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**TO: ASSIGNMENT JUDGES
CRIMINAL PRESIDING JUDGES**

FROM: GLENN A. GRANT, J.A.D. *GAG by SB*

SUBJ: CRIMINAL – REVISED SUPPLEMENTAL PLEA FORM FOR DRUG OFFENSES

DATE: MAY 11, 2020

**Second Supplement
to Directive # 01-18**
[SUPERSEDES ATTACHMENT 6
OF DIRECTIVE # 01-18]

Directive #01-18 promulgated a Main Plea Form as well as various supplemental plea forms and additional questions. A superseding version of the Main Plea Form (Attachment 1 to the Directive) was promulgated by a December 31, 2019 Supplement to Directive #01-18. This Second Supplement to Directive #01-18 promulgates a superseding version of the Supplemental Plea Form for Drug Offenses (Attachment 6 to the Directive).

The attached revised Supplemental Plea Form for Drug Offenses, which supersedes the prior version and should be used as soon as practicable, is necessitated by the repeal of N.J.S.A. 2C:35-16 ("Forfeiture or Postponement of Driving Privileges") by L. 2019, c. 276. The specific amendment to the form was to remove Question 2a that required forfeiture of the defendant's driver's license, along with certain stylistic revisions.

There are no changes to the other attachments to Directive #01-18 other than as set forth in the December 31, 2019 Supplement to the Directive and this Second Supplement to the Directive. Thus, Attachments 2 through 5 and 7 through 13 to the Directive remain in effect as issued.

The English version of the revised Supplemental Plea Form for Drug Offenses is attached. It will be posted at <https://www.njcourts.gov/selfhelp/catalog.html>, as will the English-Spanish, English-Haitian, English-Polish, English-Korean, and English-Portuguese versions.

Questions or comments regarding this Second Supplement to Directive #01-18 may be directed to Assistant Director Sue Callaghan at (609) 815-2900, Ext. 55300.

Attachment (Revised Supplemental Plea Form for Drug Offenses (English version))

**cc: Chief Justice Stuart Rabner
Attorney General Gurbir S. Grewal
Public Defender Joseph E. Krakora
Criminal Division Judges
Veronica Allende, Director, Div. of Crim. Justice
County Prosecutors**

**Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Special Assistants to the Admin. Director
Trial Court Administrators
Criminal Division Managers and Assistants
Maria Pogue, Chief, Criminal Practice**

Attachment
Revised Supplemental Plea Form for Drug Offenses
(Replaces Attachment 6 to Directive #01-18)
English Version

**[The English-Spanish, English-Haitian, English-Polish,
English-Korean, & English-Portuguese versions
will be posted along with the English version
in the Judiciary's on-line Forms Catalog.]**

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, active credit card number or military status.



**New Jersey Judiciary
Supplemental Plea Form for Drug Offenses**

The following additional questions need to be answered only if you are pleading guilty to an offense under N.J.S.A. 2C:35-1 *et seq.* or N.J.S.A. 2C:36-1 *et seq.*

1. Have you and the Prosecutor entered into any agreement to provide for a lesser sentence or period of parole ineligibility than would otherwise be required? (If yes, be sure to include in questions 12 and 13 on the Main Plea Form). ☐ Yes ☐ No
2. Do you understand that if you plead guilty:
 - a. You will be required to pay a forensic laboratory fee of \$50 for each Chapter 35 offense for which you plead guilty? ☐ Yes ☐ No
 - b. You will be required to pay a mandatory drug enforcement and demand reduction (D.E.D.R.) penalty as listed below for each offense for which you plead guilty? ☐ Yes ☐ No

The mandatory penalties are as follows:

- (1) \$3,000 in the case of a 1st degree crime
- (2) \$2,000 in the case of a 2nd degree crime
- (3) \$1,000 in the case of a 3rd degree crime
- (4) \$ 750 in the case of a 4th degree crime
- (5) \$ 500 in the case of a disorderly persons or petty disorderly persons offense

TOTAL D.E.D.R. Penalty \$ _____

Date: _____ Defendant:s/_____

Defense Attorney: s/_____

Prosecutor: s/_____