional funds, will continue to be refined and enhanced. Nonetheless, additional judicial resources are needed. Short-term programs cannot fill the gap between existing capacity and the new demands being placed upon the system.

## STATUS OF DRUG CASE BACKLOG REDUCTION PROGRAM

September 8, 1989

	# of Judges			Dismissals & PTI	Open Warrants	Total
	Weeks Used	Trials	Pleas			
Essex	39	36	302	132	393	863
Hudson	36	6	253	21	9	289
Morris	12	1	101	22	4	128
Mercer	24	14	166	37	55	272
Passaic	39	33	231	21	46	331
Middlesex	26	23	151	37	40	251
Atlantic	13	18	66	17	3	104
Union	25	15	142	12	20	189
Gloucester	12	6	109	99	70	284
Ocean	14	11	87	13	16	127
Monmouth	8*	3	58	20	22	103
Totals	248	166	1666	431	678	2941

\* Monmouth ran program for 2 months and goal was 73 cases.

# FOCUS: COMPLEMENTARY DISPUTE RESOLUTION

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# COMPLEMENTARY DISPUTE RESOLUTION

New Jersey clearly is at the forefront of dispute resolution in this country. Few other states have the diversity and the richness and the experience that your state has in dispute resolution programs.

— Madeline Crohn

President, National Institute for Dispute Resolution

November 1987 meeting of New Jersey Task Force on Dispute Resolution

Beginning in the mid-1970s, New Jersey offered its citizens a variety of programs providing options to the traditional court process: mediation of small claims cases by law clerks and use of volunteer mediators to resolve minor family and neighborhood disputes in the Municipal Courts; arbitration of smaller civil actions by experienced attorneys; use of an independent fact-finder to determine habitability in landlord-tenant disputes; and submission of civil and matrimonial matters to panels of attorneys for settlement negotiation. Such programs, however, had been developed and implemented locally, on an *ad hoc* basis.

In May 1983, the Chief Justice appointed the Supreme Court Committee on Complementary Dispute Resolution Programs, chaired by Justice Marie L. Garibaldi, to examine existing alternative dispute resolution mechanisms and needs, and to plan for the development of a comprehensive program to operate within the court system as a complement to the traditional adjudication process.

The New Jersey Judiciary uses the term “complementary” dispute resolution rather than the more widely known term “alternative” dispute resolution because it views dispute resolution processes as *complements* to the traditional trial processes rather than as *alternatives*. Collectively, these complementary techniques—

along with the traditional adjudication, settlement, and negotiation—constitute the full range of dispute resolution methods.

In the initial phase of its work, the Committee surveyed a variety of dispute resolution techniques and assessed the need for such techniques in those areas where none was employed. In its second phase, through the support of a legislatively funded Dispute Resolution Grants Program, the Committee encouraged the expansion of existing CDR projects and the design and implementation of additional innovative programs.

During the 1988-89 fiscal year alone, the Dispute Resolution Grants Program provided \$659,248 for 19 projects in 11 Vicinages. Cases processed during the year through those 19 programs totalled 15,417 (see accompanying chart).

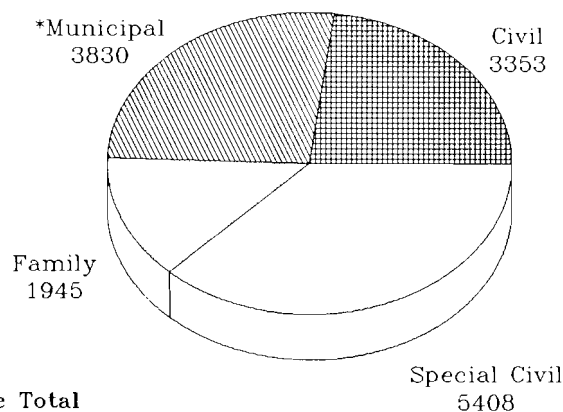
The Committee also began a major evaluation of the effectiveness of the programs developed under its auspices. Professional evaluations included: a study of neighborhood dispute mediation programs, small

claims mediation programs, and matrimonial early settlement panels completed in 1988 by the Institute for Social Analysis; two studies of custody mediation completed by Hahnemann University Hospital staff in 1987 and by Dr. Kenneth Kressel of Rutgers University in 1988; and an in-depth evaluation of the New Jersey Automobile Arbitration Program completed in 1988 by the Civil Justice Institute of the Rand Corporation and overseen by the Supreme Court Arbitration Advisory Committee.

## Supreme Court Task Force on Dispute Resolution

In October 1987, the Chief Justice appointed the Supreme Court Task Force on Dispute Resolution, which included members of the earlier Supreme Court Committee. Justice Garibaldi again chaired the effort. The Task Force was charged with building upon the seminal work of its predecessor Committee in presenting a comprehensive framework for the

### DISPUTE RESOLUTION GRANTS PROGRAM 1989 CASE DISPOSITIONS





systematic and reasonable use of dispute resolution mechanisms.

To gain the benefit of the views of CDR program providers and of the public, the Task Force held three public hearings in various regions of the State. The Task Force studied programs in Civil, Special Civil, Family, and Municipal Court programs and also techniques to organize and test the potential programs.

On October 21, 1988, the Supreme Court convened the 1988 Judicial Conference to review the Task Force's work. That conference provided an opportunity for all attendees to discuss and debate the recommendations made by the eight subcommittees. Subsequent to the Judicial Conference, the subcommittees reconvened to assess and incorporate into their reports the substance of the Conference discussions and the views of the Bar as set forth in various position papers and reports.

The Task Force's draft final report, released for public comment in June 1989 before being forwarded to the Supreme Court, set forth the belief that "The New Jersey Judiciary should provide citizens with a full set of options for resolution of disputes, including traditional litigation as well as various complementary forums, so as to continue to fulfill the commitment to provide the highest quality of justice possible."

Implicit in that principle is the understanding that in some instances justice will be best served by providing opportunities to individuals and groups to resolve their disputes without resort to a trial presided over by a judge. On the other hand, dispute resolution programs should not be used in circumstances where judges would provide a better quality of justice. The Task Force believes that complementary dispute resolution techniques and the traditional adjudication process, when viewed collectively, form a complete and integrated

## **Appellate Division CDR Programs**

**Civil Appeals Settlement Program (CASP):** Started in 1981 as an experiment, CASP continues today as a permanent program. Appeals are screened by personnel in the Appellate Division Clerk's Office to identify those suitable for conferences, e.g., negligence, professional or products liability, contract, general equity, and landlord-tenant cases. Cases selected for the program are conferred by one of a group of "CASP" judges—retired Appellate Division judges and one retired Supreme Court justice assigned on recall. More than 40% of the cases selected for CASP settle at or subsequent to the conference. Because conferences occur before briefs are filed, in cases that are not settled attorneys' time (and their clients' money) is saved as a result of CASP.

**Comprehensive Justice Center:** Developed and sponsored by the Supreme Court Committee on CDR, funded through the Administrative Office of the Courts, and supported by local Bar Associations, Comprehensive Justice Centers began operation in Burlington County in May 1985 and in Hudson County in January 1988. Each center incorporates in one location a variety of CDR mechanisms, including: arbitration of all civil cases valued at \$15,000 or less; custody, small claims, and landlord-tenant mediation; Municipal Court dispute resolution; and complex case resolution.

In Burlington County, volunteer legal interns, social workers, and on-call attorneys staff an intake unit and refer litigants to the appropriate dispute resolution mechanism, which may be a CDR program, the court, or a social service agency. In Hudson County, an individual in the Trial Court Administrator's Office is responsible for the development,

implementation, and monitoring of programs within each trial court division.

## **Family Division CDR Programs**

**Early Settlement Panels (MESPs):** Through the cooperation of the Judiciary and the Bar, early settlement panels have been established in all 21 counties. The panels are composed of two or three experienced matrimonial attorneys who volunteer to mediate contested economic issues in dissolution cases after a complaint has been filed, but before the issues reach a judge. If an issue is successfully mediated, the panel's recommendation is submitted to the judge who has been assigned to the matter.

**Custody/Visitation Mediation:** Because custody and visitation disputes involve emotionally-charged issues that do not lend themselves well to permanent resolution through the usual adversarial process, most counties have implemented or are developing some form of custody/visitation program. In some counties, dissolution and nondissolution matters are handled, while in others only dissolution cases are mediated. Some counties use in-house mediators paid for locally while others offer the litigants a choice to share the cost of employing outside mediators.

Custody/visitation mediation results not only in saving of bench time at both the pre- and post-dispositional phases, but, because of the parties' active participation in the process, also in increased litigant satisfaction.

**Other programs:** Crisis Intervention Units, Juvenile Conference Committees, Intake Diversion Programs, and Child Support Hearing Officer Programs all attempt to resolve disputes through a variety of mechanisms.

**Auto Negligence Arbitration:** In 1984, a mandatory mandate, pilot program for arbitration of those auto negligence cases in which the non-economic costs do not exceed \$15,000 were implemented in Burlington and Union Counties beginning in January 1984. Rules for a statewide program were developed and adopted by the Supreme Court in 1985. During the 1988-89 court year, more than 19,000 auto negligence cases were disposed of through the program.

Arbitration hearings are conducted by pre-approved attorneys with seven years' experience handling negligence matters. Parties dissatisfied with the arbitration award have 30 days to request a trial *de novo*, which is granted as a matter of right. Although the trial *de novo* request rate by the end of the 1988-89 court year was 47.69%, only 1.06% of all cases arbitrated were tried, as most settled in the interim.

**Personal Injury Arbitration:** This program began statewide in January 1989 in response to legislation mandating arbitration of all personal injury cases valued at \$20,000 or less. Over the first six months, 1,836 cases were disposed of through the program.

**"Pick-a-Judge" Programs:** In several counties, attorneys in any pending Civil case may submit the entire dispute, or selected contested issues, to a judge of their choice for a binding, nonappealable determination after an abbreviated hearing. Clients must consent in writing to submission of their dispute to these programs, and all hearings must be heard in open court.

**Bar Panelling:** In many counties, the Bench and Bar have established panels of one to four attorneys to conduct settlement conferences in

selected cases in which trial has been scheduled. Generally, negligence, medical malpractice, and contract cases are bar panelled.

In some counties, bar panelling is mandatory; in others, voluntary; in some, it is a formal procedure scheduled by the court before a preassigned panel; in others, it is informal, with counsel's having to create their own panels from attorneys waiting in the courthouse.

**Law Clerk Mediation:** This program began in 1980 in Union County with a Court Clerk's conferencing *pro se* small claims cases. Today, all counties offer mediation of certain Special Civil Part cases by law clerks trained in mediation techniques. In some counties, the program is mandatory; in others, voluntary; in some, only small claims cases are mediated, in others, landlord-tenant, or selected Special Civil Part cases are eligible; in some, only *pro se* matters are eligible, while in others even cases involving one or two attorneys qualify for the program. Settlement rates differ from county to county and from law clerk to law clerk.

Law clerks are trained for this program by experienced mediators throughout the State in conjunction with the AOC, and in Atlantic and Cape May counties through Stockton State College.

**Small Claims Settlement Program:** While the Burlington County Comprehensive Justice Center coordinates a law clerk mediation program in small claims, it also operates a program in which small claims cases are referred to volunteer attorneys for settlement discussions. Settlers take a more active role than law clerks/mediators by recommending possible solutions and offering legal insight while attempting to effectuate a settlement agreement.

**Tenancy Settlement Mediation:**

Since 1984 Passaic County social workers who are knowledgeable in landlord-tenant law and have been trained in mediation techniques volunteer to provide resource information to displaced tenants and to mediate landlord-tenant cases.

In cases where habitability is at issue, the mediator obtains basic information, advises the tenant to pay the rent into court, and if the parties cannot agree on remedial measures, arranges for inspection of the property and subsequent testimony by a municipal building inspector.

**Landlord-Tenant Habitability Mediation:** In Essex County, landlord-tenant cases in which defendants raise the *Marini* habitability defense are handled by two full-time mediators, a housing specialist who is available for housing inspections on a per diem basis, and a law student intern. Seventy percent of cases referred for mediation by the judge on the day of trial result in settlements.

In Atlantic and Cape May counties, two non-attorneys with extensive experience in managing rental properties received mediation training from the Community Justice Institute at Stockton State College and mediate landlord-tenant cases in which tenants raise the *Marini* habitability defense.

**Intermediate Special Civil Part Cases:** Early settlement panels composed of volunteer attorneys from the trial bar are used in Cape May and Atlantic Counties to help settle Special Civil Part cases. On the day of trial, parties present their cases before a panel of one attorney from the plaintiff's bar and one from the defense's bar, who evaluate the case and suggest a settlement figure. Approximately 66% of the cases are settled, with the remainder returning to trial.



dispute resolution system within the Judiciary. This ensures both that the disputants always will have ultimate access to a judge and that no dispute resolution program prevents that access.

The Task Force specified that a well-balanced complementary dispute resolution process must: 1) be as accessible as possible to all disputants and not favor one group or segment; 2) protect the legal rights of all participating disputants; 3) provide a fair and competent mechanism for resolving disputes; 4) encourage the confidence and respect of disputants and the general public in the fairness, integrity, and justness of the methods by which disputes are resolved; 5) be an effective forum for the enforcement of law, including formulating outcomes in terms that are conducive to subsequent enforcement when necessary; and 6) be as efficient as possible in terms of the cost and time required of both the system and disputants.

In its draft report the Task Force endorsed a variety of CDR programs for use in the Municipal, Family, and Civil Courts, including the Special Civil Part, with the caveat that participation should be voluntary, with the possible exception of an initial session for purposes for education. Among those programs endorsed were:

- Municipal Court mediation programs for the resolution of community disputes;
- Statewide use of custody mediation in the Family Courts, with further study and evaluation;
- Pilot tests using hearing officers in initial hearings in certain uncontested domestic violence cases;
- Mediation, bar panelling, selective trial programs, summary jury trials, and mini-trials for Civil cases (Statewide expansion of arbitration programs beyond those required by statute should not be mandated without more study.);

- Mediation of small claims in the Special Civil Part;

- Mediation to intermediate tort and contract cases (where resources permit).

The Task Force also emphasized the need for training of third-party neutrals; education of the Bar, the public, judges, and their court employees; and on-going monitoring, assessment, evaluation, and research of CDR programs. Also included in the 18 major policy recommendations in the draft report were ones stressing the importance of confidentiality in mediation, the need for immunity and state-provided defense and indemnification for attorneys serving as arbitrators, and setting forth the Task Force's belief that funding for court-annexed dispute resolution primarily is a public responsibility.

The Task Force envisions the development of complementary dispute resolution programs as evolving over the next several years. The direc-

tion the programs take will depend in large part on policy decisions of the Court, resources available, and the results of further testing.

## Programs Available to New Jersey Citizens

CDR programs can help to ensure citizens' access to justice through the most effective, least costly, and most appropriate processes. Further, even when CDR techniques do not resolve the dispute, they nevertheless tend to clarify the issues in contention and streamline their presentation if and when the case comes to trial. It should be noted that most CDR programs depend upon attorneys and members of the general public who volunteer to serve as arbitrators and mediators. This involvement of the public in the work of the courts is one of the benefits of CDR programs.

### Municipal Court CDR Programs

During the past year, neighborhood or community dispute resolution programs disposed of more than 5,000 cases that otherwise would have gone to trial in the Municipal Courts. This disposition figure has remained constant over the past five years.

**Citizen Panels:** Two or more volunteer mediators sit on panels (also referred to as Community Dispute Resolution Committees) to hear eligible cases automatically referred to the program by the court. This model originally was a pilot project in Camden and Gloucester Counties.

**Community Dispute Resolution Projects:** Specially-trained volunteer attorneys trained as mediators schedule mediation sessions upon referral of cases from the Municipal Courts. This model is operated by the

Essex County Bar Association for all Municipal Courts in the county.

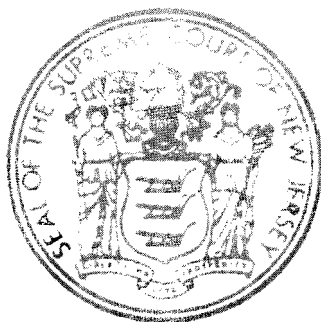
**Community Justice Institute:** Particular to Atlantic County, the Institute is governed by a Board of Directors nominated by County, Bar Association, and Stockton State College officials. Day-to-day operations are conducted by a full-time executive director, and mediation is handled by volunteers from faculty and staff at Stockton State and by attorneys in the County Bar Association.

**Full-Time County or Local Programs:** Probation Department personnel or Trial Court Administrators provide staff and mediators for these county-wide programs, referrals to which are made from all municipalities. Programs operate in Bergen, Essex, Hudson, Mercer, and Middlesex Counties.

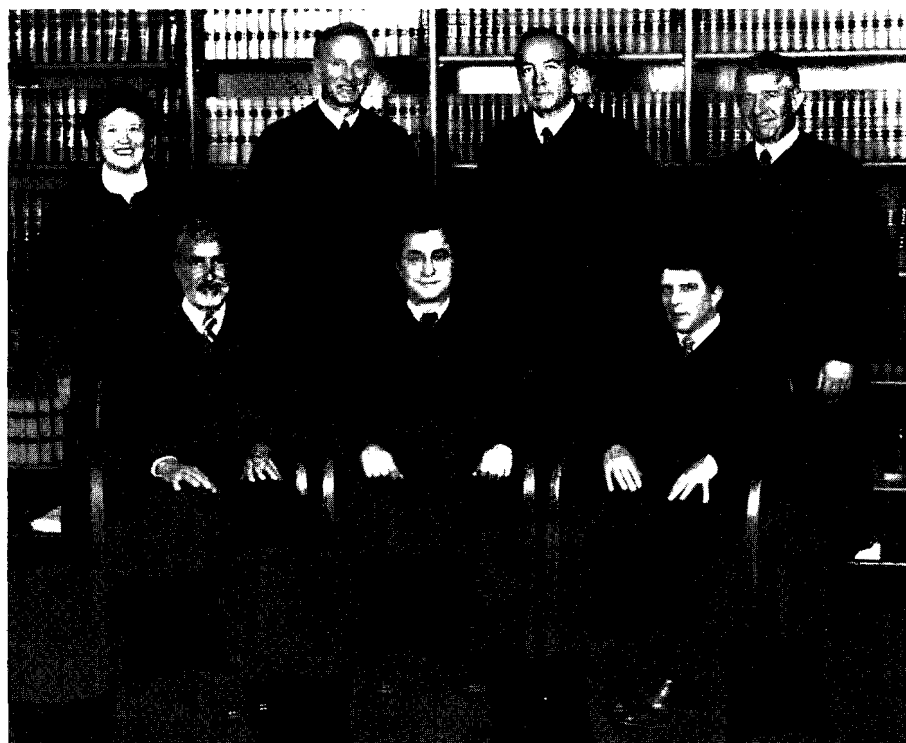




# THE SUPREME COURT



**The New Jersey Supreme Court (left to right, seated): Associate Justice Robert L. Clifford, Chief Justice Robert N. Wilentz, Associate Justice Alan B. Handler; (standing) Associate Justices Marie L. Garibaldi, Stewart G. Pollock, Daniel J. O'Hern, and Gary S. Stein.**



**T**he Supreme Court is New Jersey's court of last resort. Its seven members are appointed initially to a seven-year term and, upon reappointment, serve until age 70.

The Supreme Court's authority extends to the rules of procedure and regulation of the practice of law and discipline of judges and attorneys.

Cases arrive at the Supreme Court by way of direct appeals, petitions for certification, interlocutory applications, and in a very few instances, petitions for the exercise of original jurisdiction.

## Appeals as of Right

Appeals to the Supreme Court are permitted as of right in limited circumstances. There must be a substantial constitutional question not previously passed upon by an appel-

late court, a dissent in the Appellate Division, or the imposition of a sentence of death to invoke the Court's appeal jurisdiction. Under the Rules of the Court, a defendant who has been sentenced to death has a direct appeal to the Supreme Court, bypassing normal Appellate Division review.

The Rules of the Court limit appeals based on dissents to the issues raised in the dissenting opinion. This often results in matters having appeals as of right only as part of a case.

The overwhelming majority of cases in which an appeal as of right is filed (83 total cases during the 1988-89 court year) claim the presence of substantial constitutional questions. Of the 62 appeals dismissed by the Court during 1988-89, most were handled in a summary manner because the Court found no substantial questions within the meaning of the rules and relevant case law.

## Petitions for Certification

Most of the parties seeking Supreme Court review of final judgments of the Appellate Division do so by petitioning for certification. Certification is granted under the following circumstances: if the case involves a matter of general public importance that has not been, but should be, settled by the Court; if the question is similar to one already on appeal; if a lower court's decision conflicts with another appellate decision or calls for the general supervisory powers of the Court; or if the interest of justice requires it.

The requirements for the grant of certification are applied strictly by the Supreme Court. Certification was granted in 11% of the cases presented to the Court during 1988-89, an increase from the 9.5% in 1987-88.



## Motions and Other Applications

The Supreme Court disposed of 1,790 motions during the 1988-89 court term, an 18.9% increase over the prior year. These applications covered a wide range of subjects. The most frequently filed motions involved requests for leave to appeal, for stays, for extensions of deadlines, and for supplemental briefing schedules. In addition to litigated matters, the interlocutory application category included petitions filed in bar admission matters, of which there were 120 in 1988-89.

## Attorney Discipline

The Supreme Court reviews decisions and recommendations of the Disciplinary Review Board. That Board, in turn, reviews the actions taken by the various District Ethics Committees.

During 1988-89, the Supreme Court disposed of 124 disciplinary matters, up 2% from 1987-88.

## Filings and Dispositions

Case filings (appeals, certifications, motions, and disciplinaries) increased by 385 in 1988-89 for a combined total of 3,637. At the same time, overall dispositions for the term amounted to 3,645, an increase of 392 over the previous year.

The Court's caseload of petitions for certification increased by 9%. Motion filings and dispositions increased substantially as well in 1988-89. Certifications and motions continued to lead all categories in filings and dispositions.

## Pending Cases

Pending cases before the Supreme Court increased in two of four categories. There was an increase of

## FILINGS AND DISPOSITIONS 1985-1989

	1985	1986	1987	1988	1989
<b>Appeals</b>					
filed	244	293	245	244	252
disposed	276	252	279	227	259
pending	170	211	177	194	187
<b>Certifications</b>					
filed	1053	1382	1382	1354	1482
disposed	1025	1378	1411	1398	1472
pending	416	420	391	347	357
<b>Motions</b>					
filed	1113	1224	1415	1541	1742
disposed	1086	1209	1444	1506	1790
pending	134	149	120	155	107
<b>Disciplinaries</b>					
filed	117	137	104	113	161
disposed	114	129	102	122	124
pending	24	32	34	25	62
<b>Total</b>					
filed	2527	3036	3146	3252	3637
disposed	2501	2968	3236	3253	3645
pending	744	812	722	721	713

10 petitions for certification, leaving a total of 357 pending as of June 30, 1989. Pending appeals at the end of the 1988-89 court term numbered 187, down seven from 1987-88. Disciplinaries increased by 37 to 62. Motions pending decreased by 48 to 107. The Supreme Court's total dispositions reduced pending cases at the end of the 1988-89 term by eight cases.

## Opinions Filed

Although considerable time and effort is expended on discretionary review matters, the opinions of the Court remain its most visible work. The Court, under the direction of the Chief Justice, discusses each case at a conference following oral arguments.

Opinion assignment is made by the Chief Justice if the Court is unanimous or if the Chief Justice is in the majority. In cases where the Chief Justice does not participate or is one of the members of the minority, the opinion is assigned by the senior Justice voting with the majority.

Upward of 20 opinions may be in circulation at any given time. Each Justice must be fully conversant with every opinion before the Court, whether the opinion is a first or final draft. Circulating opinions holds the highest priority at Court conferences, and every effort is made to insure that the decisions of the Court are truly collegial in nature.

During 1988-89, the Supreme Court filed 162 opinions (majority,

minority, and *per curiam*), deciding 139 appeals and disciplinaries. The number of signed majority opinions increased by five in 1988-89 to 73. Minority opinions increased in 1988-89 from 32 to 49. The balance of the opinions filed were *per curiam*.

## Time to Decision

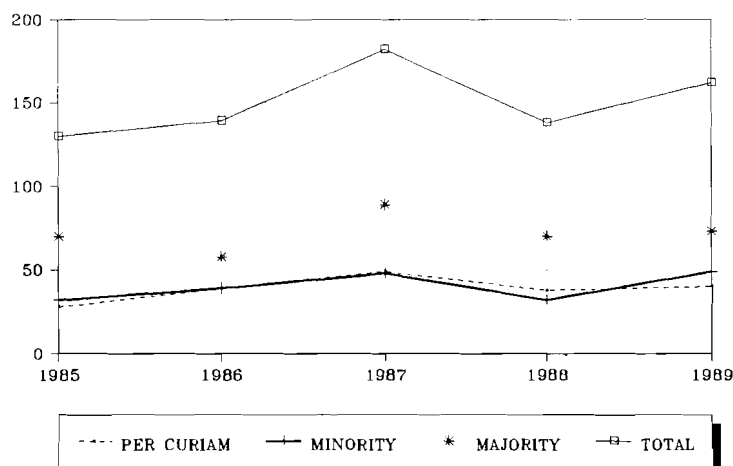
Any given case can be disposed of promptly if there is consensus on the part of the members of the Court involved. However, the decision process in a multi-member court does not, if truly collegial determinations are sought, lend itself to the immediate generation of full opinions in many cases. The complexity of the case and divergent views about the legal issues can combine to seriously affect the timing of a disposition. The median time for disposition during the 1988-89 court term was five months and four days, up six days from the 1987-88 court year.

## Professional Responsibility

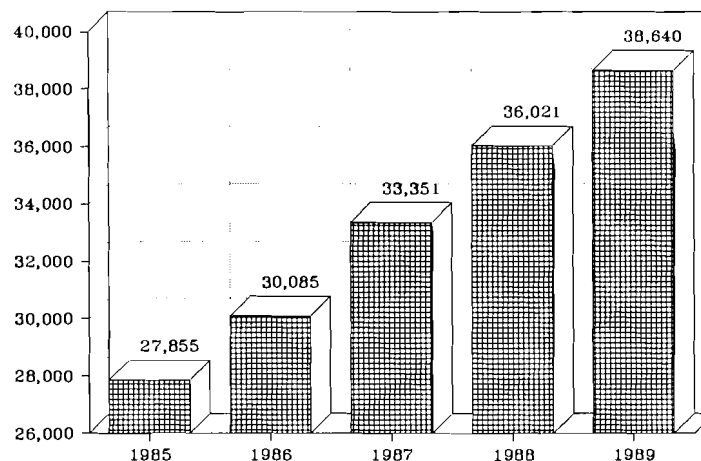
The Supreme Court has constitutional responsibility for the integrity of the legal profession. It exercises this responsibility through several offices, including the Office of Attorney Ethics. The increased work of this office is a reflection not only of the growing number of attorneys in New Jersey, but also of rising public demand for high ethical standards and accountability.

The decade of the '70s produced a large increase in the attorney population in New Jersey. In 1969, there were 10,348 members of the Bar admitted to practice. That figure more than tripled by the end of fiscal year 1989 when the attorney population reached 38,640, an increase of 2,619 attorneys over 1987-88.

## OPINIONS FILED



## NUMBER OF ATTORNEYS



## Admission to the Bar

Lawyers are admitted to the Bar of New Jersey only after passing a State Bar Examination. The New Jersey examination is given in February and July to coincide with the national administration of the Multistate Bar Examination. The essay examination is prepared and graded by the Board of Bar Examiners and administered by the Clerk of the Supreme Court serving in his capacity as Secretary to the Board. Each candidate for admission

to the Bar must pass both the Multistate Bar Examination and the New Jersey essay questions. Two examinations were administered during the 1988-89 term. The July 1988 passing rate was 72.5%, down from 74.3% in 1987. The February 1989 passing rate was 66.9%, up from 59.2% in 1988.

(Passing rates for summer examinations normally are higher because the majority of law students graduate in June and more individuals who were unsuccessful on a prior bar



examination take the winter examination. The likelihood of passing declines the more often the examination is taken.)

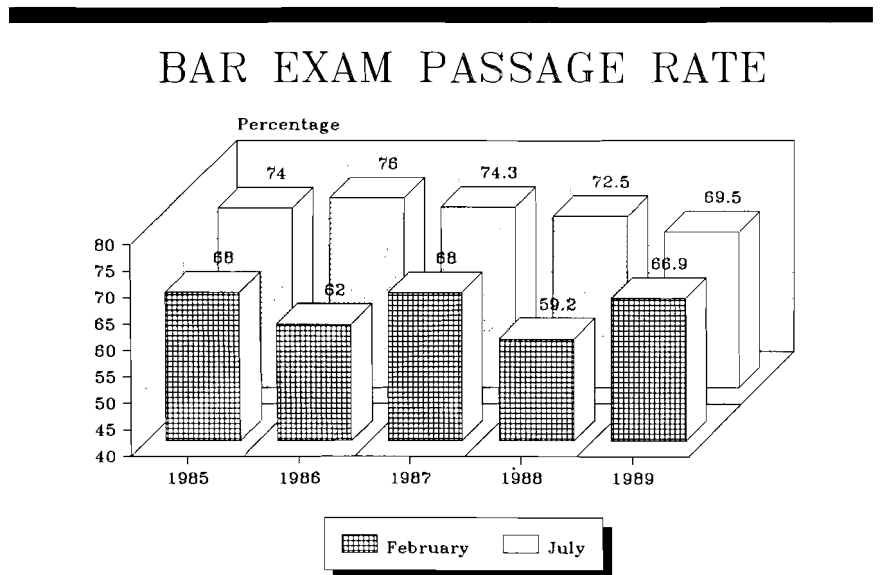
New Jersey law school graduates continue to perform better on the State Bar Examination than those educated in other jurisdictions.

## Trial Attorney Certification

The goals of the trial attorney certification program are to improve the quality of trial advocacy and to inform the consumer about those members of the Bar who have achieved a certain level of skill, knowledge, and experience in trial representation. The Board of Trial Attorney Certification, appointed in 1979, developed program regulations and began accepting applications in 1980.

The certification process involves two steps. First, applicants must file an extensive written application in order to establish their eligibility to sit for the Board's examination. The application requires an applicant to list members of the Bench or Bar who can attest to the candidate's skills as a trial advocate. The form also requires detailed information on 10 substantial cases that the applicant has tried, and further requires that the applicant demonstrate continuing current involvement in trial practice by listing all cases tried or prepared for trial in the preceding three years. Finally, the applicant must demonstrate a commitment to continuing legal education by listing seminars attended or taught and by describing other educational activities in the field of trial advocacy such as professional committee work, authorship, and speeches.

Attorneys whose applications are deemed sufficient by the Board are permitted to participate in the second step of the certification process: the



written examination. The separate civil and criminal examinations, administered annually, are designed to test the attorney's knowledge of trial practice, procedures, and tactics. Only those applicants who successfully complete an examination are recom-

as civil and criminal trial attorneys. The Board certification is for seven years, after which the attorney must apply for recertification.

During the 1988-89 term, 351 attorneys were eligible for recertification. Of that number, 293 were

## The opinions of the Court remain its most visible work. The Justices discuss each case at conference; all must be fully conversant with every opinion before the Court.

mended for certification by the Court.

As of June 30, 1989, the Supreme Court certified 795 civil and 261 criminal trial attorneys. The total number of certified attorneys is less than the sum of these two figures because 59 attorneys are certified both

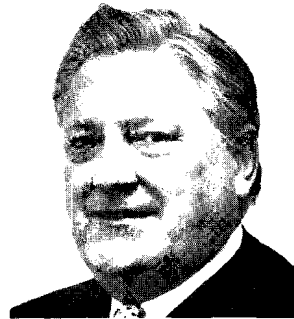
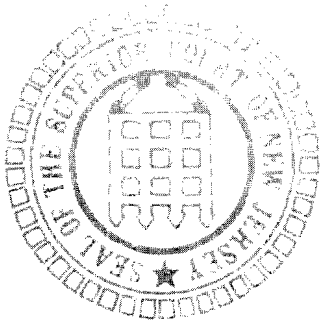
recertified, 13 were appointed to the bench, four died, and two retired from the practice of law. Thirty-nine attorneys allowed their certification to lapse.





**THE  
APPELLATE  
DIVISION**

# THE APPELLATE DIVISION



**Herman D. Michels**  
Presiding Judge



**Melvin P. Antell**  
Presiding Judge, Part A



**Michael P. King**  
Presiding Judge, Part B



**James J. Petrella**  
Presiding Judge, Part C



**Sylvia B. Pressler**  
Presiding Judge, Part E



**James H. Coleman, Jr.**  
Presiding Judge, Part F



**Geoffrey Gaulkin**  
Presiding Judge, Part G

**F**or most litigants, the Appellate Division of the Superior Court is the court of last resort. The New Jersey Constitution provides a right to appeal to the Appellate Division from final judgments of the Law and Chancery Divisions of the Superior Court, as well as from final orders and decisions of State agencies. In addition, interlocutory decisions of trial courts and State agencies may be reviewed by the Appellate Division if it grants a leave to appeal.

During the 1988-89 court year, 28 full-time judges, chosen by the Chief Justice from one of the trial divisions of the Superior Court, served in the Appellate Division. Additionally, five recall judges were assigned to the Division's Civil Appeals Settlement Program (CASP).

The full-time judges are organized into parts of four judges, and sit in panels of two or three judges. The composition of the parts changes each

year. A Presiding Judge administers each part and a Presiding Judge for Administration is chosen by the Chief Justice to oversee the entire Appellate Division. When in session, each part usually hears 12 to 16 appeals. The Presiding Judge of each part determines whether individual appeals are heard by two or three judges.

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**Over the last few years, the Court has successfully decreased backlog.**

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The Court hears appeals without argument unless one of the parties requests argument or the Court orders

it. After argument, or submission without argument, the judges consider, discuss, and decide each appeal. In most matters a written opinion is issued. In criminal appeals involving only the sentence imposed, briefing is not permitted and ordinarily a decisional order is signed shortly after oral argument.

## Caseload

The Court has been increasingly successful over the past few years at decreasing its backlog. During 1988-89, the Court again cleared its calendar and reduced its pending caseload, despite an increase in appeals and motions. Appeals increased one-half (.5) percent while motions increased 2.1% over 1987-88. The number of dispositions achieved through the sentencing calendars and CASP programs helped reduce the time necessary for processing appeals.



## Appeals

During the 1988-89 court year, 6,492 cases were added to the Appellate Division docket: 6,351 appeals filed, 138 reinstated, and three remanded from the Supreme Court. The Division disposed of 6,531 appeals, and had 5,106 pending. During the 1987-88 court year, 6,273 appeals were filed, 174 were reinstated, and 11 were remanded; 6,494 were disposed of, and 5,145 were pending at year's end. Over the past five years, the Court has reduced pending appeals by 703.

## Motions

In addition to the decisions on each appeal, the Court also must decide numerous motions. The motion decisions increased 24% since 1985. During the 1988-89 term, the Appellate Division decided 6,660 motions, compared with 6,389 the year before.

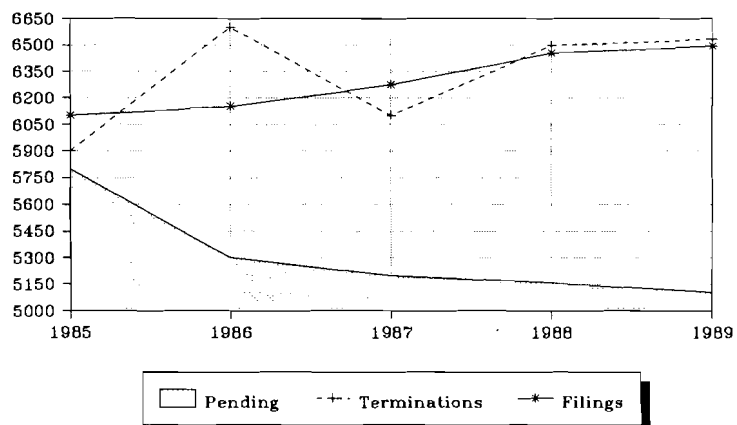
## Differentiated Case Management

The Appellate Division continued to differentiate appeals for specialized treatment. Currently appeals are separated into six categories: civil appeals settlement program (CASP), sentencing, summary dispositions, *pro se*, extremely complex, and regular appeals. During 1988-89, the Appellate Division Central Research Unit continued its efforts to recruit more attorneys to draft legal memoranda, particularly on cases with difficult issues and large records.

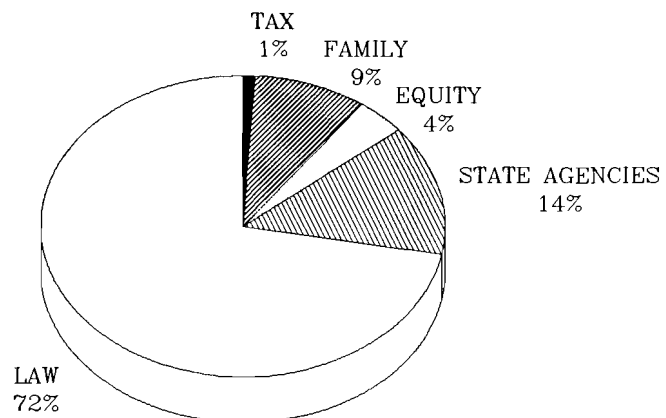
## Pro Se Appeals

Nearly 10% of the appeals filed during 1988-89 involved *pro se* litigants. Because *pro se* litigants cannot be presumed to know the rules of appellate practice, staff attorneys

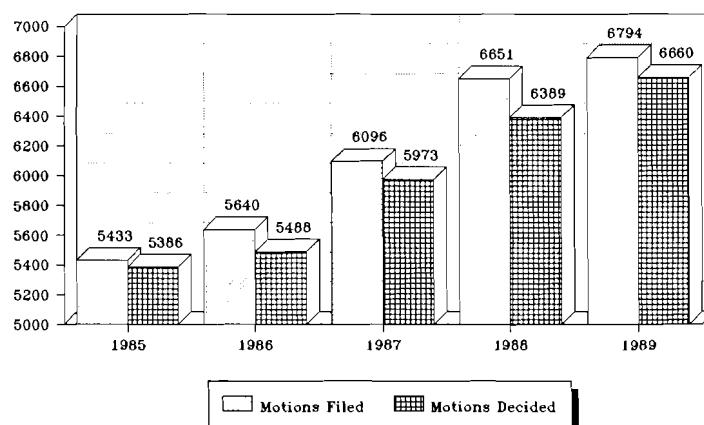
## CASELOAD TRENDS 1985-1989



## SOURCE OF APPEAL



## MOTIONS DECIDED 1985-1989



and case managers carefully review each document submitted. If the document is deemed deficient, it is returned with detailed instruction on how it might be corrected.

decided by order totalled 816. Seventeen hundred ten appeals were dismissed before calendaring. A Supreme Court order directly certified two matters. Criminal appeals accounted for 44% of the cases decided.

months to one year: 54%, six months or less.

Most of the appeals filed during the 1988-89 court year came from the trial divisions of the Superior Court.

## Method of Disposition

Of the 6,531 appeals terminated during the 1988-89 court year, written opinions were issued in 3,611; summary orders accounted for 392 dispositions. Sentencing appeals

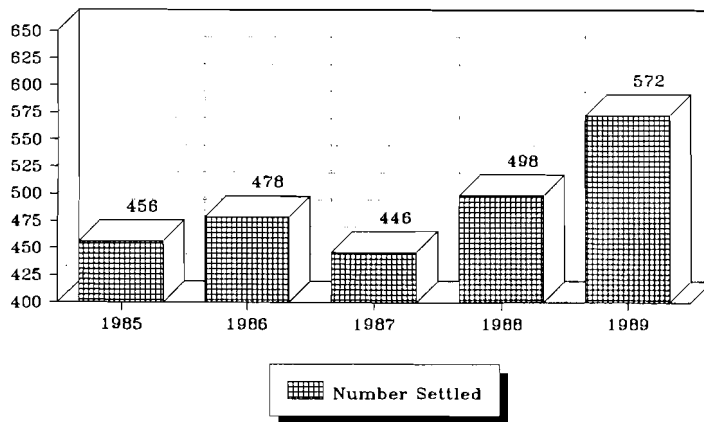
## Age and Source of Pending Appeals

At the end of the court year, 5,106 appeals were pending. Of those, 21% were more than one year old; 25%, six

## Opinions

Of the appeals decided by the Court by opinion, 66% were decided by two judges and 34% were decided by three. The decision on how many judges sit on a matter is made by the Presiding Judge of the relevant part.

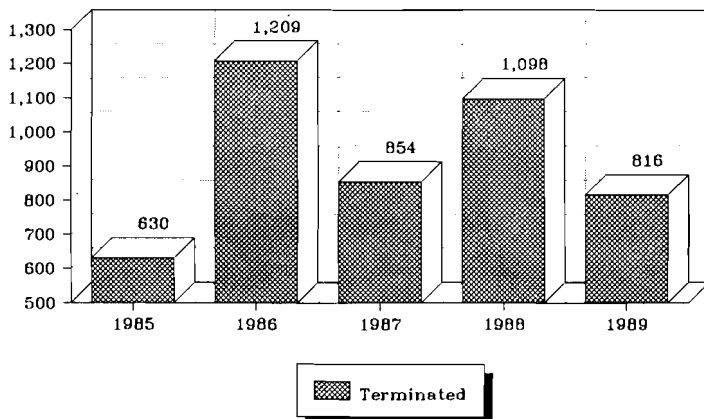
## CASP SETTLEMENT 1985-1989



## Civil Appeals Settlement Program

Authorized by the Supreme Court in 1981, the Civil Appeals Settlement Program (CASP) is part of an effort to speed justice for litigants and to ease the Court's heavy workload by using Appellate Judges on a recall basis to oversee pre-argument conferences. Thirty-five percent of the Civil appeals selected for CASP were settled.

## SENTENCING PROGRAM 1985-1989

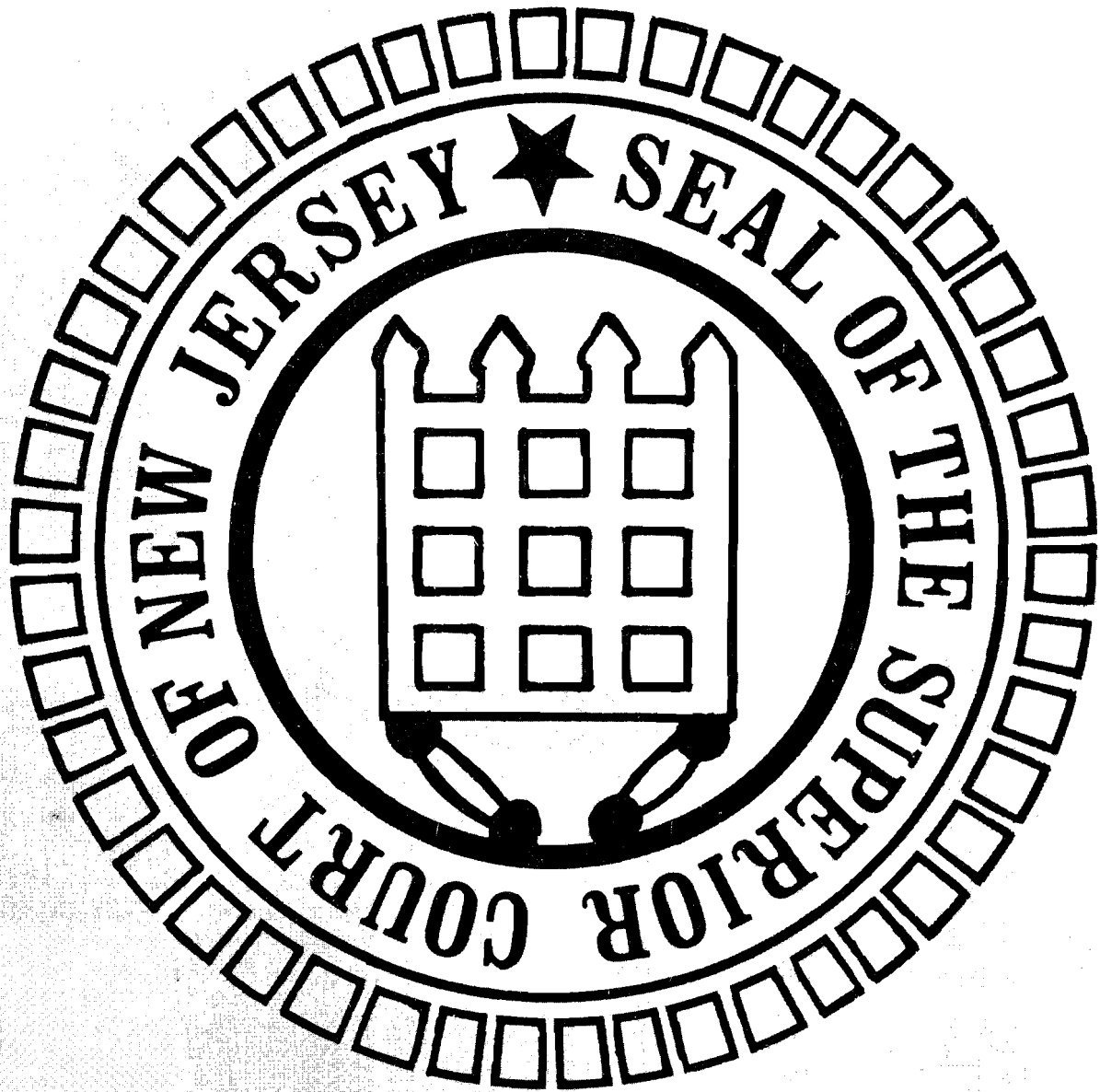


## Sentencing Calendars Program

Initiated during the 1983-84 court year, the program streamlines the processing of Criminal appeals in which the sole issue on appeal is the excessiveness of the sentence imposed. The program since has been expanded to incorporate other sentencing issues.

The Court reviews the record and decides the matter without briefs, but with the assistance of oral arguments. All sentencing calendars are sound recorded. After argument, the Court issues an order entering a final disposition in the matter or setting the matter down for a full briefing if it is determined that additional issues exist in the appeal. During 1988-89, 816 appeals were terminated on sentencing calendars.





# THE SUPERIOR COURT

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# THE SUPERIOR COURT



**New Jersey's Assignment Judges (left to right, seated): Judges Samuel D. Lenox, Jr., Wilfred P. Diana, Chief Justice Robert N.**

**Wilentz, Judges Martin L. Haines, Peter Ciolino; (standing) Judges Burrell Ives Humphreys, Alvin Yale Milberg, A. Donald Bigley, Edward W. Beglin, Jr., Reginald Stanton, John A. Marzulli, Samuel G. DeSimone, Nicholas G. Mandak, Eugene D. Serpentelli, Richard J. Williams, AOC Director Robert D. Lipscher, Judge Herman L. Breitkopf.**

Filings continued to increase dramatically in the 1988-89 court year. More than 960,000 cases were filed in the trial courts, a 6% increase over the year before. The most dramatic increase occurred in the Criminal calendar due to the huge rise in the prosecution of drug cases. This continues the trend of the last several years in which the calendars that show the most sizable increases are those that consume the highest percentage of judges' time—Criminal, Civil, Domestic Violence, and Dissolution.

The effect of these increases is clear: more delays and greater backlog. Although the number of trial court dispositions rose to new heights, the courts throughout the State cleared 96% of the 963,211 cases filed. The shortfall (the number by which filings exceeded dispositions, or, in other words, the growth of the pending caseload) grew by 39,000 cases. This shortfall is the highest of the decade, and the number of cases is five times larger than in the past. 1988-89 marked the third consecutive year of shortfall.

The growth of the Criminal calendar is most remarkable. Filings,

counted as the number of defendants indicted, grew by 21% from 1988 to 1989. The court system reacted to this onslaught of cases by transferring judges from the Civil Division to Criminal. While Criminal dispositions rose 17% as a result, the increase was not sufficient to keep pace with the rising number of cases. The Focus section (pages 5-8) on the crisis in the Criminal calendar and the onslaught of drug cases describes the problem and the courts' response.

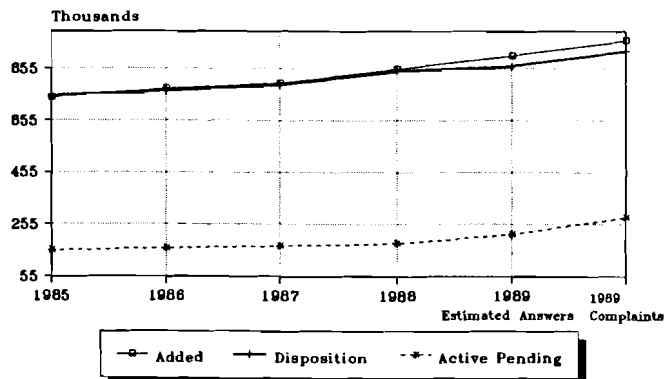
Civil cases increased as well. After a 16% increase from 1987 to 1988, filings grew another 5% during 1989. The number of cases terminated in 1989 fell by 16%, due largely to the temporary assignment of judges to Criminal cases. As a result, at the end of the year the active pending caseload in the Civil courts topped 160,000 cases. At the rate of dispositions during 1989, that figure represents another 15 1/2 months of accumulated cases. This means that the time of disposition for the *average* Civil case (including dismissals, settlements, etc.) was more than 15 months at the end of the court year.

Other calendars that showed large increases in workload were Domestic

Violence, Dissolution, and the "Other Family" cases. Domestic Violence caseloads grew by 10%, continuing a string of significant increases. In the last four years, these filings have increased by 79%. Dissolution filings grew by 6%, or by 33% over four years. The "Other Family" caseload, which includes abuse and neglect, adoption, child placement review, juvenile/family crisis, and termination of parental rights cases, experienced its largest increase—22% in one year—in abuse and neglect cases.

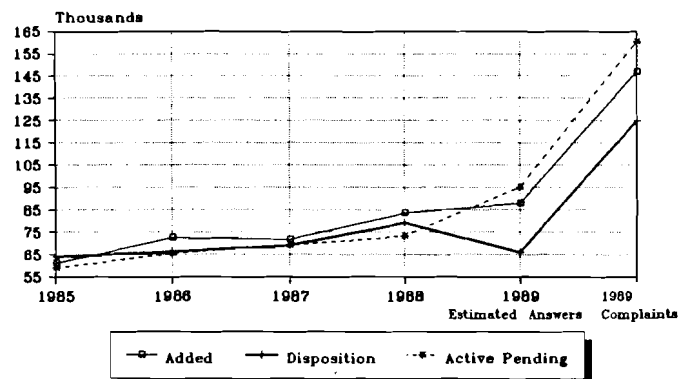
New Jersey's trial court judges are working diligently to keep up with these increased demands. Productivity, as measured by dispositions per judge, increased to an average of 3,029 cases during 1988-89. Yet still the trial courts continue to fall behind. There is an urgent need for more judges, for more and better trained court staff, and for the continued implementation of case management programs that will make the processing of cases smoother for the court, the bar, and the litigants alike. The focus will remain on high quality results, so that the court system's work will continue to be a source of pride to New Jersey's judges, court staff, and citizens.

## STATE TOTAL\* 5 Year Summary



\*On July 1, 1988, civil cases began to be counted as added at the time the complaint was filed. Before this, cases were counted as added at the time of first answer. Obviously, this artificially inflates increases in statistical measures between the 1988 and 1989 court years.

## CIVIL\* 5 Year Summary



\*On July 1, 1988, civil cases began to be counted as added at the time the complaint was filed. Before this, cases were counted as added at the time of first answer. Obviously, this artificially inflates increases in statistical measures between the 1988 and 1989 court years.

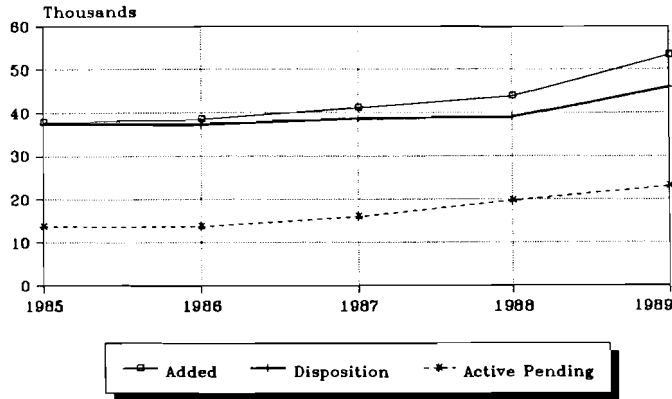
## 1988-89 STATEWIDE TOTALS

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	53,215	45,872	23,039	542	468
CIVIL	146,993	125,128	160,484	1,500	1,277
GENERAL EQUITY	7,910	7,451	4,557	485	457
SPECIAL CIVIL	443,158	438,673	43,103	25,469	25,211
FAMILY	307,099	302,508	48,169	4,325	4,261
DISSOLUTION	40,436	40,625	17,212	-	-
NON-DISSOLUTION	101,502	99,673	7,249	-	-
DELINQUENCY	117,179	114,934	11,830	-	-
DOMESTIC VIOLENCE	32,851	32,605	788	-	-
OTHER FAMILY	15,131	14,671	11,090	-	-
MISCELLANEOUS	4,836	4,525	1,712	-	-
TOTAL	963,211	924,157	281,064	3,157	3,029

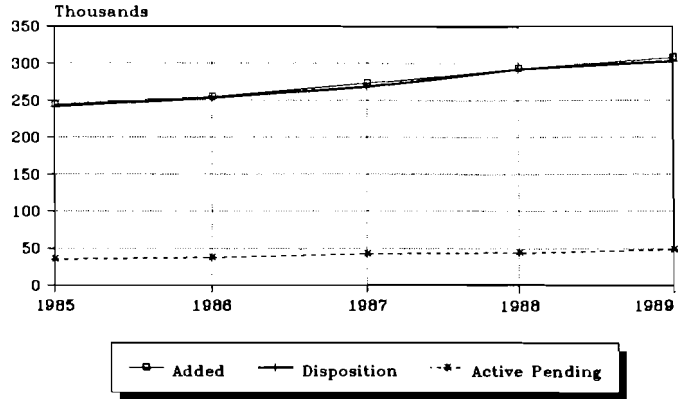
## 1988-89 CIVIL

VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	5,781	4,508	4,219	1,482	1,156
	CAPE MAY	1,146	1,020	925	1,146	1,020
2	BERGEN	18,073	14,558	13,778	1,329	1,070
3	BURLINGTON	4,841	4,747	4,905	1,793	1,758
4	CAMDEN	12,270	10,361	12,953	1,636	1,381
5	ESSEX	16,948	10,333	32,900	1,378	840
6	HUDSON	11,110	13,082	9,511	1,984	2,336
7	MERCER	6,900	5,858	8,154	1,683	1,429
8	MIDDLESEX	15,233	15,526	17,954	1,360	1,386
9	MONMOUTH	11,027	9,967	11,185	1,470	1,329
10	MORRIS	5,817	5,293	6,076	1,383	1,260
	SUSSEX	1,107	902	1,089	1,845	1,503
11	PASSAIC	10,669	8,554	10,927	1,693	1,358
12	UNION	9,695	7,310	10,069	1,763	1,329
	HUNTERDON	940	416	1,159	1,343	594
13	SOMERSET	2,941	2,211	2,407	1,279	961
	WARREN	693	551	723	1,386	1,102
14	OCEAN	6,316	5,436	6,470	1,404	1,208
	CUMBERLAND	1,948	1,852	2,052	1,771	1,684
15	GLOUCESTER	3,025	2,141	3,533	1,163	823
	SALEM	513	502	495	1,710	1,673
	TOTAL	146,993	125,128	160,484	1,500	1,277

## CRIMINAL 5 Year Summary



## FAMILY DIVISION 5 Year Summary



### 1988-89 CRIMINAL

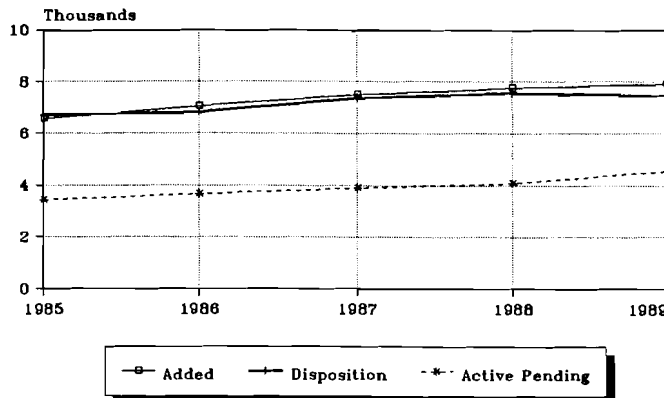
VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	4,104	4,197	1,029	933	954
	CAPE MAY	905	728	271	1,293	1,040
2	BERGEN	2,316	2,334	838	313	315
3	BURLINGTON	1,116	855	545	413	317
4	CAMDEN	3,992	3,725	945	562	525
5	ESSEX	9,641	7,848	6,110	518	422
6	HUDSON	4,198	3,705	1,365	389	343
7	MERCER	2,745	2,953	1,403	538	579
8	MIDDLESEX	4,815	2,867	2,653	719	428
9	MONMOUTH	3,125	2,619	1,526	579	485
10	MORRIS	2,187	1,457	922	734	502
	SUSSEX	534	360	198	371	400
11	PASSIAC	2,648	2,591	1,215	363	355
12	UNION	3,898	3,144	1,234	582	469
	HUNTERDON	445	406	183	656	580
13	SOMERSET	867	732	255	482	407
	WARREN	620	451	424	689	501
14	OCEAN	1,521	1,343	793	661	584
15	CUMBERLAND	1,674	1,691	507	1,046	1,057
	GLOUCESTER	1,061	1,055	487	342	340
	SALEM	1,003	811	136	1,003	811
TOTAL		53,215	45,872	23,039	542	468

### 1988-89 FAMILY

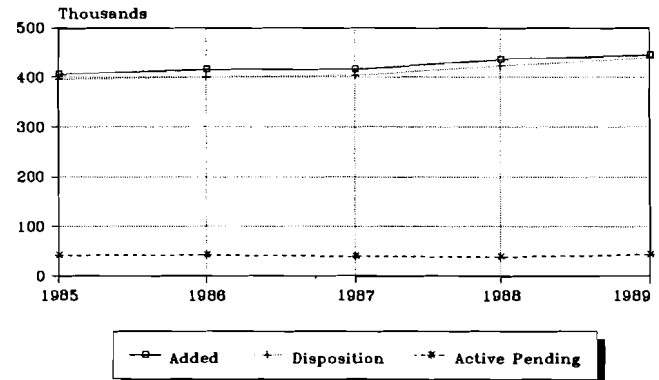
VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	13,792	13,548	1,455	5,305	5,211
	CAPE MAY	4,815	4,675	546	4,815	4,675
2	BERGEN	24,673	24,723	2,711	4,655	4,665
3	BURLINGTON	14,357	14,177	2,073	5,317	5,251
4	CAMDEN	27,131	26,166	3,279	5,652	5,451
5	ESSEX	44,156	44,307	5,931	4,600	4,615
6	HUDSON	25,687	24,652	4,134	5,137	4,926
7	MERCER	16,838	17,066	3,173	3,916	3,969
8	MIDDLESEX	16,209	15,989	3,758	2,947	2,907
9	MONMOUTH	16,578	16,541	3,025	3,014	3,007
10	MORRIS	8,947	8,945	1,491	2,796	2,795
	SUSSEX	3,457	3,282	675	2,881	2,735
11	PASSIAC	22,616	22,751	3,301	4,812	4,841
12	UNION	17,777	17,582	2,601	5,065	5,031
	HUNTERDON	2,343	2,324	403	5,347	5,320
13	SOMERSET	5,176	5,243	610	4,313	4,369
	WARREN	2,872	2,840	431	4,103	4,057
14	OCEAN	10,799	10,403	2,134	5,272	5,152
15	CUMBERLAND	14,965	13,555	4,456	12,471	11,296
	GLOUCESTER	9,304	9,209	1,374	4,430	4,385
	SALEM	4,607	4,550	608	7,678	7,583
TOTAL		307,099	302,508	48,169	4,325	4,261



## GENERAL EQUITY 5 Year Summary



## SPECIAL CIVIL 5 Year Summary



## 1988-89 GENERAL EQUITY

VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	392	387	171	261	258
	CAPE MAY	220	221	83	2,200	2,210
2	BERGEN	744	755	517	413	419
3	BURLINGTON	477	428	299	477	428
4	CAMDEN	468	469	166	520	521
5	ESSEX	844	654	721	422	317
6	HUDSON	483	433	269	439	394
7	MERCER	297	319	81	594	638
8	MIDDLESEX	575	564	387	359	353
9	MONMOUTH	673	679	397	748	754
	MORRIS	412	418	183	375	380
10	SUSSEX	143	149	66	-	-
	PASSIAC	567	288	277	367	288
12	UNION	357	330	247	397	367
	HUNTERDON	125	132	41	-	-
13	SOMERSET	214	225	72	713	750
	WARREN	82	75	37	-	-
14	OCEAN	656	594	374	656	594
15	CUMBERLAND	154	145	68	770	725
	GLOUCESTER	190	175	65	475	438
	SALEM	37	31	36	-	-
TOTAL		7,910	7,451	4,557	485	457

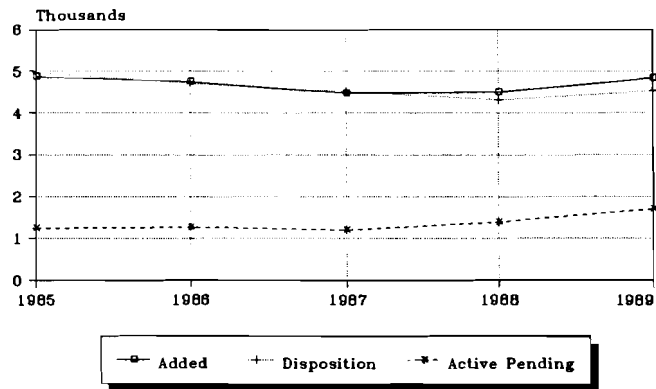
## 1988-89 SPECIAL CIVIL

VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	17,492	17,413	1,626	43,730	43,533
	CAPE MAY	4,568	4,508	384	15,227	15,027
2	BERGEN	37,114	37,479	3,417	14,846	14,992
3	BURLINGTON	16,407	16,231	1,869	54,690	54,103
4	CAMDEN	24,737	24,544	1,489	35,339	35,063
5	ESSEX	89,264	88,370	9,203	22,316	22,093
6	HUDSON	41,771	41,109	2,902	26,107	25,693
7	MERCER	17,975	17,905	996	22,469	22,381
8	MIDDLESEX	31,168	30,442	2,606	28,335	27,675
9	MONMOUTH	28,152	27,925	2,774	56,304	55,850
	MORRIS	17,155	17,242	1,609	34,310	34,484
10	SUSSEX	4,531	4,614	512	22,655	23,070
	PASSIAC	27,628	26,831	2,772	21,252	20,639
12	UNION	31,283	30,908	4,277	34,759	34,342
	HUNTERDON	2,881	2,664	571	14,405	13,320
13	SOMERSET	8,953	8,952	868	17,906	17,904
	WARREN	2,702	2,725	277	13,510	13,625
14	OCEAN	19,909	19,628	2,649	28,441	28,040
15	CUMBERLAND	7,626	7,596	1,098	38,130	37,980
	GLOUCESTER	9,407	9,079	976	23,518	22,698
	SALEM	2,435	2,508	228	24,350	25,080
TOTAL		443,158	438,673	43,103	25,469	25,211

## 1988-89 MISCELLANEOUS

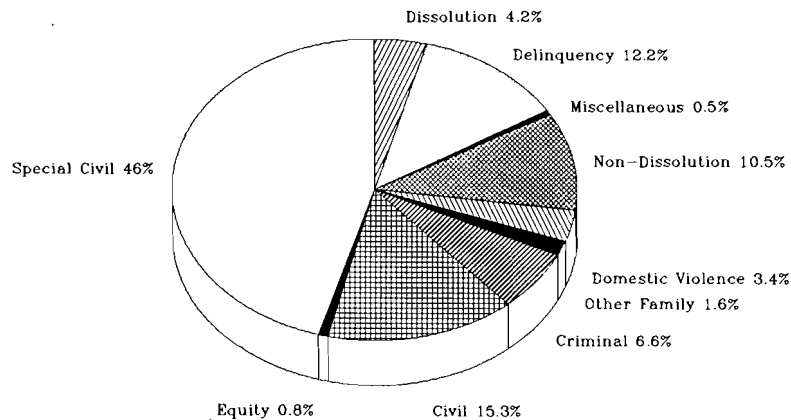
VICINAGE	COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
1	ATLANTIC	173	173	34	-	-
	CAPE MAY	208	212	16	-	-
2	BERGEN	350	376	145	700	752
3	BURLINGTON	315	316	94	1,050	1,053
4	CAMDEN	375	333	200	938	833
5	ESSEX	267	243	102	381	347
6	HUDSON	244	237	122	1,220	1,185
7	MERCER	336	351	42	1,680	1,755
8	MIDDLESEX	380	341	109	1,900	1,705
9	MONMOUTH	427	337	153	1,423	1,123
10	MORRIS	313	297	111	1,043	990
	SUSSEX	170	159	58	1,700	1,590
11	PASSAIC	203	178	86	1,015	890
12	UNION	221	208	97	737	693
	HUNTERDON	144	136	37	-	-
15	SOMERSET	120	112	44	1,200	1,120
	WARREN	134	112	49	1,340	1,120
14	OCEAN	251	211	113	837	703
15	CUMBERLAND	72	74	25	-	-
	GLOUCESTER	89	75	50	890	750
	SALEM	44	44	23	-	-
TOTAL		4,836	4,523	1,712	1,123	1,052

## MISCELLANEOUS\* 5 Year Summary

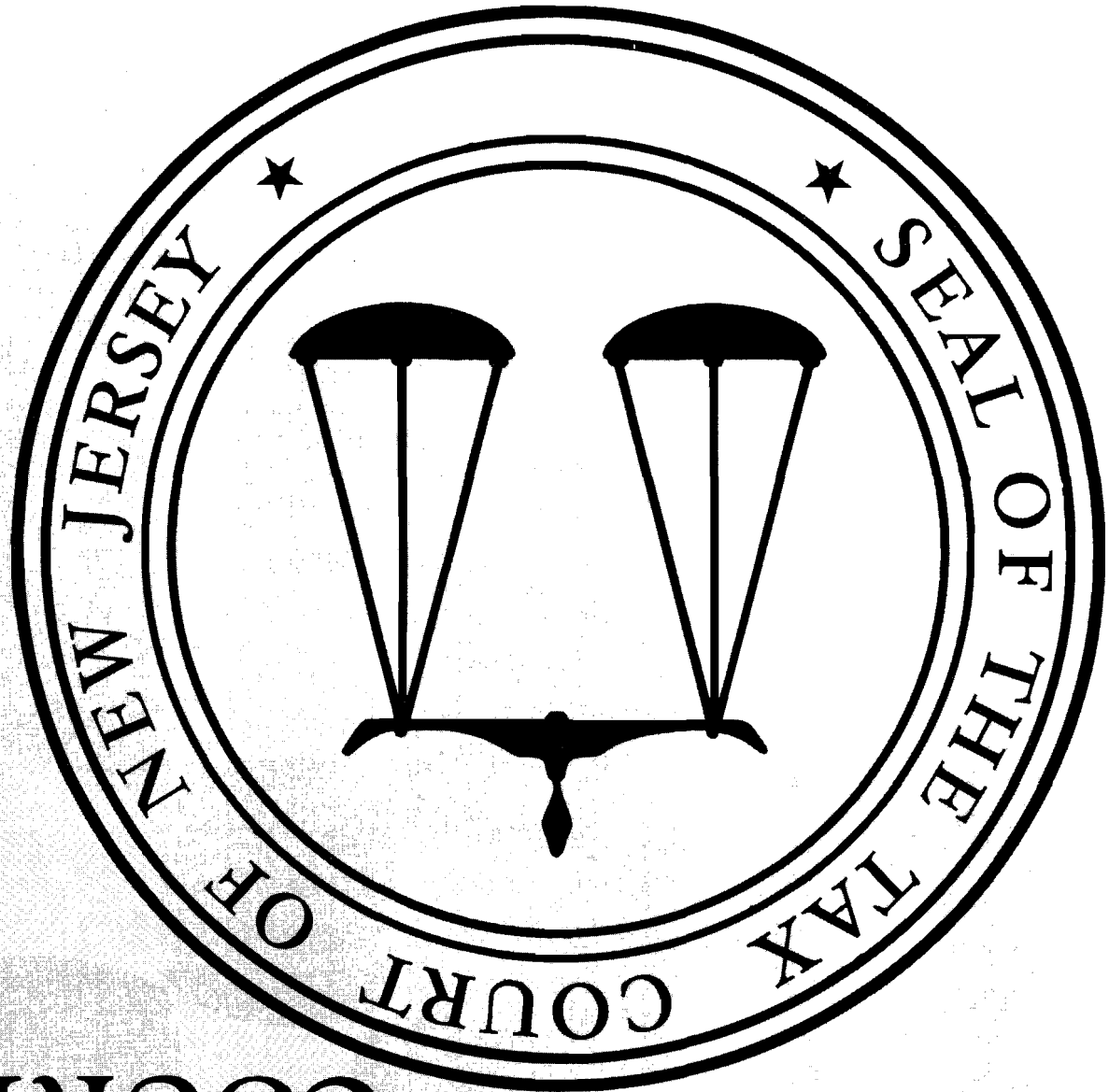


\*Municipal Court Appeals, Post Conviction, Probate, Surrogate

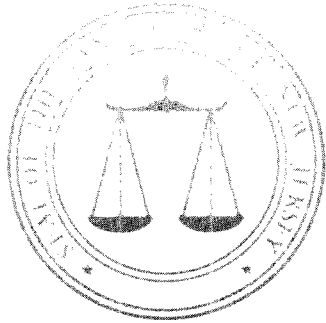
## COMPOSITION OF FILINGS THE STATE



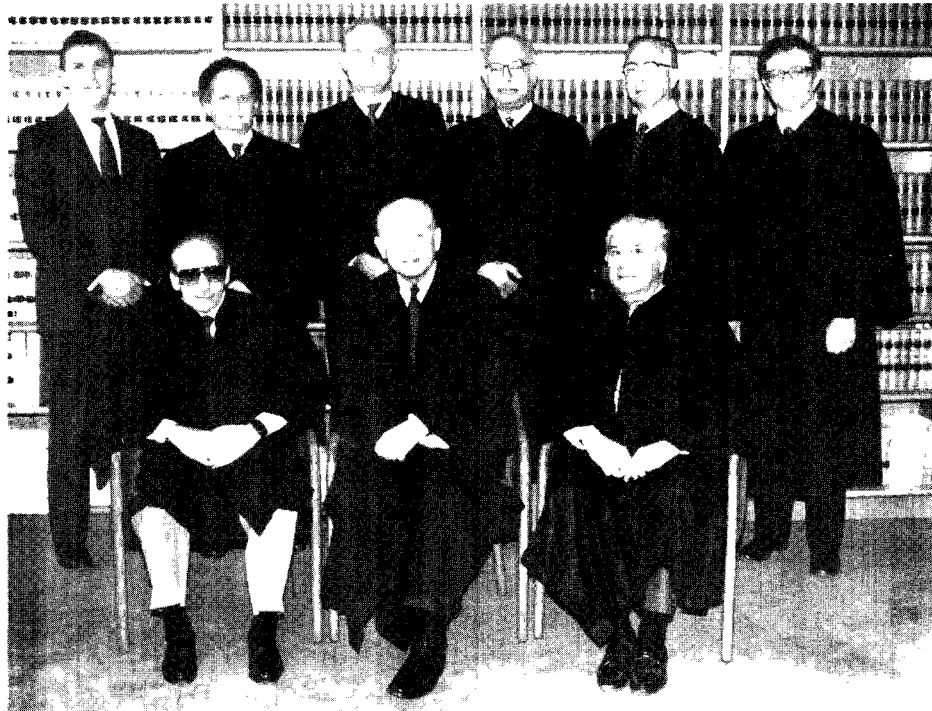




# THE TAX COURT



The New Jersey Tax Court (left to right, seated): Judge Michael A. Andrew, Jr., Presiding Judge Lawrence L. Lasser, Judge Anthony M. Lario; (standing) Tax Court Clerk Wesley LaBar, Judges Roger M. Kahn, David E. Crabtree, Marvin N. Rimm, John J. Hopkins, and Peter D. Pizzuto.



**T**he Tax Court of New Jersey is a trial court with state-wide jurisdiction to hear matters relating to State and local tax assessments. The Court reviews the actions and determinations of assessors and county boards of taxation with respect to local property tax matters, and of all State officials with respect to State taxes.

The Tax Court was established by the Legislature to afford taxpayers a prompt and impartial hearing and disposition of their disputes with governmental taxing agencies by a qualified body of judges. The objectives of the Tax Court are: 1) to provide expeditious, convenient, equitable, and effective judicial review of state and local tax assessments; 2) to create a consistent, uniform body of tax law for the guidance of taxpayers and tax administrators, in order to promote predictability in tax law and its application; 3) to make decisions of the Court readily available to taxpayers, tax administrators, and tax

professionals; and 4) to promote the development of a qualified and informed State and local tax bar.

In addition to hearing Tax Court cases, the six judges assigned to the Tax Court from time to time hear Superior Court cases, many of which are tax-related.

## Caseload

June 30, 1989, ended the Tax Court's tenth year. At its inception in 1979 the Court assumed a case inventory of 26,000 cases, more than half of which were over two years old. At the close of the 1988-89 court year, only 6.4% of pending cases were more than two years old.

At the beginning of the 1988-89 court year, the Tax Court had an inventory of 2,532 Tax Court and Superior Court cases. Tax Court cases and miscellaneous tax applications filed, along with Superior Court cases assigned to Tax Court judges, totalled 6,570, aggregating a total case inventory of 9,102. Dispositions

totalled 4,627, including 600 Superior Court, resulting in an inventory of 4,475 cases at year's end. The Court experienced a 37.9% overall increase in new cases during the year.

**Caseload by type:** Of the cases filed, 94% involved local property tax cases and 6% State tax and Equalization Table cases. Of the local property tax cases, 60% were regular cases and 40% were small claims. The 4,231 local property tax new filings represented a 63% increase over the number filed in 1987-88. This substantial increase was due to a recent flattening of the real estate market. Forty-six percent of the State tax cases involved Homestead tax rebates, 44% were regular State tax matters, and 10% were Equalization Table cases.

**Dispositions:** Eighty nine percent of the local property tax cases were disposed by motion, settled, or withdrawn, and 11% were tried to completion; 64% of the State tax and Equalization Table cases were disposed, settled, or withdrawn, and

36% were tried to completion. At the end of the court year, pending were 4,186 local property tax cases, 199 State tax cases, and 4 Equalization Table cases.

## Appeals from Tax Court

During the 1988-89 court year 41 Tax Court decisions were reviewed by the Appellate Division, which took the following actions: affirmed, 26; affirmed in part, reversed in part, and remanded, 1; reversed, 1; reversed and remanded, 2; remanded (settled), 1; dismissed 9; dismissed and remanded (settled), 1.

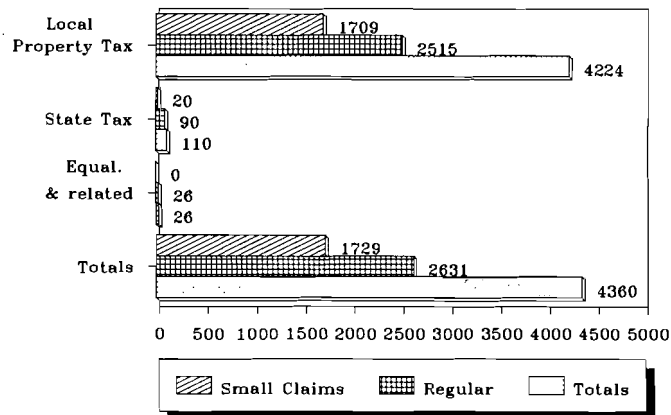
The Supreme Court denied certification in 10 Tax Court cases, denied leave to appeal in one, denied motion for direct certification in another; 2 petitions for certification were withdrawn and one stipulation of dismissal was filed. The Court took the following actions in nine cases: affirmed, 2; affirmed in part, reversed in part, and remanded to the Court, 1; reversed, 1; reversed and remanded to Tax Court, 2; dismissed, 2; withdrew, 1.

## Judges

Tax Court judges are appointed by the Governor for an initial seven-year term, and upon reappointment receive tenure for life. The Tax Court maintains courtrooms and chambers in Newark, Trenton, Camden, and Atlantic City for the convenience of taxpayers. The judges also hear cases in New Brunswick, Morristown, Somerville, Flemington, Freehold, Toms River, and Newton. The judges meet monthly to discuss substantive and procedural developments in the tax field.

Each judge is assigned a court clerk, who performs court duties and operates courtroom sound recording equipment. In March 1989, four judges attended the National Conference of State Tax Court Judges seminar.

## NUMBER OF COMPLAINTS FILED IN EACH FILING FEE CATEGORY



## CHARACTER OF COMPLAINTS

<b>Local Property Tax</b>	
Vacant Land	342
Residential	1,128
Farmland	47
Commercial	1,154
Industrial	367
Multi-Family	654
Property type not stated in complaint	539
<b>TOTAL</b>	<b>4,231</b>
<b>Cases other than local property tax</b>	
<b>a. State tax</b>	
Corporation	13
Emergency transportation	1
Gross income	31
Homestead rebate	114
Inheritance tax	12
Media Rights	1
Motor fuels sales	2
Motor fuels use	1
Public utility franchise	2
Sales & use	44
Solid waste	1
Spill compensation	1
Miscellaneous	1
<b>TOTAL</b>	<b>224</b>
<b>b. Equalization and related</b>	
Equalization (County)	2
Table of equalized valuation (School aid)	21
Order to revalue	3
<b>TOTAL</b>	<b>26</b>
<b>TOTAL-ALL COMPLAINTS</b>	<b>4,481</b>



## Office of the Clerk of the Tax Court

The Office of the Clerk is the administrative arm of the Tax Court. Its staff provides the support services necessary for efficient trial court operation, including acceptance of filings; case assignments; preparing calendars, judgments, and transcripts; statistical reporting; and maintenance of accurate case inventory and tracking systems. The staff provide taxpayers, attorneys, and administrators with information regarding court procedures, court opinions, and the review of tax assessments.

## Standards and Principles Used by the Tax Court

Local property tax cases generally involve a determination of the value

of property for assessment purposes. Value for assessing purposes is fair market value: the price that would be paid by a willing purchaser for all of the rights in the real estate and accepted by a willing seller if neither were compelled to buy or sell. The fair market value standard is used to achieve the uniformity in assessment required by the State Constitution.

The Tax Court applies the valuation principles required by statute and the Constitution, and determines fair market value by application of such of the three approaches to value as may be presented in evidence and deemed appropriate by the Court: 1) sales comparison approach, which estimates value based on sales of comparable property; 2) cost approach, which estimates value based on construction costs less depreciation of the

improvements plus the value of the land; and 3) income approach, which estimates value based on capitalization of the income produced by the property.

Local property tax cases sometimes involve a claim of discrimination. In such cases the Court follows legal principles established by the Supreme Court in *In re Appeals of Kents 2124 Atlantic Ave., Inc.*, 34 N.J. 21 (1961), and *Murnick v. Asbury Park*, 95 N.J. 452 (1984), as well as statutory provisions granting relief from discrimination contained in N.J.S.A. 54:51A-6 (chapter 123 of the Laws of 1973).

## Publication of Opinions

Summaries of opinions approved for publication are published in the *New Jersey Law Journal*. "Slip" opinions are produced and made available by the Administrative Office of the Courts. West Publishing Company publishes the opinions in *New Jersey Tax Court Reports* and issues advance sheets prior to publication of these reports.

Volume 10 of *New Jersey Tax Court Reports* will be published in the near future. *New Jersey Tax Court Reports* contain State and local tax opinions and Appellate Division opinions which decided appeals from Tax Court decisions. The Appellate Division opinions included in *New Jersey Tax Court Reports* are those which were not published in *Superior Court Reports* but are published in *Tax Court Reports* to complete the record.

*This report is adapted from the Annual Report of the Presiding Judge of the Tax Court submitted to the Chief Justice of the Supreme Court of New Jersey pursuant to N.J.S.A. 2A:3A-24.*

## DOLLAR AMOUNTS AT ISSUE

1. Dollar amount of original local property tax assessments contested in complaints filed with the Tax Court \$15,120,623,680.00
2. Dollar amount of state tax assessments contested in complaints filed with the Tax Court \$10,625,182.81

By Type of Tax	
Business personal property	\$51,961.00
Corporation business	1,229,111.93
Emergency transportation	281.00
Gross income	983,910.09
Homestead tax rebate	*
Inheritance tax	366,554.69
Media rights	61,639.70
Motor fuels sales	779,210.74
Motor fuels use	404,281.18
Public utility franchise	*
Sales & use	6,499,231.66
Solid waste	160,272.24
Spill compensation	88,728.58
Miscellaneous	*

\* No contested tax figures shown in complaint.

*New Jersey real property tax assessments in 1988 for all taxing districts totaled \$272,229,127,668. The \$15,120,623,680 in contested assessments is 5.6% of this amount.*





# THE MUNICIPAL COURTS

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# THE MUNICIPAL COURTS



The Paterson Municipal Court was one of 73 courts which implemented the computerized Automated Traffic System (ATS) for the processing of parking and traffic violations during the 1988-89 court year.

New Jersey citizens, as defendants, witnesses, or complainants, most likely are to have direct contact with personnel in the Municipal Courts. These 535 courts of limited jurisdiction dispose of in excess of 6.5 million cases and collect and distribute more than \$232 million in fines and fees during a court year.

The Municipal Courts have jurisdiction over traffic and parking violations, local ordinance violations, disorderly and petty disorderly persons offenses, certain penalty enforcement actions (such as fish and game violations), and probable cause hearings on indictable offenses.

The territorial jurisdiction of these courts generally extends to the boundaries of each municipality, but 16 of the 535 courts are inter-municipal or joint courts serving more than one municipality.

## Judges

Municipal Court judges are appointed by the Mayor, with the advice of the council or governing

body in some municipalities. In joint courts, appointment is made by the Governor, with advice from and consent of the Senate. Municipal Court judges serve for a term of three years and until their successor is appointed.

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## Municipal Courts disposed of 6.5 million cases and collected \$232 million during the year.

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Municipal Court judges have no tenure and are not required to retire at a mandatory age, characteristics which distinguish them from all other judges in the Judiciary.

The vast majority of Municipal Court judges serve only part-time and maintain private law practices.

## Administration

The Superior Court Assignment Judge, as chief judicial officer in each Vicinage, has plenary responsibility for the administration of the Municipal Courts.

Following the recommendations of the 1985 Judicial Conference on Municipal Courts, the Supreme Court established in four Vicinages the concept of Presiding Judges, selected from among sitting Municipal Court judges. The Presiding Judges coordinate the management, oversight, and training of the Municipal Court judge and support staff, and report to the Assignment Judges.

## Caseload

Nine of every 10 Municipal Court cases involve traffic offenses. More than half the cases deal with parking tickets and one third with moving violations.

Ten percent of the cases are on the Criminal calendar and half of those involve disorderly persons and petty disorderly persons offenses.

## Appeals

Appeals from the Municipal Courts are heard in the Superior Court, Law Division, as cases *de novo*. However, since the introduction of sound recording in the Municipal Courts, the Superior Court judge rehears the case by review of the Municipal Court transcript and supplemental oral arguments by the attorneys or *pro se* appellants. This method of retrial has reduced time devoted to Municipal appeals.

## Revenues

The Municipal Courts collected and disbursed more than \$232 million during the 1988-89 court year. Most of these monies were disbursed to State, county, or municipal agencies.

## Education and Training

The Court Operations Unit of the Municipal Court Services Division of the Administrative Office of the

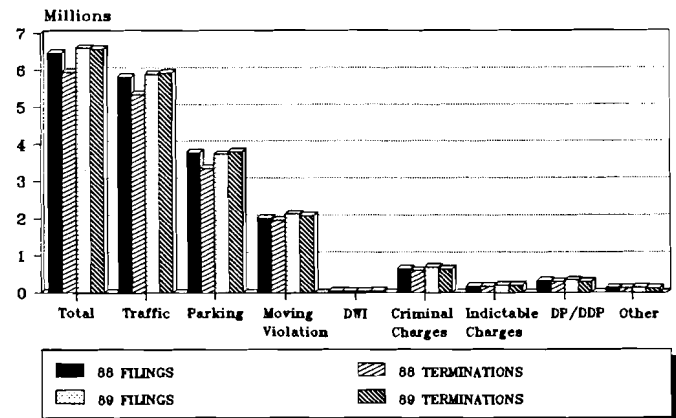
Courts, in conjunction with the Supreme Court Committee on Municipal Court Education, emphasized education and training of Municipal Court judges, administrators, and clerks during the 1988-89 court year.

At the Judicial Conference for Municipal Court Judges, noted authorities and panelists addressed the cause of problems and the treatment and rehabilitation of defendants with alcohol and drug dependency. An Alcohol/Substance Abuse Project

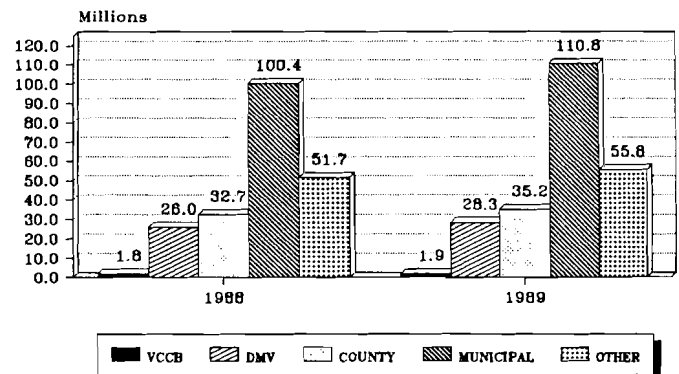
## MUNICIPAL COURT REPORTS CASE FLOW SUMMARY

COUNTY	FILINGS	TERMINATIONS	ACTIVE PENDING
ATLANTIC	208,897	215,624	143,649
BERGEN	636,512	587,485	335,551
BURLINGTON	196,600	194,207	27,345
CAMDEN	266,509	234,942	103,080
CAPE MAY	131,688	126,687	28,309
CUMBERLAND	59,288	61,587	5,336
ESSEX	1,045,369	914,458	492,769
GLOUCESTER	95,253	92,114	17,050
HUDSON	1,458,627	1,573,542	2,127,669
HUNTERDON	59,912	57,641	10,890
MERCER	274,174	287,337	80,798
MIDDLESEX	407,402	388,174	209,089
MONMOUTH	339,211	339,987	63,670
MORRIS	264,094	256,663	78,912
OCEAN	206,645	213,726	40,023
PASSAIC	285,799	397,734	138,349
SALEM	46,670	42,722	11,866
SOMERSET	111,010	109,256	17,366
SUSSEX	41,833	41,673	5,544
UNION	418,981	395,590	520,479
WARREN	58,104	58,497	7,530
TOTAL	6,612,578	6,589,646	4,465,274

## TOTAL CASELOAD



## DISTRIBUTION OF REVENUES



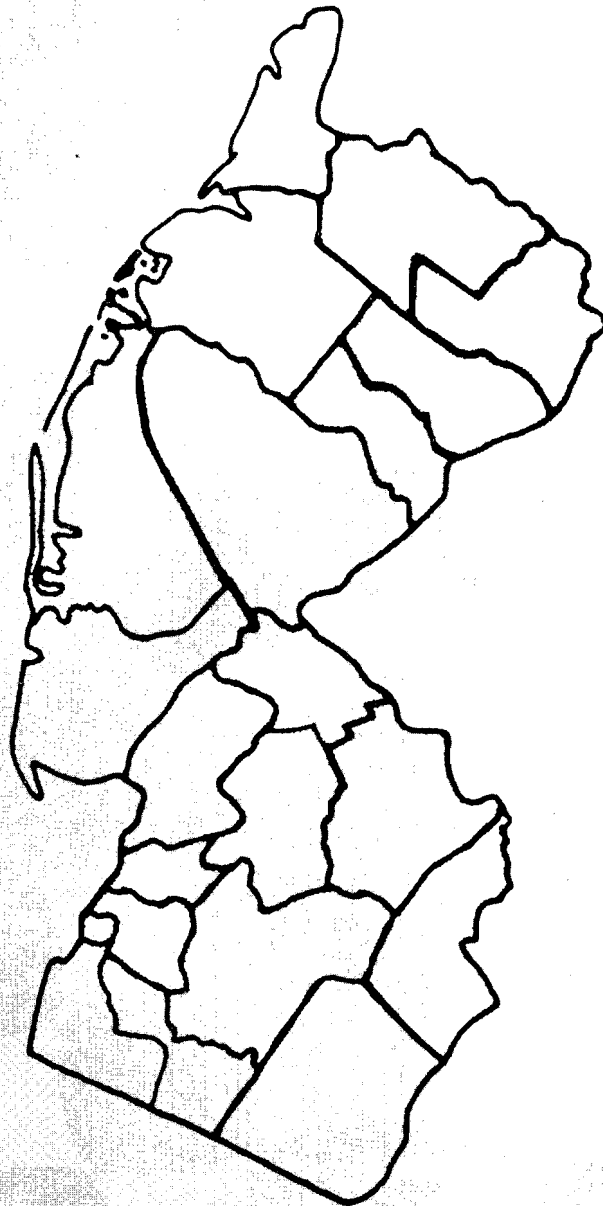
included one-day seminars for handling drug-related cases. Mandatory two-day orientation was held for 33 newly-appointed Municipal Court judges, and regional management and training seminars were offered for court executive personnel and court clerks.

### **Computerization**

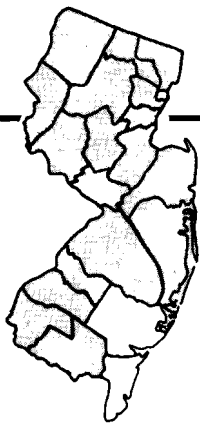
During 1988-89, the Division's newly-established Court Automation Section converted 73 Municipal Courts processing 31.8% of the statewide parking and traffic caseload volume to the computerized Automated Traffic System (ATS), exceeding its first year goal of 56 courts and 31% of the caseload. Additionally, the grow-

ing, statewide ATS database contains significant information regarding defendants who have had warrants issued for their arrest for failure to answer or appear in response to a traffic summons. This information is used by both Municipal Court staff and law enforcement personnel as part of the first statewide electronic traffic warrant system in New Jersey's history.





# THE VICINAGES



# VICINAGE 1

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## ATLANTIC, CAPE MAY COUNTIES



Richard J. Williams  
Assignment Judge



Charles E. McCaffery  
Trial Court Administrator

Many of the Vicinage's efforts during the '88-'89 court year were focussed in the area of Human Resources. A quarterly goal-setting process was established for all court managers and a performance evaluation program modeled on the State civil service program was implemented for all judicial staff.

- The Trial Court Administrator's Office was reorganized into six divisions: budget and purchasing, facilities and courtroom services, jury management, finance, human resources, and automation. Prior to the establishment of a division of finance, a Vicinage court-held funds policy was developed by a task force of court managers and county financial officers.

- Automation efforts continued in every division. Most significant was the implementation of the Family Automated Case Tracking System (FACTS) and of direct filing for dissolution cases. The case manage-

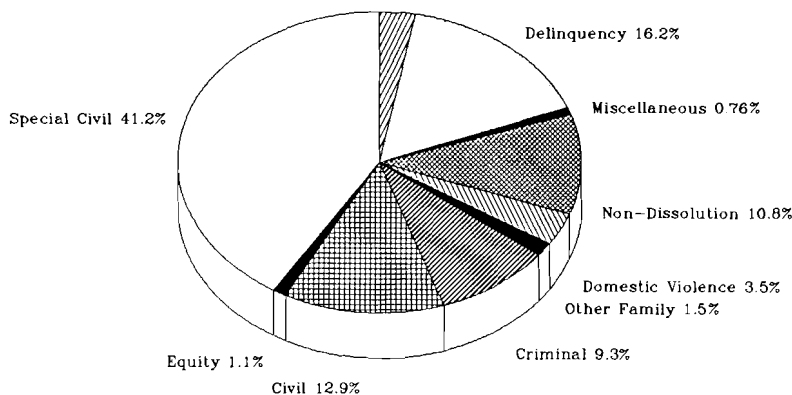
ment phase of the Automated Case Management System (ACMS) was fully implemented in the Civil Division, preparations were made for the conversion to PROMIS/Gavel in the Criminal Division, enhancements were made to the Automated Child Support Enforcement System (ACSES) in Probation, and the

Automated Traffic System (ATS) was implemented in 10 additional municipal courts.

- Offices were established for Probation Department personnel.

- A three-day leadership development training series for court managers and supervisors was begun.

## COMPOSITION OF FILINGS



# ATLANTIC, CAPE MAY COUNTIES

## Vicinage Retreat

For two days each Fall, judges and key managers in the Atlantic/Cape May Vicinage meet informally for "about-the-job" training by nationally-known court management personnel.

The two-day seminar is held at Stockton State College during Labor Day week, and a specific topic is discussed at each seminar in large and/or small group settings. The first of the seminars, in 1986, coincided with the beginning of Judge Richard J. Williams's tenure as Assignment Judge. "We recognized that we spent a lot of money sending people away to courses, and that for the same amount we could bring in nationally-known speakers for presentations to all our judges and court managers on specific subjects of interest," said Trial Court Administrator Charles McCaffery. "The costs for travel

## Getting judges and managers together in training breaks down the mystique among the groups.

and sustenance for the consultant and meals at the college for the judges and court managers are far less than it would have cost to send these same people to out-of-state training sessions.

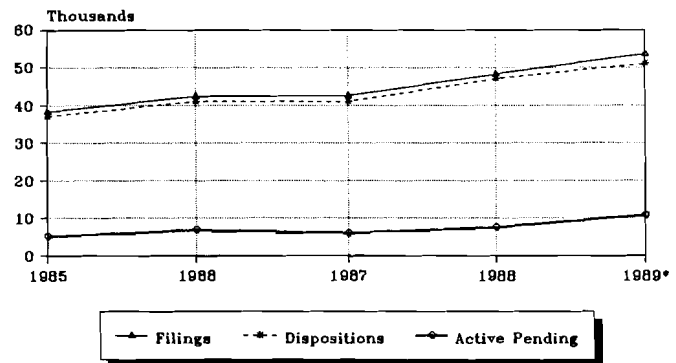
"There is frank discussion on the values of our organization, our mission, what we're doing, what we should be doing," McCaffery said. "Several divisions have proposed initiatives based specifically on what topic was discussed at the seminar."

The seminar also provides an opportunity for personnel from the Vicinage's three major locales, Cape May, Atlantic City, and Mays Landing, to meet in other than a work environment. "Getting the judges and managers together in training breaks down the mystique among the groups," McCaffery said. "People aren't wearing suits and ties or robes, and that one small change seems to facilitate the discussion."

Although all judges and many key managers attend the seminar, McCaffery said, "We make sure that all court matters are handled during the seminar. If attorneys need to contact a judge or court manager, or need to have an emergent matter handled, they're able to do so."

At the first seminar, about 45 persons participated; the number of participants has since grown to 70. Among the topics addressed at the seminars have been caseload management, leadership techniques, and goal-setting. Featured presenters have included Harvey Solomon, director of the Institute of Court Management; Maureen Solomon, a nationally-known consultant on case management; Dr. Dale Lefever, assistant chairman for management and program development, University of Michigan Med School; and Ronald J. Stupak, director and professor of public administration, University of Southern California, Washington Public Affairs Center, Washington, D.C.

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	4,104 905	4,197 728	1,029 271	933 1,293	954 1,040
CIVIL	5,781 1,146	4,508 1,020	4,219 925	1,482 1,146	1,156 1,020
GENERAL EQUITY	392 220	387 221	171 83	261 2,200	258 2,210
SPECIAL CIVIL	17,492 4,568	17,413 4,508	1,626 384	43,730 15,227	43,535 15,027
FAMILY	13,792 4,813	13,548 4,675	1,455 546	5,305 4,813	5,211 4,675
DISSOLUTION	1,113 386	1,120 359	449 194	-	-
NON-DISSOLUTION	4,295 1,472	4,176 1,407	195 110	-	-
DELINQUENCY	6,538 2,100	6,456 2,029	358 91	-	-
DOMESTIC VIOLENCE	1,351 550	1,330 549	31 3	-	-
OTHER FAMILY	475 307	466 331	422 148	-	-
MISCELLANEOUS	173 208	173 212	34 16	-	-
TOTAL	41,734 11,862	40,226 11,364	8,354 2,225	3,260 3,826	3,143 3,666

LEGEND: ATLANTIC CAPE MAY



# VICINAGE 2

## BERGEN COUNTY



Peter Ciolino  
Assignment Judge



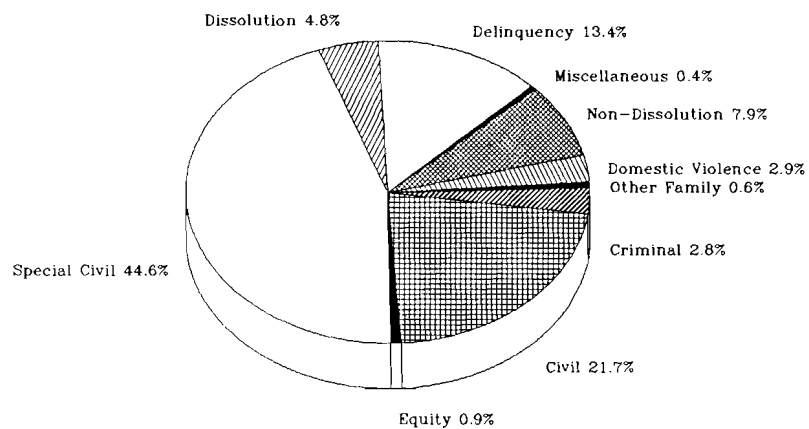
Dr. Conrad J. Roncati  
Trial Court Administrator

Members of the Probation Department instituted a Probation Speakers Bureau in November 1988. After receiving training in the specifics of substance and alcohol abuse, probation officers and investigators who volunteered made presentations to more than 3,000 students in kindergarten through eighth grade by the end of the 1988-89 school year.

- Probation Department and Criminal Case Management personnel cooperated on Project FORCE, a program designed to increase collections of overdue penalties and fines from adult offenders. During the initial three-month period, collections totalled nearly \$41,000.

- Special Civil Part cases now are being heard before a panel of two attorneys and a member of the insurance profession in order to achieve settlement.

### COMPOSITION OF FILINGS



- A Court Clerk manual encompassing Family, Criminal, Civil, and Special Civil procedures was compiled.

- Court staff continued to microfilm court records.

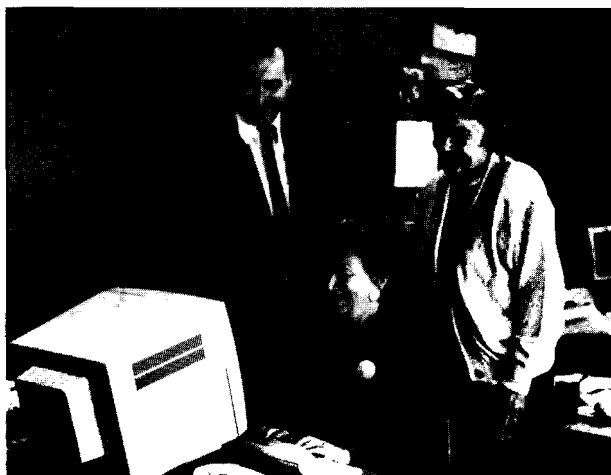
- Two-way radios for communi-

cation among court security personnel and equipment for all courtrooms with sound recording systems were purchased.

- Construction plans for new courtrooms and administrative offices were finalized.



# BERGEN COUNTY



Programmer Brian McNulty discusses the computerized jury management system with Jury Manager Anne Barther and Anne McNulty.

## Computerized Jury Management

The Bergen Vicinage's jury management team and data processing personnel have collaborated to design a computer program which aids in the efficient processing of their computerized one-step, one-day/one-trial jury system.

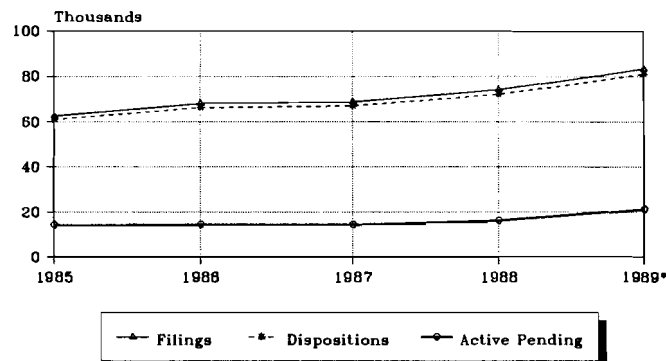
A computer program is used to generate the combined summons-questionnaire for a first mailing to approximately 1,000 citizens. Those summoned will serve for either one day or one trial; as a member of a grand jury one day a week for two months; or as a reserve juror who is "on call" for one week. If a completed questionnaire is not received from a prospective juror within two weeks of the scheduled date of service, a followup notice automatically is generated by the computer. When received, the questionnaires are checked against a computerized printout of jurors who served during the current year and the prior three years.

"With as many as 1,000 people initially being summoned for any given week, we want to make sure that those who haven't previously served do so," said Anne Barther, Bergen jury manager. "But we also want to make sure that others aren't being summoned unnecessarily."

Additionally, the computerized system helps to reduce the research needed for checking claims of service within the three-year time frame, aids in verifying prior service of those who were reintroduced to the current jury pool solely as a result of name or address change, and reduces the probability of same name listings and duplications.

"We rarely run into problems with this system," Barther said. "We prepare the jury calendars for the session, have them reviewed by appropriate personnel and forwarded to the Assignment Judge, and then send them to data processing for the beginning of the summoning process. We assume everyone summoned has qualified for jury service, and they're disqualified or exempt only if a returned questionnaire shows that they're disqualified. And if the questionnaire's not returned,

## 5 Year Summary

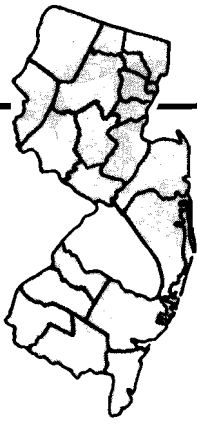


\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	2,316	2,334	838	313	315
CIVIL	18,073	14,558	13,778	1,329	1,070
GENERAL EQUITY	744	755	517	413	419
SPECIAL CIVIL	37,114	37,479	3,417	14,846	14,992
FAMILY	24,673	24,723	2,711	4,655	4,665
DISSOLUTION	4,023	4,093	1,957	-	-
NON-DISSOLUTION	6,576	6,514	89	-	-
DELINQUENCY	11,134	11,207	119	-	-
DOMESTIC VIOLENCE	2,419	2,381	38	-	-
OTHER FAMILY	521	528	508	-	-
MISCELLANEOUS	350	376	145	700	752
TOTAL	83,270	80,225	21,406	2,677	2,580

the computer reminds those prospective jurors to return it.

"The computerization has made it easier for our jury management team to do their jobs more efficiently, and coupled with our one-day, one-trial system, makes jury service a more convenient process for those who serve."



# VICINAGE 3

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## BURLINGTON COUNTY



Martin L. Haines  
Assignment Judge



James M. Parkison  
Trial Court Administrator

The Civil Division Automated Case Management System (ACMS) and a direct filing project were successfully implemented as the first step toward a full Civil/Special Civil computer system.

- In the Criminal Division, the pre-indictment disposition program diverted 20 percent of the indictment workload (about 195 cases) during the year. Case management personnel assisted in the reduction of jail overcrowding through expanded screening of both pre-trial and sentenced populations.

- Family Division personnel cooperated with the Sheriff's Department to create a IV-D Warrant Unit, and established a Calendar Coordinator position.

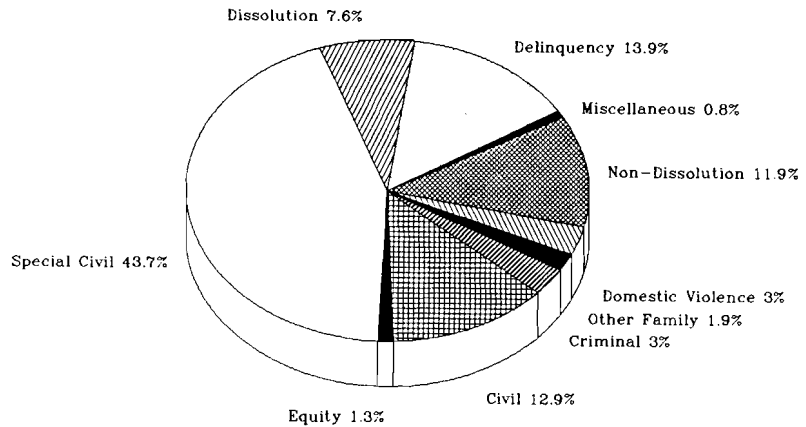
- Probation Supervision Services developed a pilot personal computer-based case tracking system. Child Support Enforcement Services, aided by Automated Child Support Enforcement System (ACSES), increased

total collections by \$583,000 and collections per case by nearly 50%.

- Architectural plans were completed for restoration and renovation of the Old Court House by 1991.

- Personal computers were installed in eight judges' chambers, providing word processing and electronic mail services.

### COMPOSITION OF FILINGS

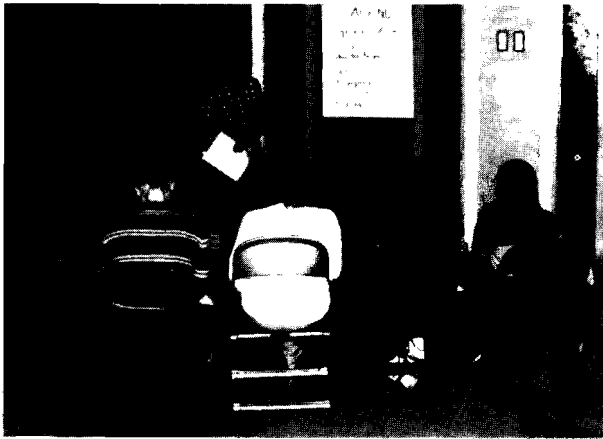


- Microfilm systems were installed in the Special Civil Part and Family Division.

- The County Bench-Bar Committee developed a six-part in-service education program for members of the Bar.

- The Automated Traffic System (ATS) was installed in four courts.

# BURLINGTON COUNTY



Thirty Charles Street Middle School students are active in the mediation program run by the Comprehensive Justice Center.

## School-based Mediation Program

Students at the Charles Street Middle School in Palmyra have an alternative to being summoned to the principal's office after being involved in a schoolyard argument or being teased by a bully. They can follow the judicial tenet of having their disputes mediated by their peers.

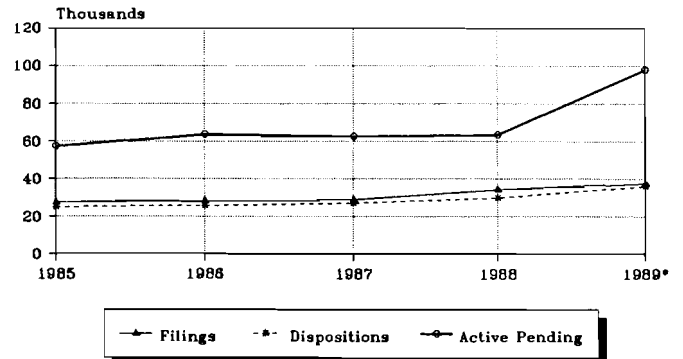
Following a program first established by the National Association of Mediation in Education, personnel from the Burlington County Comprehensive Justice Center—an umbrella organization to evaluate, oversee, and coordinate complementary dispute resolution alternatives within the Vicinage—established a program in which selected students are trained to mediate disputes among their peers.

Mediators and disputants who participate in the program, which is approved by the school board and parent-teacher associations before initiation and is overseen by a guidance counselor or Vicinage-trained volunteer mediator, "are encouraged to find acceptable problem-solving methods to resolve the dispute, and to find a positive, mutually-acceptable response to the problem," said Barbara Sopronyi, director of the Comprehensive Justice Center. "One way we are able to monitor the program is to check periodically on whether the number of students being suspended or assigned to detention has decreased since the program was implemented."

Interested students initially volunteer to become mediators and then receive training by staff from the Friends Mediation Service in Philadelphia. "It is important to have a mixed representation of the school population participating as mediators," Sopronyi said. "Students on the honor roll, for example, would not be the only ones accepted for the program. We need a comfortable mix of students so the disputants will feel fairly represented. Another very important issue is that we need to have the support of the children's parents."

Mediation may be requested by any student involved in a dispute. The principal, a teacher, or guidance counselor also may refer students to the program. Disputes referred to mediation "would not include serious physical injury or physical aggression, but may include such acts as threats or name-call-

## 5 Year Summary

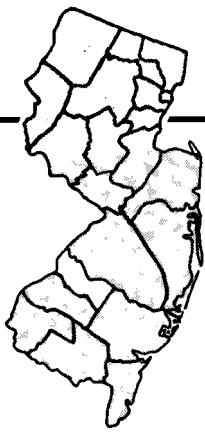


\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	1,116	855	545	413	317
CIVIL	4,841	4,747	4,905	1,793	1,758
GENERAL EQUITY	477	428	299	477	428
SPECIAL CIVIL	16,407	16,231	1,869	54,690	54,103
FAMILY	14,357	14,177	2,073	5,317	5,251
DISSOLUTION	2,856	2,841	903	-	-
NON-DISSOLUTION	4,449	4,463	212	-	-
DELINQUENCY	5,219	5,147	481	-	-
DOMESTIC VIOLENCE	1,126	1,108	41	-	-
OTHER FAMILY	707	618	436	-	-
MISCELLANEOUS	315	316	94	1,050	1,053
TOTAL	37,513	36,754	9,785	3,867	3,789

ing," Sopronyi said. "At this time, the focus of the program is on student-to-student disputes rather than student-teacher or student-administrator situations."

A similar program recently was established by the principal, a volunteer mediator in Burlington County, of the Roebing Public School in Florence. Comprehensive Justice Center personnel also are assisting with a truancy-mediation program for high-school aged students at the Riverside School in Delran.



# VICINAGE 4

## CAMDEN COUNTY



A. Donald Bigley  
Assignment Judge



Dollie E. Chambers  
Trial Court Administrator

The Family Division substance abuse coordinator began an educational outreach program for parents and juveniles. The program may be expanded to include referrals from Juvenile Conference Committees and Police Departments throughout the county.

- The Probation Alternative for Adolescent Sex Offenders (PASO) was implemented for juveniles ages 11 to 18 to receive weekly individual and group therapy and sex education information at the Family Counseling Service.

- Probation officers now have access to adult caseload files, including financial obligations and reporting schedules, via a computer system and terminals. This process marked the first step in a computer-generated forms procedure for probation.

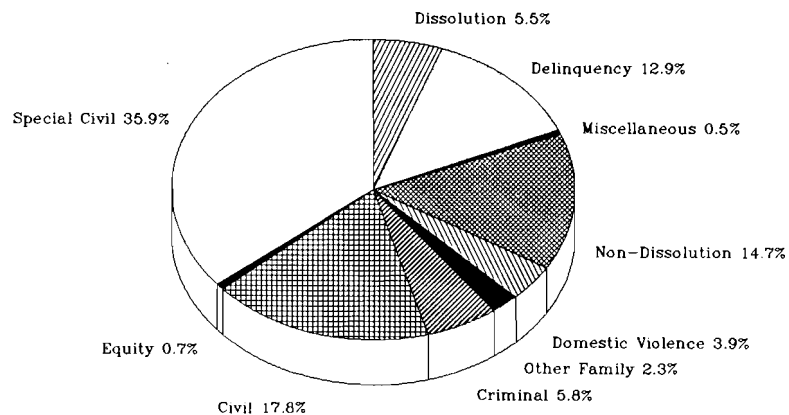
- Twenty-one selected adult probationers were participants in the In-House Arrest Program, an alternative

to county jail or county work release sentences. Offenders are fitted with an electronic monitoring device which records on a computer when the releasee leaves and returns home. Any deviation from a pre-approved schedule is recorded.

- Under the Jobs for Support

Program, chronically unemployed offenders and delinquent child support payers performed community service every weekday until they gained employment or began making payments. Few offenders actually performed community service, but instead found employment.

### COMPOSITION OF FILINGS





# CAMDEN COUNTY

## Differentiated Case Management

Through a grant from the Bureau of Justice Assistance and additional funding from the Administrative Office of the Courts, the Camden Vicinage initiated Differentiated Case Management (DCM) for both Civil and Criminal cases during the 1988-89 court year.

DCM is an approach which relies on early Court/Bar involvement to assign cases to particular tracks based on the level of complexity of the case. The tracks are designed to meet the pre-trial and discovery needs of the cases rather than considering the age of the cases as the decisive factor.

The DCM concept was first authorized by the Supreme Court as a pilot in Bergen County's Civil Division in 1986. The Camden project is the first to include both Civil and Criminal cases, and includes two major applications not used in Bergen: a case scheduling plan (CSP) prepared by the attorney

## DCM relies on early Court/Bar involvement to assign cases to particular tracks based on the complexity of the case.

neys in all Civil standard track cases and the use of subtracks for specific matters within the standard and expedited tracks.

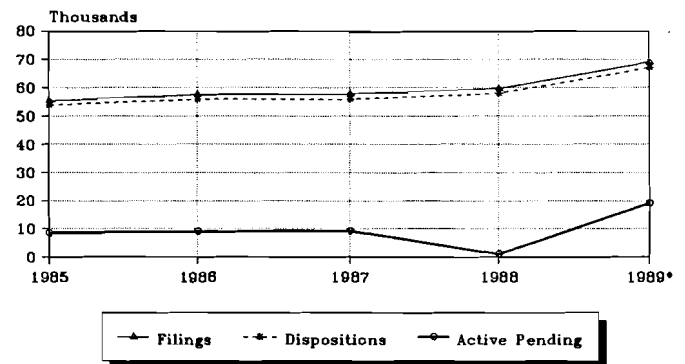
The CSP is a pre-trial plan, submitted by participating attorneys, which includes specific dates for particular phases of discovery. If accepted by the court, the plan becomes a case scheduling order, and attorneys are expected to follow that schedule. If a CSP is not submitted, an automated schedule is generated by the Civil computer system, ACMS.

Additionally, Civil cases are assigned to a track coordinator, who has limited authority to extend discovery and the responsibility to assist counsel with discovery problems; and to a pre-trial judge, who hears all motions and resolves the more difficult issues of the case not under the responsibility of the track coordinator.

"We've come about as close to individualized case management or customized case management as we can get," said Civil Case Manager Linda Torkelson. "We use support staff to monitor the cases and to keep in close contact with the attorneys, and we try to save the judge for matters that absolutely only a judge can do."

Torkelson said initially attorneys "were skeptical about DCM, but the institution of subtracks particularly has gone a long way toward the acceptance of DCM by attorneys." The Civil Division Presiding Judge, Civil case manager, and track coordinators meet with a DCM Bar Advisory Committee monthly to discuss the status of the program. An evaluation of the Camden initiative is being conducted by the Bureau of Justice Assistance and the AOC.

## 5 Year Summary



	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	3,992	3,725	945	562	525
CIVIL	12,270	10,361	12,953	1,636	1,381
GENERAL EQUITY	468	469	166	520	521
SPECIAL CIVIL	24,737	24,544	1,489	35,339	35,063
FAMILY	27,131	26,166	3,279	5,652	5,451
DISSOLUTION	3,818	3,644	1,040	-	-
NON-DISSOLUTION	10,160	9,888	537	-	-
DELINQUENCY	8,865	8,504	709	-	-
DOMESTIC VIOLENCE	2,700	2,675	51	-	-
OTHER FAMILY	1,588	1,455	942	-	-
MISCELLANEOUS	375	333	200	938	833
TOTAL	68,973	65,598	19,032	3,223	3,063



# VICINAGE 5

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## ESSEX COUNTY



John A. Marzulli  
Assignment Judge



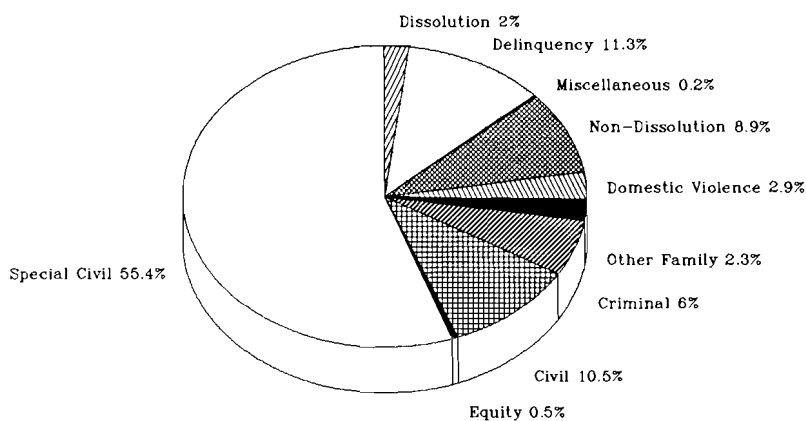
Guy Willetts  
Trial Court Administrator

The Central Judicial Processing Court, which processes incarcerated Municipal Court defendants within 24 hours, was expanded to East Orange and Irvington. CJP judges throughout the Vicinage disposed of an unprecedented number of cases. This increase in total dispositions helped reduce a growing backlog of pending litigation.

- In the Civil Division, a pilot effort was launched to assign prerogative writs and medical malpractice litigation from case inception through completion to specific judges for case management purposes.

- The Family Division revitalized its volunteer activities, and now has nearly 500 citizens participating in various programs. The Division also expanded its dispositions alternatives and diversionary programs through the Prevention, Intervention, and Education (PIE) Program for first-time juvenile offenders charged with substance abuse.

## COMPOSITION OF FILINGS



- The State Intensive Supervision Program, the Pre-Trial Release Program, and the Essex County Local Intensive Probation Supervision Effort (ECLIPSE) have been augmented and expanded. Municipal Court judges now may sentence directly to ECLIPSE; offenders serving weekend sentences may be supervised through

the House Arrest Under Supervision (HAUS) Program.

- Personnel matters, staff development activities, and affirmative action and equal employment opportunity initiatives were reorganized under an Assistant Trial Court Administrator/ Human Resources manager.

# ESSEX COUNTY



Participants in the ECLIPSE program often perform community service.

## Alternatives to Incarceration

Thanks to continued funding from the Essex County Board of Freeholders, judges in Essex are able to offer offenders four different alternatives to jail developed by the local probation department's following the model of the State's Intensive Supervision Program (see Probation section, page 72).

The traditional ECLIPSE option parallels the State ISP in that selected offenders are supervised and monitored. Under a Direct Sentencing Program, started in November 1988, Municipal and Superior Court judges may designate offenders who had not served jail time for probation for one year under ISP rules.

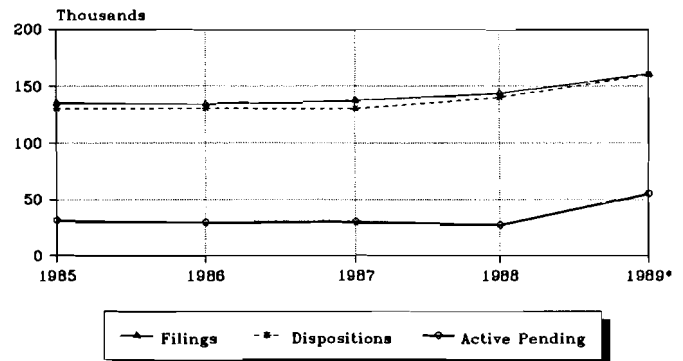
House Arrest and Early Release were implemented in January and June 1989 respectively. House arrest is available mostly to offenders who otherwise would receive mandatory jail sentences for traffic violations. Participants are electronically monitored and visited at least once every 48 hours by an officer of the Probation Department, headed by Chief Probation Officer Nicholas Fiore. Of the 162 participants designated for the program since its inception, 90% completed it satisfactorily.

"Jails are not built for the people who usually are eligible for House Arrest," said ECLIPSE Director Dennis Beyer. "The participants are very appreciative of the opportunity to be in this program rather than jail, and are very cooperative."

Under Early Release, inmates identified by jail annex personnel and approved by probation officers serve the last 30 days of their custodial sentence under the same provisions as House Arrest. Since the program's beginning, 85% of the 65 participants achieved compliance.

"We do have some degree of selectivity in who will be in the programs," Beyer said. "For example, if prospective participants don't have a telephone, the programs mean nothing. We've had quite a few participants, in choosing between

## 5 Year Summary

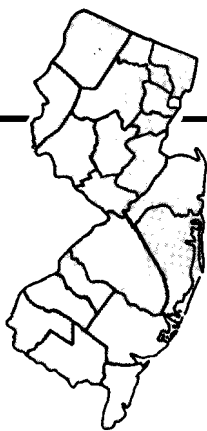


\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	9,641	7,848	6,110	518	422
CIVIL	16,948	10,333	32,900	1,378	840
GENERAL EQUITY	844	634	721	422	317
SPECIAL CIVIL	89,264	88,370	9,203	22,316	22,093
FAMILY	44,136	44,307	5,931	4,600	4,613
DISSOLUTION	3,149	2,998	2,151	-	-
NON-DISSOLUTION	14,406	14,481	133	-	-
DELINQUENCY	18,195	18,326	861	-	-
DOMESTIC VIOLENCE	4,744	4,728	118	-	-
OTHER FAMILY	3,662	3,774	2,648	-	-
MISCELLANEOUS	267	243	102	381	347
TOTAL	161,120	151,735	54,967	3,414	3,215

House Arrest and jail, who've made arrangements for a telephone and notified us of the installation date, and in some cases, paid for the restoration of services due to non-payment of a previous bill."

For persons who adhere to the rules of the programs and those set down by a judge, probation personnel write a letter to the court stating that they have satisfactorily met the requirements. Those who breach any provisions or commit another violation are remanded to jail.



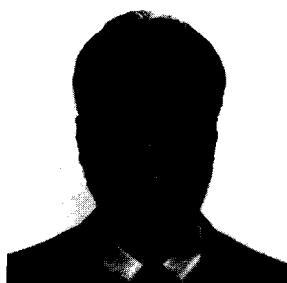
# VICINAGE 6

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## HUDSON COUNTY



Burrell Ives Humphreys  
Assignment Judge



John A. Clarke, Jr.  
Trial Court Administrator

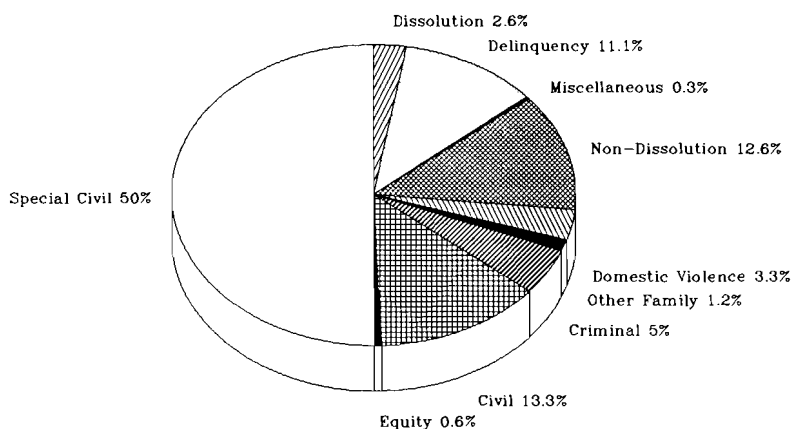
**H**udson County's Child Support Division was honored at the 1988-89 Annual State Child Support Conference with an award for "Outstanding County of the Year." The award was in recognition of outstanding collections performance and innovative programming.

- Special Civil Part staff, in cooperation with the County Bar Association, established a pilot Special Civil Arbitration Program for cases with claims between \$1,000 and \$5,000.

- The historic Old Hudson County Courthouse was dedicated in honor of William J. Brennan, Jr., Associate Justice of the United States Supreme Court and the Hudson Vicinage Assignment Judge from 1947 to 1952.

- A 23-member advisory committee was established to determine the need and feasibility of a new courthouse. The committee held several meetings, and actively is working on various technical, planning, and finance issues.

### COMPOSITION OF FILINGS

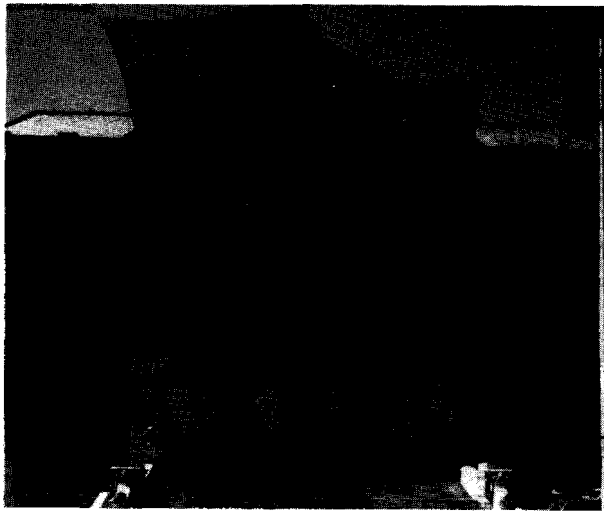


- Personnel in the Civil and Family Divisions prepared for implementation of statewide automated data processing systems. The implementation of ACSES, the Automated Child Support Enforcement Computer System, facilitated the tracking of child support cases and the disbursement of support

monies. The Automated Traffic System (ATS) was installed in North Bergen Township and Union City.

- A Training and Staff Development Coordinator was hired and a comprehensive training plan outlining orientation and training requirements for court employees was developed.

# HUDSON COUNTY



After an extensive renovation, the Hudson County Courthouse was renamed in honor of Justice William J. Brennan, Jr.

## Courthouse Dedication

During a September dedication ceremony, the Old Hudson County Courthouse in Jersey City was renamed the Justice William J. Brennan Jr. Courthouse. Justice Brennan, who was born in Newark and lived in Rumson, served as the County's first-ever Assignment Judge from 1947 to 1952, and sat in the Old Courthouse. He was appointed a State Appellate Division Judge and served on the State Supreme Court before being named an Associate Justice of the United States Supreme Court in 1956 by President Dwight D. Eisenhower.

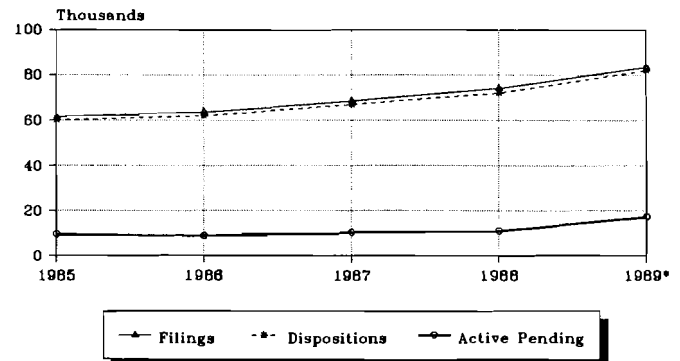
The name change was suggested by the Hudson County Bar Association and approved by the Board of Freeholders in August 1988.

The original courthouse was opened in 1910. The building, which cost \$3 million, is constructed of Maine granite, white and green-veined marble, oak, and mahogany, and features a four-story rotunda, a stained glass ceiling, and bronze lanterns and murals by American artists Howard Pyle and Edwin Blashfiel.

When construction began on the current county administration building, the courthouse was slated for demolition for a parking lot or new jail. After a local citizens' group, "Save Our Courthouse," campaigned to prevent the courthouse's demolition and succeeded in having "the Hudson County Courthouse" placed on the National Register of Historic Places, the building was closed in 1966 when county and court offices were relocated to the new structure.

With funding from the Economic Development Authority, the Community Development Block Grant Program and the CETA Program, a \$6-million renovation effort on the old courthouse began in 1974. The building was re-opened in 1977, but was not fully occupied until 1986.

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	4,198	3,705	1,365	389	343
CIVIL	11,110	13,082	9,511	1,984	2,336
GENERAL EQUITY	483	433	269	439	394
SPECIAL CIVIL	41,771	41,109	2,902	26,107	25,693
FAMILY	25,687	24,632	4,134	5,137	4,926
DISSOLUTION	2,169	2,114	1,052	-	-
NON-DISSOLUTION	10,541	10,239	720	-	-
DELINQUENCY	9,252	8,684	1,335	-	-
DOMESTIC VIOLENCE	2,708	2,632	150	-	-
OTHER FAMILY	1,017	963	877	-	-
MISCELLANEOUS	244	237	122	1,220	1,185
TOTAL	83,493	83,198	17,303	3,436	3,424

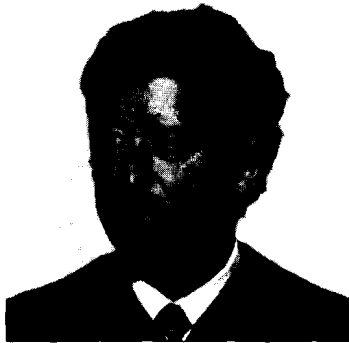
At the dedication, Justice Brennan, who has served on the U.S. Supreme Court longer than all but a few members in its history, was the guest of honor. Principal speakers at the ceremony included Chief Justice Robert N. Wilentz, Hudson Vicinage Assignment Judge Burrell Ives Humphreys, County Executive Robert C. Janiszewski, and Hudson County Bar Association President Robert F. Sloan.





# VICINAGE 7

## MERCER COUNTY



Samuel D. Lenox, Jr.  
Assignment Judge



Robert J. Reed  
Trial Court Administrator

One of the major accomplishments in the Mercer Vicinage during the '88-'89 court year was the conversion to a one-step jury summoning process and the development of an on-line jury management system. These procedures aided maintenance of records of juror activity and attendance, and produced automatic letters of attendance verification at the end of a juror's service.

- The Vicinage implemented a county-wide criminal case screening and conferencing program providing for a local intake unit at the city court, immediate downgrade dismissal and pre-trial intervention decisions, plea offers, negotiated filing, and simultaneous sentencing.

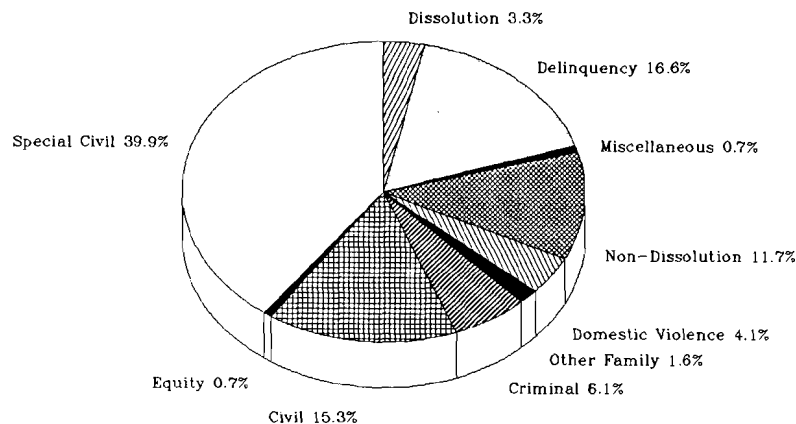
- Mercer's Probation Advisory Board, one of only three county boards within the state, formulated plans for establishment of a non-profit corporation to solicit funds for new

alcohol and drug abuse programs and services for juvenile probationers.

- Probation's Support Enforcement Division, in cooperation with the County Board of Social Services, instituted the Improved Child Support

Collection Pilot program. Under the program, all cases involving aid to families with dependent children will be reviewed and evaluated to ascertain whether an increase in support payments should be recommended.

### COMPOSITION OF FILINGS



# MERCER COUNTY



Consultant Betty Wilson reviews plans with the Rev. Dana Fearon, chairperson of the Mercer County Local Probation Advisory Committee.

## Partners With Probation

In trying to find a way to provide additional funding for probation personnel and programs within their Vicinage, members of the Mercer County Local Probation Advisory Committee decided upon a simple solution: they'll find a way to raise the money themselves.

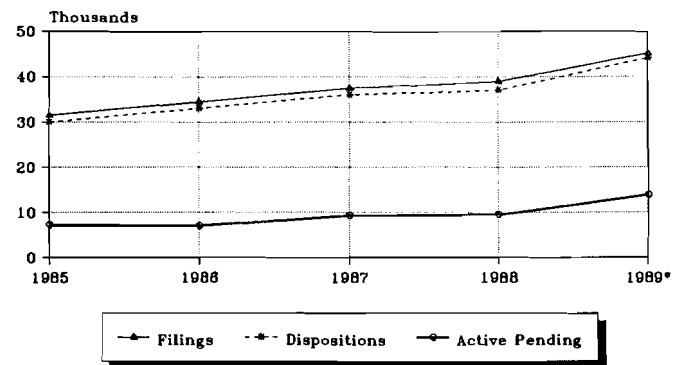
After spending more than a year interviewing probation staff, case workers, people on probation, and people in related work such as social services, the committee members "discovered just how severely limited the resources are for probation," said the Rev. Dana Fearon, chairperson of the 20-member Mercer LPAC. "We heard that there aren't enough case workers, and probation personnel with responsibilities for supervision didn't have time to examine and to focus on what causes offenders to be put on probation as well.

"The county had no plan to spend more for probation, so the logical conclusion was to try to find new money. One of the major obstacles is that the judiciary can't be associated with fundraising."

After discussing several options, the committee decided to explore the possibility of establishing a non-profit organization to assist probation officials without compromising judicial impartiality. The plan, which is being discussed by the committee and its consultant, Betty Wilson, is to form an independent board of trustees who would hear proposals from probation personnel and then seek to raise money to support work in probation as represented in those proposals. "For example, we'd like to be able to coordinate the efforts of groups working with a particular child or family so caregivers are not working in isolation from one another, and to explore the possibility of expanding or augmenting rehabilitation programs," Fearon said.

Currently, LPACs are active in Mercer and Gloucester counties, and several others are in various stages of development. Citizens, including clergy, school personnel, freeholders

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	3,745	2,953	1,403	538	579
CIVIL	6,900	5,858	8,154	1,683	1,429
GENERAL EQUITY	297	319	81	594	638
SPECIAL CIVIL	17,975	17,905	996	22,469	22,381
FAMILY	16,838	17,066	3,173	3,916	3,969
DISSOLUTION	1,474	1,667	726	-	-
NON-DISSOLUTION	5,292	5,287	611	-	-
DELINQUENCY	7,489	7,579	1,095	-	-
DOMESTIC VIOLENCE	1,842	1,830	82	-	-
OTHER FAMILY	741	703	659	-	-
MISCELLANEOUS	336	351	42	1,680	1,755
TOTAL	45,091	44,452	13,849	3,006	2,963

or county administrators, and criminal justice professionals, among others, are recommended for membership by the Vicinage Assignment Judge and appointed by the Chief Justice. LPACs meet regularly to discuss issues in probation, to conduct needs assessment, and to enlist support from other community groups and receive input from concerned citizens and local probation personnel.



# VICINAGE 8

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## MIDDLESEX COUNTY



Herman L. Bretkopf  
Assignment Judge



Gregory Edwards  
Trial Court Administrator

**M**unicipal Court administration personnel commenced a backlog reduction program which resulted in the Middlesex Vicinage's having the lowest backlog of disorderly persons cases in the State. Plans are underway for a similar program in the DWI area.

- In the Family Division, noticing of dissolution cases where custody or visitation was at issue was automated, and the cases were incorporated into the case management structure. All citizens involved in custody or visitation cases now are required to attend a group orientation session on mediation services.

- Civil Part personnel implemented a program using volunteer attorneys to mediate pending trial-ready cases. Half the cases filed were settled via mediation.

- The Criminal Division initiated a hybrid calendaring system which resulted in an increase in trial dispositions. Efforts of staff in the Pre-Trial Release Program maintained a stabilized population at the correction cen-

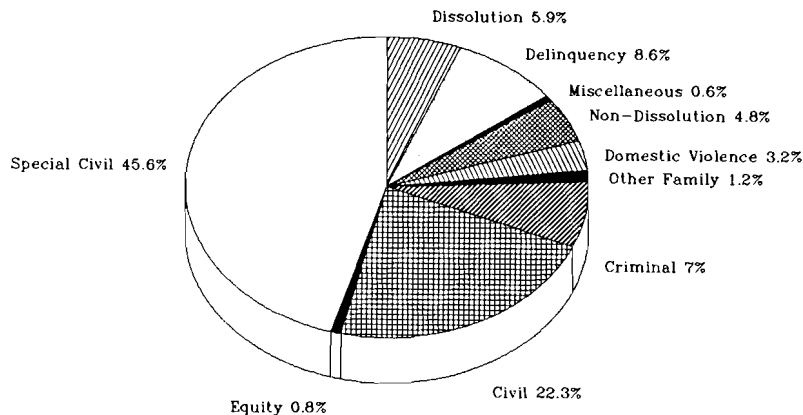
ter and achieved a less than 6% percent recidivism rate among participants.

- In Probation, an additional Project CARE community board was established in Perth Amboy, and Citizens' Dispute Settlement Program boards continued to service selected municipal courts. Volunteers continued to provide service to both juve-

niles and adults through one-to-one meetings, a literacy enrichment program, and a GED preparation program.

- The Vicinage Orientation/ Training Subcommittee planned an introductory program for all new employees, and assisted in the development of a labor relations program for all supervisors.

### COMPOSITION OF FILINGS



# MIDDLESEX COUNTY



Asbestos Master Richard Henke (center) discusses a case with attorneys (left to right) David K. Chazen, Steven H. Wodka, Charles F. Rysavy, and David M. Katzenstein.

## Meet the Asbestos Master

As few as two and as many as 35 attorneys have huddled with Middlesex Vicinage special asbestos master Richard Henke, Esq., to try to reach settlement in asbestos-related cases.

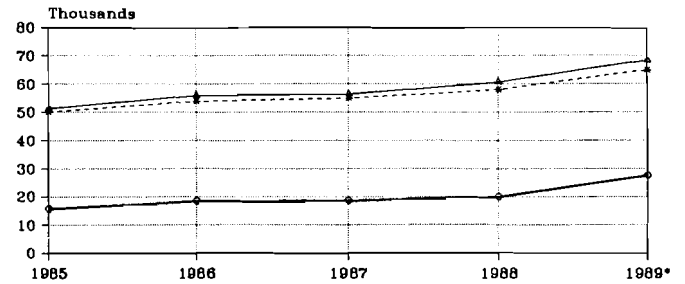
Henke, a graduate of Syracuse University Law School, has just finished his second year as the Vicinage's asbestos master. He reviews motions and conducts case management and settlement conferences in asbestos cases. Notification is sent to all counsel for scheduling of case management conferences, at which Henke reviews all details of the litigation, including medical reports and work site and asbestos exposure information. He then drafts a status order for the case.

Henke estimates that 850 to 1,000 docketed cases were pending during the 1988-89 court year, but explains that "Moving one docket may mean moving 20 plaintiffs. Twenty docketed cases could be conferenced simultaneously for the purpose of settlement because they're all related to one work site. The key is to consolidate cases by the number of plaintiffs against common defendants and move them as a group," Henke says. "As the case progresses, some defendants move for summary judgments. As to the remaining defendants, the plaintiffs create tiers of liability and settlement agreements will be reached. The trend is for there to be a large number of defendants because plaintiffs believe it's easier to reach settlement.

"Some of these cases take two hours, two days, or a number of weeks to settle, depending how far apart the litigants are on a settlement figure."

Henke says that while many people may view the final award as the critical factor, they may not understand the underlying complexities of many of the cases. "It's difficult to compare these cases with any others. In auto accident cases, the arbitrator or judge knows exactly who's involved and what

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	4,815	2,867	2,653	719	428
CIVIL	15,233	15,526	17,954	1,360	1,386
GENERAL EQUITY	575	364	387	359	353
SPECIAL CIVIL	31,168	30,442	2,606	28,335	27,675
FAMILY	16,209	15,989	3,758	2,947	2,907
DISSOLUTION	4,016	4,132	1,800	-	-
NON-DISSOLUTION	3,258	3,178	601	-	-
DELINQUENCY	5,907	5,819	712	-	-
DOMESTIC VIOLENCE	2,190	2,170	47	-	-
OTHER FAMILY	838	693	598	-	-
MISCELLANEOUS	380	341	109	1,900	1,705
TOTAL	68,380	65,729	27,467	2,600	2,499

the outcome was. I've had cases in which workers' diseases were latent for 40 or 50 years before manifesting themselves."

If the litigants are unable to reach a settlement after meeting with Henke, Judge Thomas B. Mannion, the judge specially assigned to handle asbestos litigation, may discuss settlement before beginning trial. Henke says that "very few" cases actually go to verdict.



# VICINAGE 9

## MONMOUTH COUNTY



Alvin Yale Milberg  
Assignment Judge



William W. Carpenter  
Trial Court Administrator

The Monmouth Civil Division continued its expansion of cases eligible for arbitration. All personal injury cases valued at \$20,000 or less and automobile cases valued at \$15,000 or less now are arbitrated. Through a joint Bench/Bar effort, a two-week trial calendar was introduced to improve trial date credibility.

- In the Criminal Division, intake conferences were implemented. Defendants released from jail on bail now are required to attend that conference, where much of the information for an initial appearance is secured.

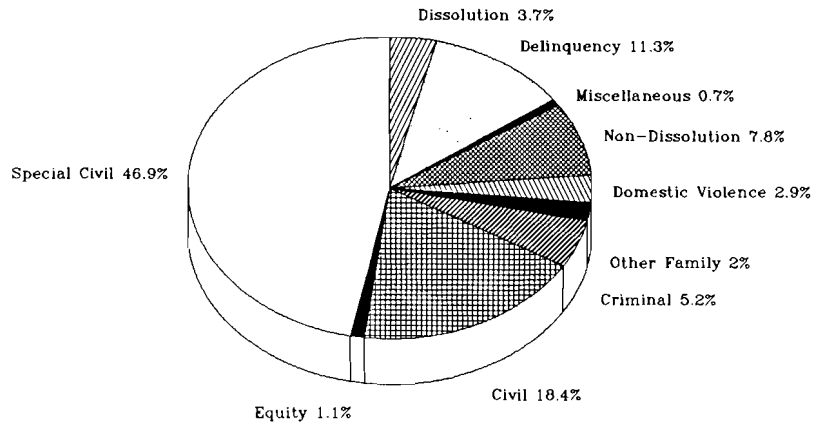
- Personnel in the Family Division helped with expansion of the Supervised Visitation Program and the Child Placement Review Boards. For the first time, the Child Placement Review Boards sponsored a county-wide conference dealing with children's issues. The Vicinage's first-ever Family Division retreat was held

for staff, judges, and members of social service and community agencies.

- The Probation Division's Community Service Program was extensively reviewed, and a manual of policies and procedures prepared based upon that review. Among other recommendations were increased contact

with service sites and intensive monitoring of participants' performance. An assistant chief probation officer was assigned to oversee the Child Support Enforcement Program. In cooperation with the Sheriff's Department, concentrated roundups were held to enforce warrants.

### COMPOSITION OF FILINGS





# MONMOUTH COUNTY



As part of the Monmouth Vicinage's security plan, surveillance equipment is used to monitor the courthouse parking lot.

## Courthouse Security

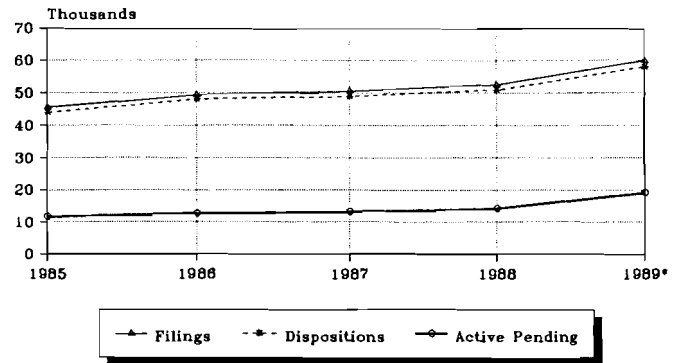
Following recommendations initially set forth in a report of the Supreme Court Judiciary/Sheriff Liaison Committee, representatives from the Monmouth Vicinage's court administration, sheriff's department, and prosecutor's office established the State's first localized courthouse security plan. The cooperative effort, undertaken under the direction of Assignment Judge Alvin Yale Milberg, has shown many results, from simple changes such as numbering offices and monitoring doors as well as extensive physical modifications and procedural changes at the courthouse.

"We literally went to each room and corridor, the parking lot, the street, and up on the roofs of the courthouse's three wings and looked at the courthouse from various perspectives," said Assistant Trial Court Administrator Joe Barba, who conducted the examination along with Undersheriff Richard Cottrell and Detective Captain John Valentine. "We identified what particular problems or vulnerabilities were apparent at any particular location and then recommended what had to be done to correct the situation."

In a several hundred page document, the trio itemized what specific changes would need to be made, and prioritized those changes by area, year of implementation, and funding. The overall security plan, which includes policies and procedures on weapons, courtroom security, bomb threats, transport of prisoners, and hostage situations, was drafted by the sheriff and reviewed by judiciary personnel and the prosecutor.

During 1988-89, several types of equipment were installed in the courthouse. Included in the year's installations are an exterior intercom, which is used by arriving corrections officers to phone security personnel to unlock specific doors; a closed circuit television camera, for surveying a courtroom used primarily for "high-risk" trials; duress alarms, installed in judges' chambers and key administrative staff offices; a portable walk-through magnetometer; and bullet-resistant materials in and behind judges' benches.

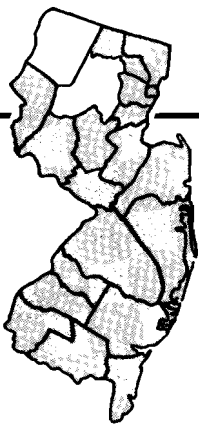
## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILEINGS	TERMINATIONS	ACTIVE PENDING	FILEINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	3,125	2,619	1,526	579	485
CIVIL	11,027	9,967	11,185	1,470	1,329
GENERAL EQUITY	673	679	397	748	754
SPECIAL CIVIL	28,152	27,925	2,774	56,304	55,850
FAMILY	16,578	16,541	3,025	3,014	3,007
DISSOLUTION	2,207	2,125	1,387	-	-
NON-DISSOLUTION	4,702	4,671	260	-	-
DELINQUENCY	6,766	6,859	532	-	-
DOMESTIC VIOLENCE	1,722	1,718	14	-	-
OTHER FAMILY	1,181	1,168	832	-	-
MISCELLANEOUS	427	337	153	1,423	1,123
TOTAL	59,982	58,068	19,060	2,984	2,889

"We've taken an active role not only in physical modifications, but in sensitizing the courthouse employees to what is expected of them under the plan in certain situations through simulated fire drills and bomb evacuations, training, and briefings from sheriff's personnel," Barba said. "With the consistent efforts of the Assignment Judge, Sheriff's Department, and court personnel, great progress has been made in only a few years."



# VICINAGE 10

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## MORRIS, SUSSEX COUNTIES



Reginald Stanton  
Assignment Judge



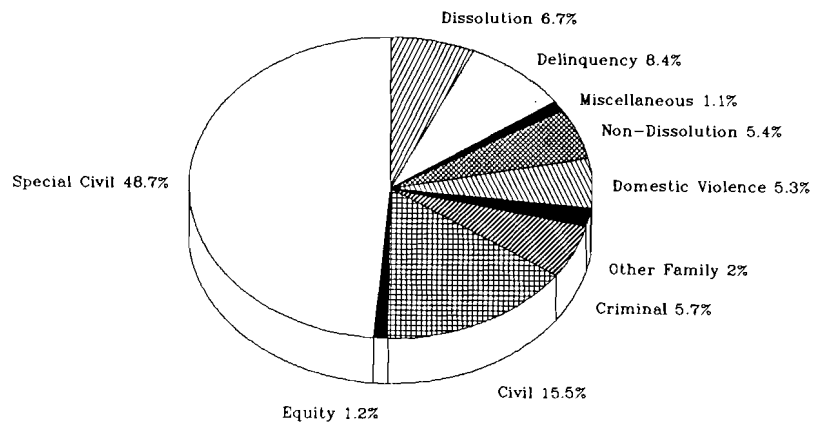
Michael A. Arnold  
Trial Court Administrator

Vicinage personnel began the 1988-89 court year with a kickoff meeting for a new employee involvement program tailored to improving lines of communication among judiciary personnel, professional staff, and citizens, and to enhancing the employees' understanding of their roles within the judicial process.

- As a followup to the program, a series of meetings was held within each division of the court with presiding judges, court administrators, and case managers serving as discussion leaders. Vicinage-wide policies and general management procedures, current issues, employee concerns, and team building were among the topics addressed.

- The Morris and Sussex County expansion projects continued to advance towards completion. Bids were accepted and the design phase

### COMPOSITION OF FILINGS

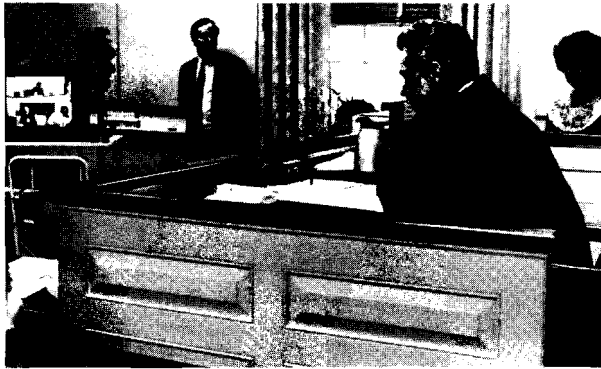


was completed for the new Sussex County Courthouse. As an interim measure, the old Sussex Administration Building underwent renovations and was converted into a Criminal Court Complex. Among the

renovations was an expanded juror holding area.

- Four new courtrooms and substantial new support staff facilities were readied for occupancy in Morris County.

# MORRIS, SUSSEX COUNTIES



Bail reduction hearings can now be heard in Morris County by use of a television hookup between criminal courtrooms and the jail.

## Bail Reductions via TV

For Morris/Sussex Vicinage Judiciary and Corrections personnel trying to find a way to reduce the time spent on bail reduction hearings, the solution was right next door: since the jail and courthouse are adjacent to one another, hard wire a television in the jail and another in a courtroom, and string the wire across the courtyard.

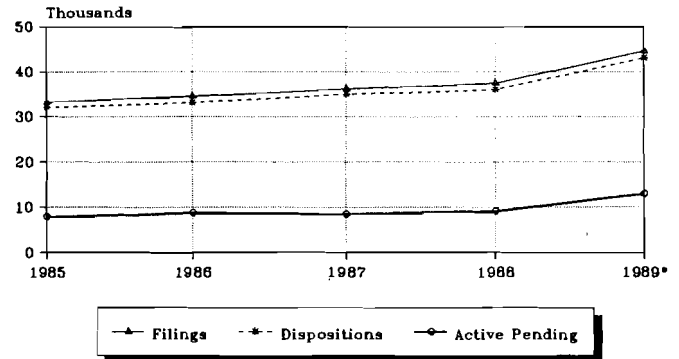
"It was a logical and simple alternative, and we were very fortunate," said Trial Court Administrator Michael Arnold. "In other jurisdictions, the jail and the courthouse are too far apart to do the same type of setup at a comparable cost." The total cost for the hookup and its components was \$10,000.

"We tried to come up with a mechanism to reduce the frequency of the transporting of prisoners from the jail to the courthouse because of security and budgetary reasons," Arnold said. "We wanted to prevent having prisoners being transported through crowded hallways, and we had fewer personnel from the sheriff's office to transport them."

During the proceedings, the defendant is seated in the jail's chapel while the attorneys and the judge are in one of two courtrooms equipped for the process. Via a split screen, the parties all can see one another. A direct line telephone is available in both the courtrooms and the chapel for confidential conversations between the defendant and his or her attorney. If attorneys wish to, they may go through security clearance at the jail and be with their client during the proceedings.

Approximately 10 to 20 defendants per day are processed via the video bail reduction program, and emergent bail matters also are processed every day using the hookup. "The television setup saves time in that the defendant doesn't have to be prepped at the jail and sheriff's personnel don't have to act as escorts," Arnold said.

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	2,187 334	1,457 360	922 198	754 371	502 400
CIVIL	5,817 1,107	5,293 902	6,076 1,089	1,385 1,845	1,260 1,503
GENERAL EQUITY	412 143	418 149	183 66	375 -	380 -
SPECIAL CIVIL	17,155 4,531	17,242 4,614	1,609 512	34,310 22,655	34,484 23,070
FAMILY	8,947 3,437	8,945 3,282	1,491 675	2,796 2,881	2,795 2,735
DISSOLUTION	2,353 646	2,389 646	802 284	- -	- -
NON-DISSOLUTION	1,451 966	1,464 933	78 79	- -	- -
DELINQUENCY	2,728 1,009	2,722 887	272 161	- -	- -
DOMESTIC VIOLENCE	1,860 496	1,877 511	11 10	- -	- -
OTHER FAMILY	555 340	493 305	328 141	- -	- -
MISCELLANEOUS	313 170	297 159	111 58	1,043 1,700	990 1,590
TOTAL	34,831 9,742	33,652 9,466	10,392 2,598	2,855 3,247	2,758 3,153

LEGEND: MORRIS SUSSEX



# VICINAGE 11

## PASSAIC COUNTY



Nicholas G. Mandak  
Assignment Judge



Richard M. Centanni  
Trial Court Administrator

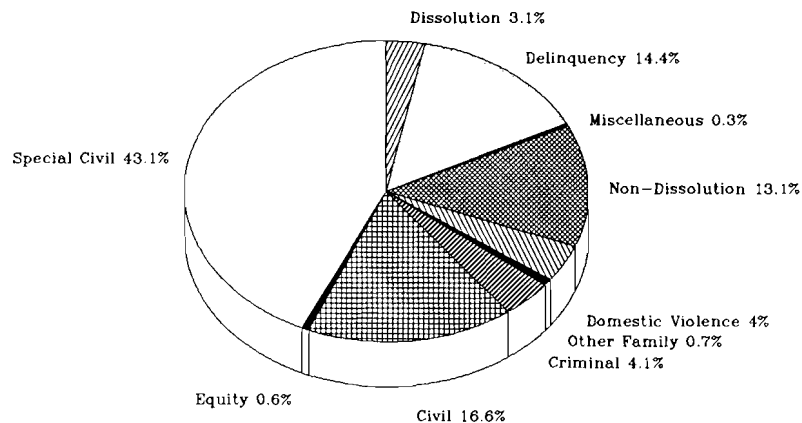
Personnel in the Criminal Division established uniform procedures, including standardized forms, for processing of high impact bail matters, and formulated a pre-printed and formatted, single-source document to be used for presentence investigation (PSI) reports and for updating the particular case as it proceeds through the court system.

- In Jury Management, the master jury file was augmented to include a prospective juror's social security number and date of birth, thus limiting duplication of records.

- An orientation program aimed at introducing all new judicial employees to the court system was implemented. The program will be presented to all new employees during the first three months of their tenure.

- A computer system was installed for production of grand jury input sheets for true bills and a weekly warrant list, along with a jail status report.

### COMPOSITION OF FILINGS



- A building adjoining the courthouse was purchased for housing grand jury operations and the child placement and family crisis intervention offices.

- An informational manual was produced for judges and other personnel involved in the emergent duty

system.

- A courtesy phone was installed in the main lobby of the new courthouse. A directory provides information for and directions to each department. A floor plan of the three-building court complex is adjacent to the courtesy phone.

# PASSAIC COUNTY



Senior Probation Officer Barbara Danko and Assistant Trial Court Administrator Joseph Quartucci interview Prosecutors Ronald S. Fava and Robert Warmington while Senior Probation Officer Michael Taylor films an edition of "The Courts and You."

## Capturing the Courts on Cable

A cooperative effort between Probation Department and Judiciary personnel has resulted in an award-winning cable TV program for the Passaic Vicinage.

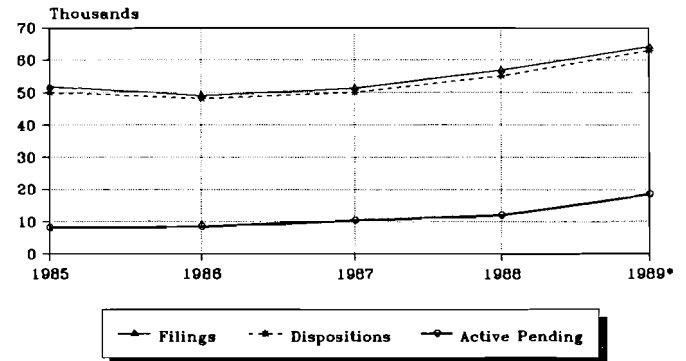
"The Courts and You," co-hosted by Assistant Trial Court Administrator Joseph Quartucci and Senior Probation Officer Barbara Danko, was a 1989 finalist award-winner in the Hometown U.S.A. Video Festival sponsored by the National Federation of Local Cable Programming. The half-hour show is coordinated solely by probation and judiciary volunteers and Senior Probation Officer and Probation Audio/Visual Director Michael Taylor. The volunteers do everything from splicing and editing tape to filming in the studio and on location to running the sound board.

Carried by the UA/Columbia cable system and taped in its studio in Teaneck the third Friday of every month, the program runs for an entire month and can be viewed as many as four times per week in any given town. Subjects covered correspond to all aspects of the judicial process and related services and agencies.

The concept for the program was developed by Assignment Judge Nicholas G. Mandak and Trial Court Administrator Richard M. Centanni. "It's basically an informational show," Quartucci said. "We've covered landlord tenant matters, had the family case manager explain the spectrum of juvenile, dissolution, and non-dissolution situations, and reviewed with the public defender the services provided by his office. On a show about victim assistance, we interviewed the father of a girl who was murdered and the State's victims' advocate. We reported on a county camp for children from the city, using video we shot on-location, and we devoted one program to a DYFS film on how staff go into homes to check on children."

Quartucci says that those approached to appear on the show "are more than glad to do it." Of his and Danko's roles as moderators, he says "You just have to be comfortable with the person who's answering the questions. We usually don't

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	2,648	2,591	1,215	355	355
CIVIL	10,669	8,554	10,927	1,693	1,358
GENERAL EQUITY	367	288	277	367	288
SPECIAL CIVIL	27,628	26,831	2,772	21,252	20,639
FAMILY	22,616	22,751	3,301	4,812	4,841
DISSOLUTION	1,952	2,274	996	-	-
NON-DISSOLUTION	8,423	8,011	1,221	-	-
DELINQUENCY	9,251	9,476	593	-	-
DOMESTIC VIOLENCE	2,547	2,550	41	-	-
OTHER FAMILY	443	440	450	-	-
MISCELLANEOUS	203	178	86	1,015	890
TOTAL	64,131	61,193	18,578	3,083	2,942

use a question and answer circumstance, but rather a conversational format. The person answering the questions really doesn't have a problem telling us, for example, how many people are in the department. We have to know enough to keep the conversation moving."

The show's main viewing area is Passaic County, but it is available in selected towns in surrounding counties as well. The program cannot be seen in Paterson, but negotiations are continuing with that city's cable TV system to carry the program.

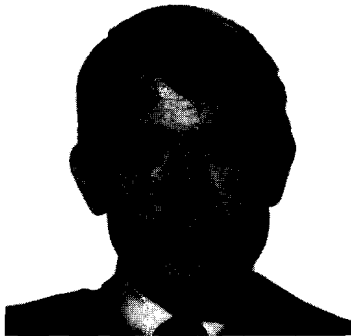




# VICINAGE 12

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## UNION COUNTY



Edward W. Beglin, Jr.  
Assignment Judge



John N. Miri, Esq.  
Trial Court Administrator

**C**riminal Division personnel implemented simultaneous sentencing in approximately 300 cases during the '88-'89 court year. The program, along with pre-existing initiatives such as first appearance and pre-disposition courts, enabled the division staff to maintain control over a caseload which increased 50% over the prior year.

- In the Civil Division, the Automobile Arbitration and Personal Injury Arbitration programs were expanded. The Direct Filing and Automated Case Management (ACMS) computer systems were integrated into the Division's operations. The County Clerk's facility was modernized and renovated to accommodate those systems.

- The Probation Department Staff, in response to jail overcrowding, developed a house arrest program through which probationers are monitored via a computerized wristlet and by unannounced visits by their probation officers. Child Support Enforce-

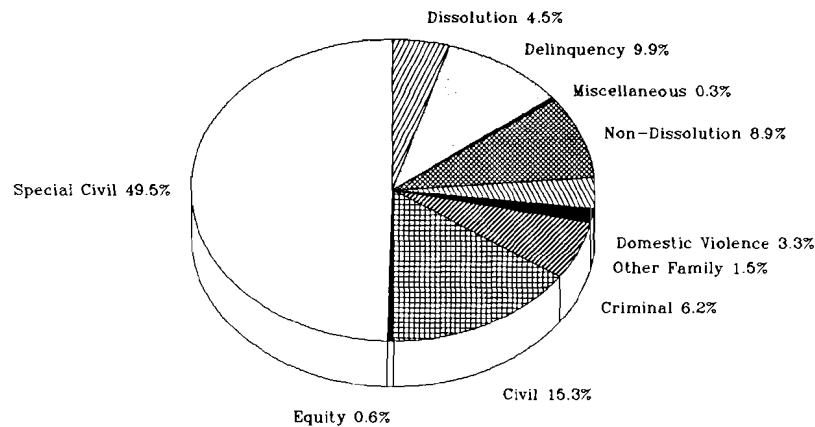
ment operations were converted to the Automated Child Support Enforcement (ACSES) computer system. With the assistance of County Youth Services staff, the Juvenile Supervision Unit enhanced and expanded its community resource referral network.

- A Court Clerks Association was

formed. The group meets every two months to discuss procedures and concerns.

- Telephone answering equipment was installed in all Court Violation Bureaus to aid in the public's accessibility to information regarding court hours.

### COMPOSITION OF FILINGS



# UNION COUNTY



Union County Consortium Clinician/Liaison Sally Wolberg interviews a client.

## Counseling Consortium

Clients referred by the court for counseling now can receive help through a program established by the Judiciary and several private agencies in Union County. Personnel from both groups are available to explain directives and offer advice to those juveniles and adults nominated by the court to receive counseling as part of a sentence or probation. Most of the cases involve domestic violence and juveniles charged with drug-related offenses.

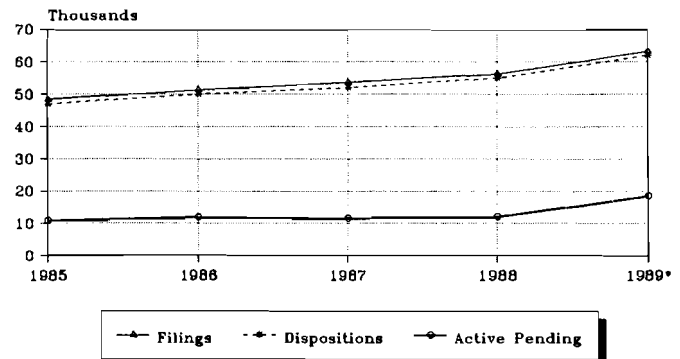
Nine agencies have contracted with the county to accept court referrals for individual and group counseling, in-patient and out-patient substance and alcohol abuse treatment, and family counseling. In addition, several of the agencies provide psychological as well psychiatric evaluations.

"Those ordered to receive counseling or treatment come directly from the court for an interview," said County Consortium Clinician/Liaison Sally Wolberg, who estimates she meets with 10 to 20 people per week. "The interview is to determine if they are willing to attend counseling; to what extent they are abusing substances; the possibility that the client may be a threat to himself/herself or others; and to gain general background information." Of those referred, some already have been incarcerated or placed in a detention facility, while others are first offenders.

Special circumstances are considered before the final referral is made. For example, victims of domestic violence are not eligible for couple's counseling under the restrictions of a full restraining order. In cases where full restraints are not ordered, the clients have the option of receiving couple's counseling, if determined appropriate by the court.

The court subsidizes six counseling sessions per person for those involved in domestic violence disputes, eight sessions for family counseling, one session for psychological or psychiatric evaluations, and one to two sessions for custody evalua-

## 5 Year Summary

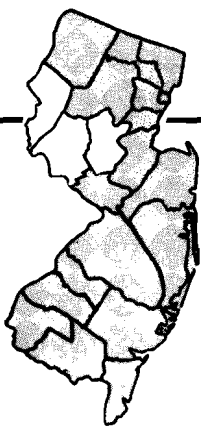


\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	3,898	3,144	1,234	582	469
CIVIL	9,695	7,310	10,069	1,763	1,329
GENERAL EQUITY	337	330	247	397	367
SPECIAL CIVIL	31,283	30,908	4,277	34,759	34,342
FAMILY	17,777	17,582	2,601	3,065	3,031
DISSOLUTION	2,845	2,892	790	-	-
NON-DISSOLUTION	5,621	5,532	266	-	-
DELINQUENCY	6,290	6,208	869	-	-
DOMESTIC VIOLENCE	2,094	2,075	59	-	-
OTHER FAMILY	927	875	617	-	-
MISCELLANEOUS	221	208	97	737	693
TOTAL	63,231	59,482	18,523	3,146	2,959

tions. "Generally someone who has the means to pay won't be referred to a consortium program, but to a private counselor or agency," Wolberg said. Those who wish to continue counseling beyond the sessions paid for by the court and can't afford to do so may reimburse the agency on a sliding fee scale or through insurance.

Agency personnel may recommend continued counseling beyond the court-required sessions in certain circumstances.



# VICINAGE 13

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Wilfred P. Diana  
Assignment Judge

## SOMERSET, HUNTERDON, WARREN COUNTIES



Eugene L. Farkas  
Trial Court Administrator

In Warren County, Criminal Case Management staff began to use the National Crime Information Center Automated Computer System to access vital background information on defendants for court purposes, including bail, pre-sentencing, and post-trial. Staff also implemented a County Jail Information System, which provides offender classification information, data from all state prisons, and jail listings, commitment and discharge listings, and bail amount reports.

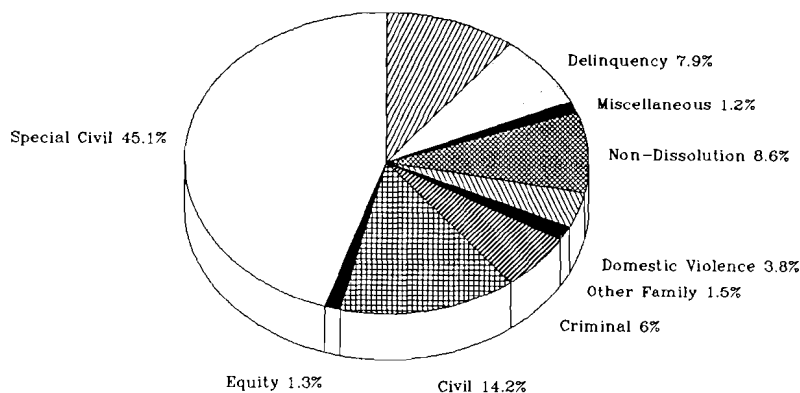
- A committee of judicial and county administrators was established to review current court facilities, to recommend uses for current space, and to evaluate the need for relocation of offices and renovations. As a first step, all non-judicial agency offices were moved outside the courthouse, allowing for relocation of judicial staff offices.

- In Hunterdon County, a committee also was established to evaluate

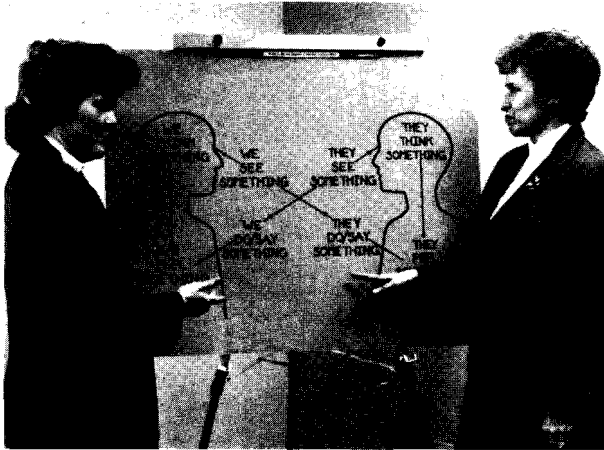
court facilities. Upon recommendation from the committee, the County Freeholders hired a professional judicial consultant to study existing facilities and project staffing needs. The consultant will develop a report on future growth possibilities (site selection, numbers of courtrooms, etc.) for consideration by the Freeholders.

- Somerset County Family Case Management personnel developed and established a parenting skills workshop for separated and divorced couples who are involved in frequent litigation, continuing to have unresolved issues of custody/visitation, or ordered by the Court to participate.

### COMPOSITION OF FILINGS



# SOMERSET, HUNTERDON, WARREN COUNTIES



Dorcas McDonald, director of the Resource Center for Divorcing Parents, and Shirley M. Gurisic, Family Court mediation coordinator, oversee Somerset County's parenting skills workshops.

## Parenting Workshops

"How to handle those chaotic, painful emotions which come up just when we think we're out of the woods or are exhausted from the last round." That's just one of the topics covered at parenting skills workshops for divorced or separated parents offered as part of the Somerset County Family Court Mediation Program.

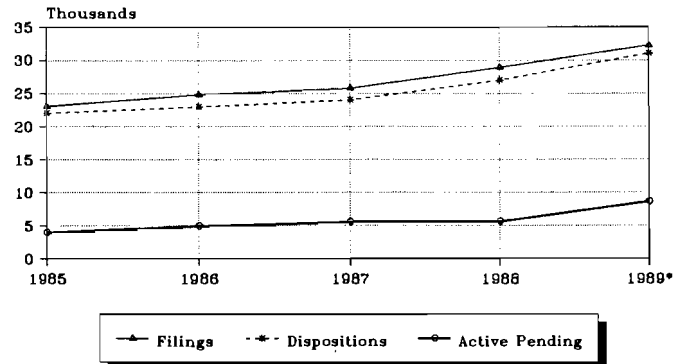
The two-and-a-half hour workshops, which are held once a week for four consecutive weeks, were offered twice in the spring and twice in the fall during the 1988-89 court year and funded through a grant from the Administrative Office of the Courts. Separated or divorced parents, married or unmarried, who are continuing to have unresolved issues of custody and visitation are referred for the program by Family Court personnel. Participation is court-ordered or voluntary, and limited to approximately 10 people per group. Spouses and/or ex-spouses are not in the same group, although both parties are encouraged to participate.

"Some parents are caught in a revolving door syndrome. They constantly keep re-litigating custody and visitation matters and use the courts as a way to let out those little jibs and jabs to get back at each other and to help alleviate their stress," said Shirley M. Gurisic, Family Court mediation coordinator. "The parents who participate in this program have been through the system and have found that it's just not giving them what they need."

Dorcas McDonald, director of the Resource Center for Divorcing Parents in Princeton, helps the participants learn communications skills and techniques for negotiation and conflict resolution, and examine their relationships and emotions through role-playing and other exercises.

"Participants get a chance to meet with other parents and to

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	867 445 620	752 406 451	255 183 424	482 636 689	407 580 501
CIVIL	2,941 940 693	2,211 416 551	2,407 1,159 723	1,279 1,343 1,386	961 594 1,102
GENERAL EQUITY	214 125 82	225 132 75	72 41 37	713 - -	750 - -
SPECIAL CIVIL	8,953 2,881 2,702	8,952 2,664 2,725	868 571 277	17,906 14,405 13,510	17,904 13,320 13,625
FAMILY	5,176 2,343 2,872	5,243 2,324 2,840	610 403 451	4,313 5,347 4,103	4,369 5,320 4,057
DISSOLUTION	2,185 689 487	2,180 671 477	385 248 180	- - -	- - -
NON-DISSOLUTION	674 901 1,193	684 897 1,187	30 25 52	- - -	- - -
DELINQUENCY	1,352 456 739	1,394 461 713	71 59 77	- - -	- - -
DOMESTIC VIOLENCE	705 209 321	706 202 317	8 5 8	- - -	- - -
OTHER FAMILY	260 88 152	279 93 146	116 66 105	- - -	- - -
MISCELLANEOUS	120 144 134	112 156 112	44 37 49	1,200 - 1,340	1,120 - 1,120
TOTAL	18,271 6,878 7,103	17,475 6,078 6,734	4,256 2,594 1,941	2,947 2,990 2,960	2,819 2,643 2,814

LEGEND: SOMERSET HUNTERDON WARREN

find out they're not the only ones who are having problems," Gurisic said. "Getting involved in the program takes a lot of strength on the parents' part. It's an exercise in self-examination, and a way for them to determine what they're doing wrong in the relationship."



# VICINAGE 14

## OCEAN COUNTY



Eugene D. Serpentelli  
Assignment Judge



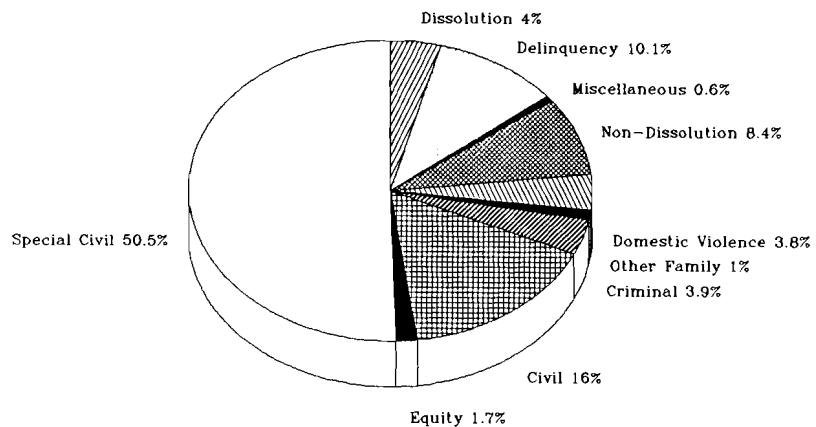
Frank W. Kirkleski, Jr.  
Trial Court Administrator

The Probation Department's Jobs for Support Program won a National Association of Counties Award. Participants in the program paid nearly \$75,000 in previously uncollectible child support during the year. Staff in the IV-D Support Unit implemented the State's first asset seizure program, which netted nearly \$150,000 in child support.

- Two civil arbitration programs were instituted. In Small Claims and Landlord Tenant cases, court volunteers now mediate the majority of the cases to settlement. Personal injury claims now are mediated by staff attorneys who also participate in the automobile arbitration program.

- Informal bail reviews and formal bail hearings continued within the Criminal Division. A case supervisor conducts daily reviews of inmates to identify those eligible for bail reductions or increases, and weekly formal bail hearings are conducted with prosecutors and defense attorneys.

### COMPOSITION OF FILINGS



- Pilot Municipal Court mediation programs using Family Division volunteers to settle neighborhood disputes were started in three communities. Volunteers also were used to explain court procedures to litigants in domestic violence, custody, and visitation cases, as well as to serve jurors.

- With funding from the Department of Human Services, Family Division staff were assigned to oversee various initiatives, such as a men's anger management group, and parenting awareness, family counseling, and child/parent visitation programs.



# OCEAN COUNTY



**Ocean County Residential Drug Program Director Roy Van Houten and Senior Probation Officer Charles Concodora meet with program participants.**

## Residential Drug Program

Situated in the business district of Toms River is the Ocean County Family Court Substance Abuse Program facility—otherwise known as Mott Place—a county-owned property that serves as the home base for six juveniles participating in the program.

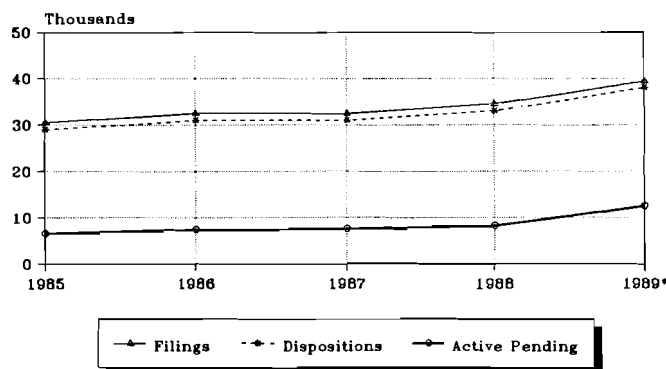
Six young men are supervised around the clock in the program's in-patient component, and 17 young men and women are overseen through the out-patient portion. The participants, usually between the ages of 13 and 17, range from those experiencing family problems to runaways and truants to those who've committed crimes. They are referred to the program through family crisis and juvenile services, DYFS, and the school systems, or as part of their probation or sentence. The average stay is six to nine months.

"Prior to this program [which began in August 1988], children were being sent out of the community and even out-of-state for treatment, so the chance for follow-up care was minimal," said Program Director Roy Van Houten. "It became a difficult situation not only for the child, but for the family as well. In some cases, the parents have difficulties similar to the child's."

Once the extent of a participant's chemical or substance abuse problem is determined, he or she is assigned to specific individual and group therapy sessions along with meetings of support groups such as Alcoholics or Narcotics Anonymous. Parents are required to attend similar sessions. In-patients continue their education at the facility, participate in recreational activities at local sites and family activities, and perform community service. Based on their progress, they may be granted weekend "furloughs" at their homes.

When in-patients have made significant strides within their particular program, they are released to after-care, during which they are contacted two to three times per week for approximately six months. They must return to school or have a job.

## 5 Year Summary



\*Please see footnote on counting method for civil cases on page 27.

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	1,521	1,343	793	661	584
CIVIL	6,316	5,436	6,470	1,404	1,208
GENERAL EQUITY	656	594	374	656	594
SPECIAL CIVIL	19,909	19,628	2,649	28,441	28,040
FAMILY	10,799	10,403	2,134	3,272	3,152
DISSOLUTION	1,573	1,641	774	-	-
NON-DISSOLUTION	3,329	3,116	367	-	-
DELINQUENCY	4,006	3,782	607	-	-
DOMESTIC VIOLENCE	1,505	1,470	27	-	-
OTHER FAMILY	386	394	359	-	-
MISCELLANEOUS	251	211	113	837	703
TOTAL	39,452	37,615	12,533	3,260	3,109

The out-patient program is conducted at a local outreach center. Participants, who go to school or work, must attend one group and one individual counseling session per week and meetings of selected support groups, and are chemically monitored for substance abuse at least weekly. Their parents are encouraged to attend family support group sessions.

Fifteen full- and part-time staff, including certified counselors, teachers, and probation officers, operate the program.



# VICINAGE 15

## GLOUCESTER, CUMBERLAND, SALEM COUNTIES



Samuel G. DeSimone  
Assignment Judge



Stephen E. Fingerman  
Trial Court Administrator

With funding from the State Law Enforcement Planning Agency, Family Court staff teamed up with the Boy Scouts of America to institute a program for economically disadvantaged juveniles. Program monies are used for payment of dues, for clothing, camping equipment, and other incidental items required to be a Boy Scout.

- In Gloucester County, personnel in the Family Court Domestic Violence Unit followed up on all reported cases and worked with Social Service agencies staff throughout the county to assist victims of domestic violence with solving the problems involved in family disputes.

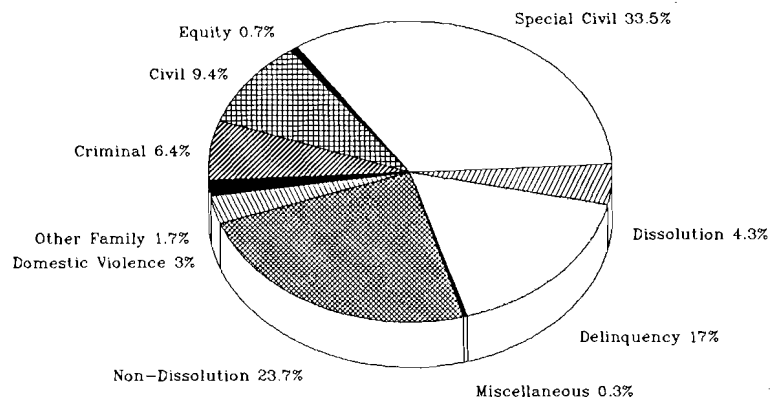
- A Neighborhood Dispute Program was established in the Municipal Courts. Volunteers hear disputes among neighbors and provide additional support and services to citizens in a particular geographic area.

- Probation Department volunteers in four municipalities initiated Project

CARE, a rehabilitation program for juvenile probationers or court-referred youth. Plans were completed for a Home Detention/House Arrest Program in all three counties, and guidelines were established for the monitoring of offenders released from jail as a result of those programs.

- A Post-Trial Juror Trauma Program was initiated to assist jurors who are adversely affected by their service. Jurors participating in the project are shown a film on juror trauma and discuss their experience with court personnel.

### COMPOSITION OF FILINGS

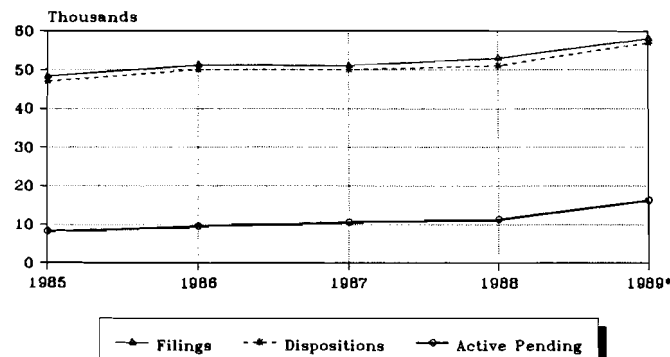


# GLOUCESTER, CUMBERLAND, SALEM COUNTIES

## 5 Year Summary



Assignment Judge Samuel G. DeSimone oversees the Gloucester County summary jury trial program.



\*Please see footnote on counting method for civil cases on page 27.

## Summary Jury Trials

In Gloucester County, attorneys and litigants in complex Civil cases have an additional option to settlement alternatives or a trial. They can have their dispute heard via a summary jury trial, a process which provides an advisory verdict from a six-member jury.

"We're looking for cases that are difficult to settle, or that involve difficult issues," said Assignment Judge Samuel G. DeSimone, who personally oversees the program. "We're looking for lengthy cases, and cases that involve real adversarial-type situations."

In the program's first year, 46 cases were selected for summary trials. Thirty-eight settled before trial, and seven of the remaining eight settled based on the summary jury's recommendations.

Civil case management personnel screen cases, and forward those to Judge DeSimone for a final decision on possible use of a summary jury trial. The judge meets with the attorneys to determine whether or not they or their clients will consent to a summary trial.

"The program is strictly voluntary. If both parties are agreeable at the pre-hearing conference, we go ahead. If they want the summary trial, they get it," Judge DeSimone said.

A pre-trial conference between counsel and the judge is held about one week before the summary trial to discuss rules, procedures, and jury charges. The final, abbreviated charge is based on submissions by counsel.

Six jurors are selected from the general jury panel in an abbreviated process allowing for only two challenges per attorney and for no alternate jurors. The selected jurors are advised of the summary nature of the proceeding, but are not told that their verdict is only advisory until after the verdict is rendered.

Three to four hours is allotted for each trial, with counsels' being required to limit their best presentation of the case to an hour or hour-and-a-half. Evidence admissible at trial may be presented, along with supporting documents.

After the jury renders its verdict, the judge asks individual jurors their reasons for the decision. Counsel may supplement the judge's questions.

"Jurors have been very receptive to the concept," Judge DeSimone said. "The only criticism I've heard is that because they didn't see witness, the jurors couldn't pass upon the credibility of the witness."

	FILINGS	TERMINATIONS	ACTIVE PENDING	FILINGS PER JUDGE	TERMINATIONS PER JUDGE
CRIMINAL	1,061 1,674 1,003	1,055 1,691 811	487 507 136	342 1,046 1,003	340 1,037 811
CIVIL	3,023 1,948 513	2,141 1,852 502	3,533 2,052 495	1,163 1,771 1,710	823 1,684 1,673
GENERAL EQUITY	190 154 37	175 145 31	65 68 36	475 770 -	438 725 -
SPECIAL CIVIL	9,407 7,626 2,435	9,079 7,596 2,508	976 1,098 228	23,518 38,130 24,350	22,698 37,980 25,080
FAMILY	9,304 14,965 4,607	9,209 13,555 4,550	1,374 4,456 608	4,430 12,471 7,678	4,385 11,296 7,583
DISSOLUTION	1,450 616 429	1,463 540 359	431 479 175	- - -	- - -
NON-DISSOLUTION	3,521 8,072 2,200	3,555 7,810 2,203	282 1,237 124	- - -	- - -
DELINQUENCY	3,367 5,034 1,462	3,237 3,973 1,471	393 2,268 167	- - -	- - -
DOMESTIC VIOLENCE	596 870 296	604 875 297	11 26 7	- - -	- - -
OTHER FAMILY	370 373 220	370 357 220	257 446 135	- - -	- - -
MISCELLANEOUS	89 72 44	75 74 44	50 25 25	890 - -	750 - -
TOTAL	23,076 26,439 8,639	21,734 24,913 8,446	6,483 8,206 1,528	2,652 6,149 4,320	2,498 5,794 4,223

LEGEND: GLOUCESTER CUMBERLAND SALEM

Judge DeSimone hopes to expand the program to include all the Vicinage's civil judges, and to be able to offer the summary jury trial option to attorneys "on the spot," he said. "If an attorney's expert witness can't make the scheduled trial, why not offer an alternative right there? We don't lose trial time, we keep the judges busy, we use the jurors, and we very possibly settle a complex case."



**PROBATION**



# PROBATION

**P**robation supervision caseloads continued their growth in both the adult and juvenile areas. The total caseload grew by more than 9% during the 1988-89 court year, as compared to 3.6% the year before.

The outcome of supervision showed a slight increase in the percentage of successful completions for juveniles, but a slight decrease in successful terminations for adults.

The adult probation caseload averaged 162 persons per probation officer, holding steady from last year. The average adult probation caseload is two to three times higher than any acceptable standard ever recommended by national commissions or study groups, and nearly double the recently accepted levels for adult caseloads. Juvenile caseloads grew slightly to 85 per probation officer, and are at least double the acceptable levels as well. These larger caseloads continue to challenge the ability of the probation staff to supervise adequately the clients on probation.

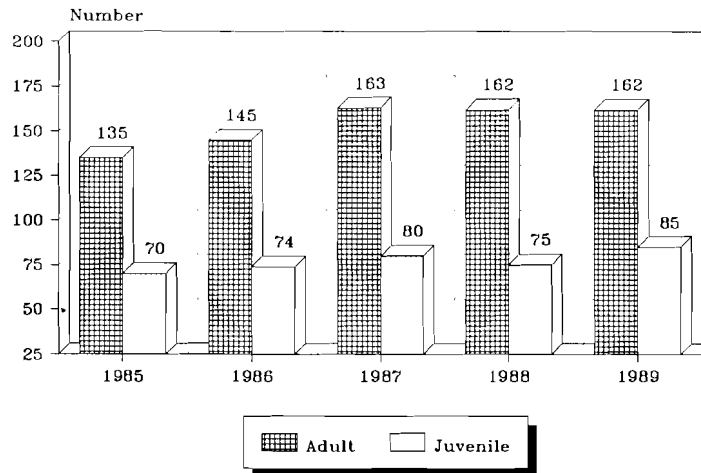
## Adult Supervision

Personnel from Adult Supervision Services and other departments of the AOC secured a State Justice Institute grant to test new methods for enforcing court-ordered financial obligations. They worked with staff in several counties to develop a model for supervision case management, and began a major initiative with all New Jersey colleges and universities to recruit bilingual staff and to compile a Hispanic social services directory.

## Community Service

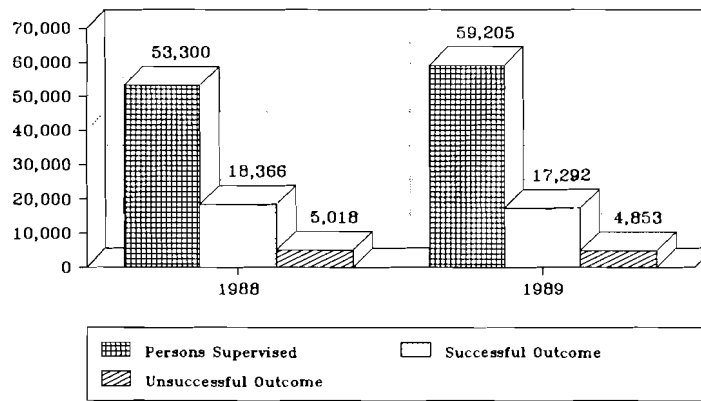
Community service has continued the trend of growth which characterized the program since its inception in 1982. The program has grown ten-fold since its start, with more than 25,500 participants currently enrolled.

## AVERAGE SUPERVISION CASELOAD



## SUPERVISION PROFILE\*

### Adults



\*Including Municipal and Superior Courts

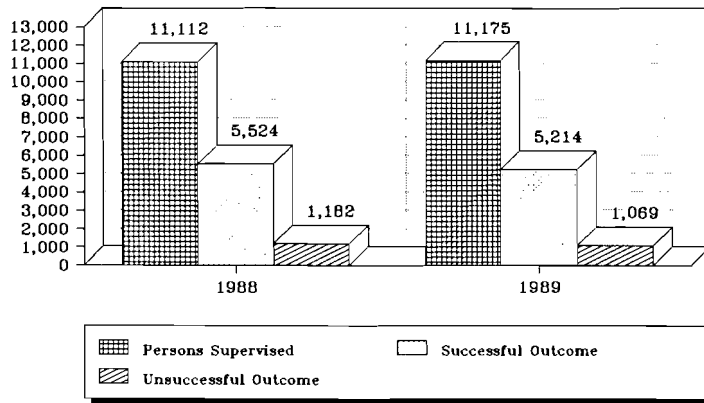
## Intensive Supervision Program

The Intensive Supervision Program (ISP), an intermediate form of punishment for adult offenders released from prison, continues to

During the 1988-89 court year, more than 1.4 million hours of service valued at about \$5 million were performed by participants in the community service program, a 6% increase over the previous year.

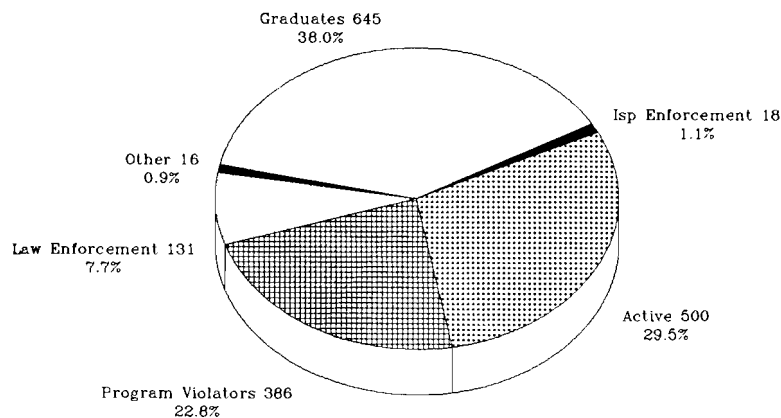
## SUPERVISION PROFILE\*

### Juveniles



\*Including Municipal and Superior Courts

## ISP PARTICIPANT STATUS



prove its effectiveness and serves as a national model for similar programs. ISP requires frequent contacts between officer and participant. Participants must maintain full-time employment, a weekly budget, and

daily diary; pay all financial obligations; adhere to a monitored curfew; complete community service; participate in treatment programs; and submit to frequent testing for use of drugs and alcohol.

During 1989, participants continued to achieve a high rate of program compliance. Only 2.7% of the persons admitted to ISP were arrested and convicted of an indictable offense. The majority of those returned to prison violated programmatic conditions.

ISP participants generated more than \$5.5 million in earnings during the 1988-89 court year.

## Juvenile Services

The foremost assignment of the juvenile services division was staffing responsibilities for the 1989 Judicial Conference, "Juveniles, Justice, and the Courts."

Project CARE (Community Assistance in Rehabilitation Efforts) involves community teams of 7 to 10 persons, all volunteers, who work as partners with members of County Probation Departments to develop case plans and contracts with selected probationers. The volunteers advise and counsel the juveniles, and in some cases, their family members, in such areas as educational and employment opportunities, job skills, and possible rehabilitation; work with the juveniles on specific parts of their particular probation program and to keep them in touch with the community; and advocate the creation of additional services for juveniles under supervision. About 130 volunteers now participate in this judicial/community partnership.

Increased state funding during 1988-89 allowed for the continuation of Project CARE initiatives in Camden, Essex, Middlesex, and Gloucester Counties, and the establishment of programs in Atlantic, Ocean, and Mercer Counties.

## Child Support

New Jersey's Child Support initiative received national recognition

for its effectiveness, efficiency, and total collections. The U.S. House of Representatives Ways and Means Committee reviewed child support programs throughout the country, and awarded only four states "A's" for their efforts. New Jersey was awarded the top grade, along with Delaware, Michigan, and South Dakota.

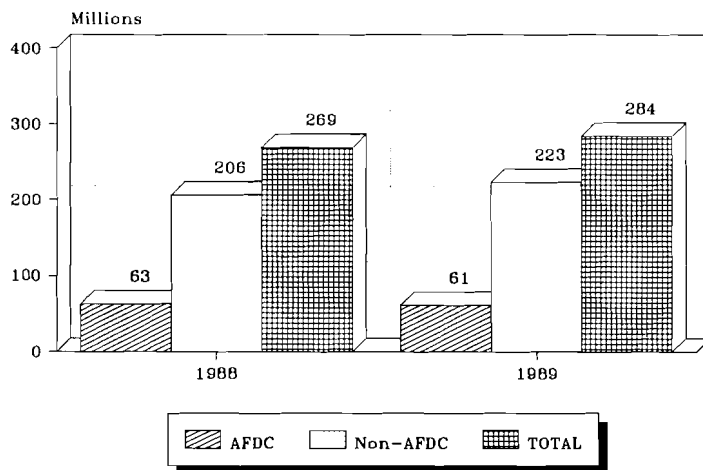
Personnel in County Probation Departments are responsible for the supervision and enforcement of court-ordered support payments. During the 1988-89 court year, the total caseload was 262,397. Public assistance cases (AFDC) totalled 117,590, and non-public assistance cases (NPA) totalled 144,807.

The Child Support Hearing Officer program continued to provide additional resources for establishment, modification, and enforcement of child support cases. A Chief Hearing Officer and four new Hearing Officer positions were added to the program, bringing to 16 the number of individuals providing service to the 21 counties.

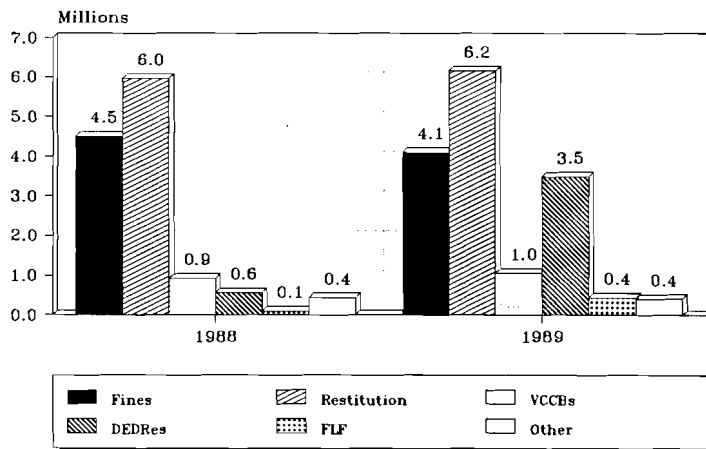
Along with the increase in the number of cases, probation had an increase of 7.5% in the amount collected for child support. For the second straight year more than a quarter of a billion dollars, \$283,919,937 was collected. For AFDC cases, \$60,643,524 was collected, and for non-AFDC cases, \$223,276,413. Collections for AFDC cases are used to reimburse State and Federal contributions for AFDC programs while non-AFDC collections are provided directly to families for support.

Through the use of income withholding, a total of \$97,613,510 was collected during 1988-89. Tax offset programs have generated almost \$20 million from both Federal and State tax returns of delinquent child support payers. Still, the vast majority of collections, 52%, is the result of enforcement efforts by Probation Department staff.

## CHILD SUPPORT COLLECTIONS



## COLLECTIONS



## Collections by Probation Departments

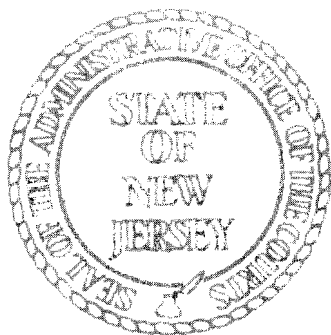
In excess of \$17.75 million in fines, restitution, Violent Crimes Compensation Board assessments, Forensic Laboratory Fees, Drug Enforcement and Demand Reduction fees, and other penalties were collected by County Probation Departments during the 1988-89 court year. Probation Departments are the main source for collection of VCCB assessments, which are used for restitution of victims, and for DEDR fees, which will be used to support drug education and prevention programs.



# ADMINISTRATIVE OFFICE OF THE COURTS



# ADMINISTRATIVE OFFICE OF THE COURTS



**Administrative Office of the Courts: (left to right, seated) Theodore J. Fetter, Deputy Director; Robert D. Lipscher, Administrative Director of the Courts; Jane Castner, Assistant Director, Civil Practice; (standing) Harvey**

**M. Goldstein, Assistant Director, Probation Services; James R. Rebo, Assistant Director, Information Systems Division; David P. Anderson, Assistant Director, Trial Court Support Operations; John P. McCarthy, Jr., Assistant Director, Criminal Practice; Frank C. Farr, Assistant Director, Management Services; Dennis L. Bliss, Assistant Director, Municipal Court Services. Absent from photo: Steven Yoslov, Assistant Director, Family Practice; and John J. Musewicz, Administrator, Appellate Division.**

**T**he Administrative Office of the Courts provides staff support for technical assistance, operational support, training, research and development, budget and personnel work, and operation of information systems for the Courts of New Jersey. The AOC is the administrative arm of the Chief Justice in his role as head of the Court system, and its personnel work closely with judges and support staff at all levels of the courts, and also with bar leaders, volunteers, other government agencies, press representatives, and members of the public.

Personnel in the AOC continued to emphasize training and direct service

to trial courts. Significant effort went into a series of programs for judges with administrative responsibility (i.e.,

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**Service to trial courts was emphasized via technical assistance, training, and records management.**

Assignment Judges and Presiding Judges), and Vicinage and AOC managers in training for a participative and open management style. Other major training programs included sessions on domestic violence, court interpreting, mediation, child placement review, Municipal Court operations, management training for supervisors and mid-level managers, and training of volunteers.

Several vital technical assistance programs highlighted the year. Comprehensive support for the East Orange Municipal Court helped attack a processing delay for 750,000 traffic tickets. AOC staff assisted Vicinage personnel in civil case management



and recordkeeping procedures. Technical assistance for child placement review took place in ten counties, and jury management programs were supported in a similar number of counties. Help in court interpreting, arbitration programs, sound recording, and child support enforcement also took place.

AOC staff worked with several committees of judges and others to develop models for several major elements of the Trial Courts. The most basic was a table of organization for the trial court support structure, which examined the roles and relationships of each of the major units and paved the way toward a structure which would not rely on "matrix" assignments between probation and case management divisions. Other models developed included a comprehensive approach to supervision of adult probationers and a new procedure for evaluating bids for the Surrogates Intermingled Trust Funds, which manage many millions of dollars in trust for minors throughout the State.

AOC personnel also helped to prepare several significant new manuals for court operations. A revised sentencing manual for use in the Criminal Courts was completed and distributed. Work progressed significantly on a comprehensive Family Court bench book, as well as a guide for judges and staff to procedures in domestic violence matters.

A new manual for arbitrators was completed, along with procedures for arbitration in personal injury cases, pursuant to recent legislation. Manuals for sound recording, direct filing procedures, and transcription of court records also were completed.

The 1988-89 court year was especially significant for the information systems division. By the end of the year, the AOC operated two mainframe computers and had 2,500 devices (terminals, printers, and

personal computers) installed—1,000 during the 1988-89 term alone—as part of the system.

The ACSES (Automated Child Support Enforcement Services) system became operational in all 21 counties; ACMS (Automated Case Management System) for Civil cases reached 13 counties; ATS (Automated Traffic System) for Municipal Court traffic matters came to 73 Municipal Courts handling almost one-third of the State's volume; PROMIS/GAVEL was installed in four counties as part

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## **New Jersey's court system was the only one in the na- tion to receive three grants from the State Justice Insti- tute in '88-'89.**

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of the mainframe system; and FACTS (Family Automated Case Tracking System) for family-related cases reached two counties.

Work also proceeded on personnel, budget, and other administrative applications, electronic mail in the Appellate Division, and local area networking for units within the Judiciary.

During 1988-89, the AOC received funding from the State Justice Institute to initiate two projects, a joint study with the Center for Negotiation and Conflict Resolution of Rutgers University on the civil settlement process, and a study on differential court usage by minorities as part of

the effort on the Task Force on Minority Concerns; and Hudson County received a grant to create a fines and restitution collection program. New Jersey's court system was the only one in the nation to receive three grants.

In addition to those projects mentioned above, work progressed on a host of major programs. Differentiated Case Management (DCM) was implemented in Camden, the second county to test this approach to civil justice reform [see page 46]. The use of child support hearing officers resulted in the resolution of 59,000 cases, a 32% increase over the previous year.

The 1988-89 court term marked the first full year of the indigency determination program by the courts rather than the public defender in Criminal cases, and the courts handled more than 70,000 applications for indigency with AOC support. With training and a new monitoring system, the number of overdue transcripts fell by 21% during the year. And direct filing became operational in 16 counties so that papers in Civil cases were filed directly in the county of venue rather than centrally in Trenton.

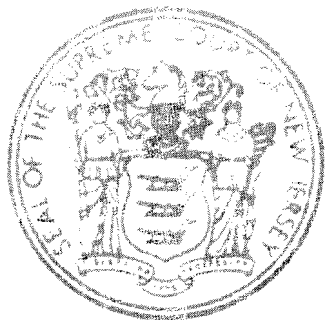
Project CARE (Community Assistance in Rehabilitation Efforts) involving community support in supervising juvenile probationers spread to seven counties. Finally, the study of proportionality in capital cases commissioned by the Supreme Court made significant progress.

These are some of the highlights of the 1988-89 court year for the AOC. Programs described elsewhere—especially Complementary Dispute Resolution and the Judiciary's response to the onslaught of drug cases—also required considerable effort from AOC personnel, as did the continuing work of committees and the support of all elements of the court system.



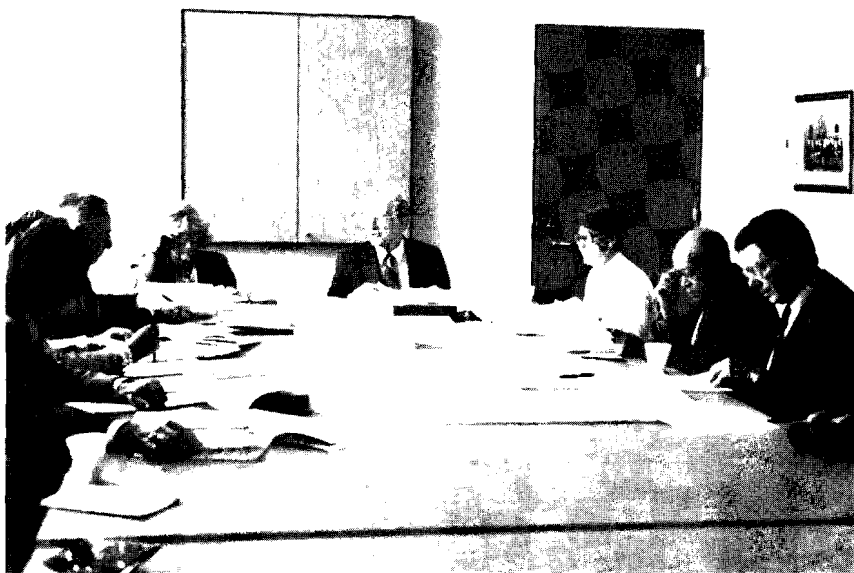
# SUPREME COURT COMMITTEES

# SUPREME COURT COMMITTEES



The Chief Justice and the Supreme Court rely on committees for rule-making and regulation,

administrative recommendations, and policy review. Pictured are members of the Extrajudicial Activities Advisory Committee, chaired by Judge Baruch S. Seidman, at a recent meeting.



**S**upreme Court Committees are a vital component in the management of the judicial system. The Chief Justice and the Supreme Court depend upon committees not only for rule-making and regulation, but for administrative recommendations, policy review, and identification of issues and trends of major concern to the Judiciary.

Committees are composed of judges, court staff, lawyers, subject matter experts, members of specific groups, and the public at large. They provide the Supreme Court or the Chief Justice with the open and candid examination of issues critical for effective decision-making. The participation of all groups in identifying areas of possible change and debating those changes is most important.

**Rules and rules-related committees** advise the Court about rules of court. These include seven standing rules committees, which recommend amendments and additions to the rules of court, policy statements associated with those rules, and legislation related to court practice, and a number

of standing advisory committees which are responsible for activities related to the practice of law.

**Regulatory committees** assist the Court to exercise its constitutional responsibility to oversee the jurisdiction of the admission of attorneys to the practice of law and the discipline of those admitted. These committees are staffed by volunteer attorneys and funded by members of the Bar. They oversee admission to the practice of law, a certification program for attorneys who specialize, and the arbitration and resolution of ethics matters, and matters of attorney conduct and fee disputes.

**Task forces** are the largest of the committees. Often divided into subcommittees, Task Forces are asked to review a major area of court activity and to develop comprehensive plans for reform. Vicinage review committees often are recruited to give feedback on the Task Force's work. Most Task Forces report directly to the Supreme Court.

**Policy development committees** are created when the Chief Justice

identifies a specific area in which he wishes to seek statewide policy guidance. The committee solicits opinions from knowledgeable individuals and interested groups and issues a report detailing its decision-making process.

**Planning committees** focus on areas of concern and interest to the Court and may identify potential problems or highlight trends that will need future attention.

**Liaison committees** act as vehicles for dialogue and communication between the judicial system and influential groups, such as sheriffs, court clerks, surrogates, the media, and key community organizations. They review programs or projects in relation to how they will affect the groups represented on the committee.

**Oversight committees**, such as the Municipal Court Education committee and several court computerization policy committees, review and assess major programs and local plans and decide specific implementation issues.



## CIVIL PRACTICE

Judge Sylvia B. Pressler, *Chair*  
Morris M. Schnitzer, Esq., *Vice-Chair*  
Judge Leonard N. Arnold  
Judge Murry D. Brochin  
Judge Philip S. Carchman  
Judge James D. Clyne  
Judge William M. D'Annunzio  
Judge Donald W. deCordova  
Judge William A. Dreier  
Judge Martin L. Haines  
Judge J. Norris Harding  
Judge John E. Keefe  
Judge Howard H. Kestin  
Judge Paul G. Levy  
Judge Harry A. Margolis  
Judge Patrick J. McGann, Jr.  
Judge James J. Petrella  
Judge Paul Porreca  
Judge Edward J. Seaman  
Judge Stephen Skillman  
Judge Alfred A. Slocum  
Judge Barbara Byrd Wecker  
Judge Lawrence Weiss  
Thomas T. Chappell, Esq.  
Gail W. Chester, Esq.  
Milton B. Conford, Esq.  
Kevin P. Duffy, Esq.  
Joseph A. Ginarte, Esq.  
Douglas T. Hague, Esq.  
Linda Lashbrook, Esq.  
Edwin J. McCreedy, Esq.  
John P. McGee, Esq.  
Alan Y. Medvin, Esq.  
Melville D. Miller, Esq.  
Lorraine C. Parker, Esq.  
Deanne Wilson Plank, Esq.  
Deborah T. Poritz, Esq.  
Bruce M. Schragger, Esq.  
Harold A. Sherman, Esq.  
William A. Thomas, Jr., Esq.  
Michael J. Waldman, Esq.  
Alexander P. Waugh, Jr., Esq.  
Prof. Robert Carter  
*AOC Staff:* Jane F. Castner, Esq.

## CRIMINAL PRACTICE

Judge Edwin H. Stern, *Chair*  
Judge Wilfred P. Diana, *Vice-Chair*  
Judge Kevin G. Callahan  
Judge Donald S. Coburn  
Judge R. Benjamin Cohen  
Judge Charles R. DiGisi  
Judge Robert P. Figarotta  
Judge Peter J. Giovine  
Judge Elliot G. Heard, Jr.  
Judge Barnett E. Hoffman  
Judge James A. Kennedy  
Judge Edmond M. Kirby  
Judge Sybil R. Moses  
Judge George J. Nicola

Judge Steven P. Perskie  
Judge Frank A. Piscatella  
Judge Joseph F. Scancarella  
Judge Isaiah Steinberg  
Judge Norman Telsey  
Barry T. Albin, Esq.  
Nicholas L. Bissell, Jr., Esq.  
John M. Cannel, Esq.  
Neil S. Cooper, Esq.  
John J. DeCicco, Esq.  
Bradley J. Ferencz, Esq.  
Theodore V. Fishman, Esq.  
Bruce I. Goldstein, Esq.  
John G. Holl, Esq.  
Douglas N. Husak  
Roxanne Jones-Gregory, Esq.  
Dale Jones, Esq.  
Brian J. Neary, Esq.  
Anthony D. Rinaldo, Jr., Esq.  
Alan A. Rockoff, Esq.  
Thomas S. Smith, Jr., Esq.  
John H. Stamler, Esq.  
Joan Van Pelt, Esq.  
Barbara A. Villano, Esq.  
Robert Winter, Esq.  
*AOC Staff:* Joseph J. Barraco, Esq.  
John P. McCarthy, Jr., Esq.

## FAMILY PRACTICE

Judge Eugene D. Serpentelli, *Chair*  
Justice Morris Pashman  
Judge Dennis J. Braithwaite  
Judge Robert A. Fall  
Judge Carmen A. Ferrante  
Judge Donald P. Gaydos  
Judge Herbert Glickman  
Judge Martin A. Herman  
Judge Michael R. Immbriani  
Judge Alexander D. Lehrer  
Judge Samuel D. Natal  
Judge John Pisansky  
Judge Richard S. Rebeck  
Judge Sylvan G. Rothenberg  
Judge Stephen Schaeffer  
Judge George H. Stanger, Jr.  
Judge June Strelecki  
Judge Thomas P. Zampino  
Michael Aduato, Esq.  
Anne R. Bartlett, Esq.  
Jan L. Bernstein, Esq.  
John E. Finnerty, Esq.  
Thomas S. Forkin, Esq.  
Nancy Goldhill, Esq.  
Richard E. Hickey III, Esq.  
Lee M. Hymerling, Esq.  
Pamela Copeland Kaufelt, Esq.  
Kathleen E. Kitson, Esq.  
Frank A. Louis, Esq.  
Martha A. Moore, Esq.  
Anne C. Paskow, Esq.  
Myra T. Peterson, Esq.

Marcia B. Richman, Esq.  
Richard A. Russell, Esq.  
Beverly A. Sharps, Esq.  
Patricia Garity Smits, Esq.  
Lynne Strober Lovett, Esq.  
John J. Trombadore, Esq.  
Joseph M. Weinberg, Esq.  
Jeffrey P. Weinstein, Esq.  
James P. Yudes, Esq.  
Adele Keller, *Case Manager*  
*AOC Staff:* Alice Stockton, Esq.  
Steven Yoslov, Esq.

## MUNICIPAL COURTS

Judge Evan W. Jahos, *Chair*  
Judge Neil H. Shuster, *Vice-Chair*  
Judge Linda Feinberg  
Judge William H. Gazi  
Judge Joan Robinson Gross  
Judge Rudolph N. Hawkins, Jr.  
Judge Thomas J. Jones  
Judge David A. Keyko  
Judge Frank M. Lario, Jr.  
Judge Fred J. Levin  
Judge Kevin McGrory  
Judge Chester Morrison  
Judge Burton C. Pariser  
Judge Graham T. Ross  
Judge Henry E. Rzemieniewski  
Judge David Schepps  
Judge Samuel J. Serata  
Judge John C. Stritehoff, Jr.  
Judge H. Robert Switzer  
Judge James J. Walsh  
Thomas Benitz, Esq.  
Harvey L. Birne, Esq.  
William G. Brigiani, Esq.  
Felipe Chavana, Esq.  
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The Supreme Court Committee on Courthouse Facilities has produced a draft of facilities guidelines to help trial courts, local architects and planners, and county governing bodies when discussions on courthouse construction or renovation arise. The committee worked with Walter H. Sobel and Associates and the Vaughn Organization in preparing the guidelines. The guidelines are to be submitted to the Supreme Court for its review.

Guidelines include assistance in the design and furnishing of courtrooms, support offices, and related public space. They are tailored to accommodate the structure and operations of the New Jersey courts, based on the designation of three separate but interrelated sectors in the courthouse. These sectors are for the public and the litigants, the judges and support staff, and the holding and transportation of prisoners. Each sector is secure, but interactions and communications need to be incorporated in courtrooms and other places in the courthouse.

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During the 1988-89 court year, the efforts of the Supreme Court Committee on Masters & Hearing Officers were focused largely on solicitation and analysis of comments received in response to its preliminary report and in preparation of its Supplemental Report to the Supreme Court, containing the Committee's conclusions following review of the comments.

The Committee has recommended two proposals for the expanded use of high level judicial assistants and adjuncts on an experimental basis, *i.e.* a one-year, statewide test of the proposed relaxation of

R.4:41 to facilitate the use of special masters on a limited basis, with consent of litigants or under other extraordinary circumstances and upon approval by an Assignment Judge, and a similar relaxation of R. 5:25-2 to facilitate the appointment of advisory referees in certain minor juvenile delinquency matters, also upon approval of the Assignment Judge; and a more far-reaching pilot proposal for a Corps of Judicial Commissioners, made up of judicial officers, with functions similar to United States Magistrates.

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The Statewide Records Management Advisory Committee met for the first time in December 1989 where its charge was given: "To assist the National Center for State Courts in developing a comprehensive records management program for the Judiciary."

To date, the Committee has developed and distributed questionnaires to all state and trial court offices with the intent of collecting current records management practices throughout the State. In addition, the project staff from the National Center has made site visits and conducted interviews in several trial court offices.

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In the 1988-89 court year, the Task Force continued its work to oversee implementation of the recommendations contained in its earlier reports. One major milestone was the opening in September of "Justice Juniors," a child-care center jointly serving the four agencies housed in the Justice Complex. While the Task Force cannot claim credit for this accomplishment, its recommendation that the Court study the possibility of

providing or subsidizing day care for its employees was a contributing factor.

A major effort was concentrated on working with two nationally known experts on gender bias in the courts, who prepared an evaluation of the six years of effort of the Task Force, which was the first in the nation. The evaluation, released in May, noted that the Task Force's greatest accomplishment, and one of "great enduring significance," has been in "creating a climate within the court system in which the nature and consequences of judicial gender bias are both acknowledged to exist and understood to be unacceptable.... Although gender bias has not been eliminated from the New Jersey Courts," the report concluded, "it has been greatly reduced...and the possibility now exists for even greater progress."

The evaluation report also observed that the Task Force can rightly claim to have "played a pivotal role in American Judicial reform...and inspired a nationwide gender bias task force movement." In May, the Chair and staff participated in a National Conference on Gender Bias sponsored by the National Center for State Courts and the National Association of Women Judges. Justice Alan B. Handler gave the keynote speech for this gathering of the chairs and staff of most of the 27 states which now have gender bias task forces.



