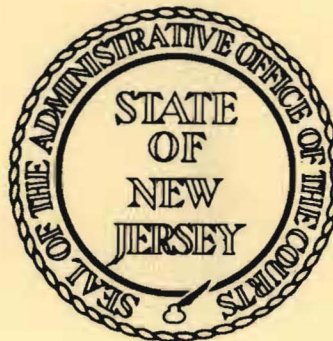


**MANUAL FOR CLERKS
OF THE
COUNTY DISTRICT COURT**



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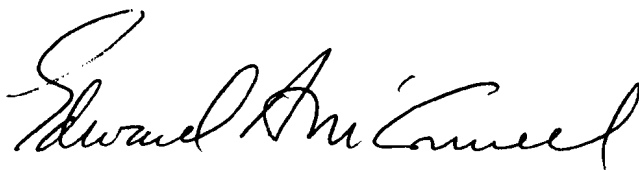
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FEBRUARY, 1973

FOREWORD

This manual was initially drafted by Harry J. Murray, a summer associate of this office. A preliminary draft was reviewed by a committee of county district court clerks comprised of Dolores Bakun (Mercer), Howard Theckston (Camden), David McGraw (Essex), Stanley Dietz (Morris), and Martin DiQuattro (Union).

In its revised form, the manual is intended for use as a handy desk reference by county district court clerks. Comments and suggestions are welcome and should be forwarded to this office for use in subsequent revisions of this manual.

A handwritten signature in cursive script, appearing to read "Howard Theckston".

Administrative Director of the Courts

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I. Structure and Personnel

A. Creation of the Courts

Under Article VI, §1, ¶1 of the Constitution of 1947, the Legislature created county district courts as courts of limited jurisdiction. Since their inception, the county district courts have been modified in size, administration, jurisdiction and procedure through statutory amendments and the application of the Supreme Court's administrative powers.

While each county has a county district court, not all counties have separate judges for that court. In counties which are not authorized to have county district court judgeships, (Burlington, Cape May, Cumberland, Gloucester, Hunterdon, Morris, Ocean, Salem, Somerset, Sussex, Warren) court is held by county court judges.

B. Judges

All judges of the county district court are required to devote their full time to judicial duties. They are appointed by the Governor with the consent of the Senate for a term of five years. At the time of appointment, the nominee must have been a member of the bar of New Jersey for at least 10 years. Once appointed, the judge's salary is fixed by statute and is uniform throughout the entire state.

Tenure is granted when a judge is in his third term and has served for at least 10 years, and it continues during his good

behavior. Retirement at age 70 is mandatory. N.J.S.A. 2A:4-7.4.

Where there is more than one judge in the county district court, the appointments by the Governor are required to be divided as nearly as possible between the two major political parties. In multi-judge counties, the Chief Justice designates one judge to be the presiding, or administrative, judge of the court. In counties where County Court judges sit in the district court, the Chief Justice assigns one of them to sit as presiding judge.

Before the beginning of each court term (which usually commences just after Labor Day), the Chief Justice issues an order for judicial assignments. Specific assignments are made to individual judges, and in addition there are cross-assignments of all levels of trial judges. Therefore, a county district court judge may hear matters in the Juvenile and Domestic Relations Court, the County Court, and the Superior Court (N.J.S.A. 2A:4-7.1). All the judges of those courts may likewise hear matters in the county district courts. (N.J.S.A. 2A:4-7.1, N.J.S.A. 2A:6-11).

C. Clerk

1. Appointment, Salary, Pension

The administrative head of each county district court (judge or presiding judge) appoints all personnel, including the clerk (except in counties where the county clerk is clerk of the county district court), any deputy clerks or clerical assistants, and at least one sergeant-at-arms. Freeholder approval is needed for appointment of any deputy clerks and clerical assistants, if the judge certifies that the volume of court business necessitates their appointment. All such appointments must be made in accordance with the state Civil Service law and must be made from certified lists if the Civil Service Commission has held examinations.

for promotion.

Even though paid by the county, county district court officers and employees are a part of the state judicial system and subject to state Civil Service regulations, with their salaries and pensions set in accordance with State Civil Service regulations and P.E.R.S. (Public Employees Retirement System) legislation.

Before assuming office, the clerk (including deputy clerks) must take an official oath, usually administered by the judge of the county district court (oath of office - N.J.S.A. 41:1-3, oath of allegiance - N.J.S.A. 41:1-1), and enter into a bond to the State of New Jersey and the county where the court is located (N.J.S.A. 2A:6-19). The amount of the bond is fixed by the judge of the court within the statutory limits (\$3,000 to \$30,000), and the judge must approve its sufficiency. The original of the bond is filed with the Secretary of State and a copy with the clerk of the Board of Freeholders of the county. The form of the clerk's oath and bond can be found in the Appendix.

The clerk is the chief ministerial officer of the court, with supervisory power over all other employees (R. 1:34-2). Where there is no specially appointed clerk of the county district court, the county clerks are the chief ministerial officers of the court, with the same powers and duties as a specially appointed clerk.

The clerk is authorized to administer oaths to witnesses, jurors and court officers in charge of jurors. He issues all summons, warrants, and writs of the court except for subpoenas, which may be issued either by the clerk or by an attorney or party in the name of the clerk.

The clerk receives all fees and other moneys paid into the court and makes the disbursements authorized by law.

All books, papers, records, seal, and property of the court are in the clerk's custody (N.J.S.A. 2A:6-20). All papers in pending actions must be filed in the clerk's office (R. 6:12-2), except where the rules or an order of the presiding judge provide otherwise.

At the direction of the judge, the clerk fixes the date for the trial of each action (R. 1:33-4(4)) and notifies the parties or attorneys of the dates (R. 6:5-2).

On trial days the clerk or a deputy, in the presence of the judge, calls the list of contested actions set for trial, and the landlord-tenant and small claims actions returnable on that day. He also calls listed motions and other matters set to come before the court. He attends the sessions of the court and enters the disposition of all matters in his minutes on the jacket and on the file folders.

The clerk is required to keep accurate accounts, and make prompt bank deposits and disbursements, as prescribed by the Administrative Office of the Courts.

The clerk arranges for the procurement of all stationery and supplies. Orders and vouchers must be signed by the judge.

Whenever a bond with sureties is required to be posted, the court may by order in lieu of that, accept a cash deposit for a sum that it fixes. Such deposits are paid to the clerk, for deposit in the proper bank account, subject to the court's order.

All requests for information should be addressed to the clerk or supervising clerk at his office. Requests for information

or for the return of papers should be accompanied by a stamped and self-addressed envelope.

Under R. 6:12-2 the clerk must submit to the Administrative Office of the Courts such reports as are requested.

D. Supporting Personnel

1. Deputy Clerks

Deputy clerks are appointed by the judge or presiding judge, subject to Civil Service regulations. The freeholders of the county approve, after the judge has certified to them that the business of the court requires such appointments.

Deputy clerks are required to perform all those duties assigned to them by the clerk. During the clerk's absence or disability, the deputy may sign the clerk's name to and issue any writs or documents out of the court.

2. Constables

Constables, who are appointed by the governing bodies of municipalities, may be designated by the judge as ministerial officers of the county district court. In general, they are without salary or civil service status. Constables so designated have powers to serve and execute the process of the county district court.

3. Sergeants-at-arms

The sergeants-at-arms of a county district court are appointed by the judge and perform the duties that a sheriff and his staff perform for the upper courts. Sergeants-at-arms are "invested with and possess all the rights, privileges, powers, and

duties of a constable." N.J.S.A. 2A:6-25, N.J.S.A. 2A:18-5, R. 6:2-3(a). They serve summonses, execute warrants and writs of replevin, levy attachments and executions, make arrests arising out of civil actions, and execute all other writs and orders of the court.

It is the function of sergeants-at-arms to attend the open public sessions of the court and to perform the usual duties of court attendants: keep order in the court; arrest any persons for contempt when ordered by the judge; direct parties, witnesses, and attorneys when requested; assist with the physical arrangements of the courtroom; and be generally helpful. They also perform such other duties as the judge, or the clerk with the judge's approval, may direct. N.J.S.A. 2A:6-25.

Sergeants-at-arms are required to file a bond approved by the appointing judge (the county paying the premium) with the office of the clerk of the board of freeholders of the county. Another bond must be filed with the clerk of the county district court in such amount and form as prescribed by the Administrative Office of the Courts (R. 6:12-3(a), N.J.S.A. 2A:6-25; see Appendix for form).

While attending sessions of the court, sergeants-at-arms wear uniforms and badges as prescribed by the judge.

The authority of sergeants-at-arms generally extends only within the county, except in certain instances, discussed in Section E. Jurisdiction, on page 11.

In addition to the salaries which sergeants-at-arms receive for their in-court work, they are entitled to receive the statutory fees for serving process and executing writs.

4. Liability of Court Officers

There are statutory and court disciplinary rule provisions for court officers for delay, neglect, or failure in serving, executing, or returning any process, writs, or replevined goods, or for

accepting any fee or reward for drawing any paper in connection with any action in his court.

Misbehavior of any officer of the court in his official transactions, or disobedience to any lawful writ, process, judgment, order, or command of the court constitute contempts of court. N.J.S.A. 2A:10-1, 6. An officer may be held liable for seizing any person or property which he is not authorized to seize by process of the court, or for taking property under an attachment to execution if the property is not that of the defendant.

However, any action taken by the sergeant-at-arms pursuant to an apparently valid order of the court is sufficiently justified and incurs no liability, even though the action may be erroneous.

He must account for and promptly pay over all money collected by him on an execution or otherwise in his official capacity. He must account for cash and not give credit. He must also take good care of all property in his control under the court's process.

5. Compensation

The salaries of all personnel of the county district court (except judges and constables) are fixed by the board of chosen freeholders of the county and may be adjusted by the freeholders upon the recommendation of the judge. N.J.S.A. 2A:6-27.

All salaries are subject to the Civil Service statutes, as are promotions, dismissals, suspensions, demotions, and reductions in pay.

6. Prohibitions on Outside Work and Political Activity

Clerks and other court employees are both administrators and officers of the court. To avoid the possibility of a conflict

of interest or the use of improper procedures while acting in either capacity and to establish uniformity in this area of the judiciary, certain policies with regard to such personnel have been established.

a. Attorneys serving as clerks

An attorney may not practice law in any court while serving as a judge or clerk or while in the employ of, or while regularly assigned to a court, judge, or court clerk.

b. Political activity

Except for county clerks and surrogates, R. 1:17-1 places limitations on political activity on all court employees. The limitations imposed on court employees by the rule are the same as those imposed upon a judge. Persons covered by the rule may be neither officers nor members of political clubs. They may not attend or participate in political or quasi-political functions, meetings, or dinners (including testimonials in honor of persons who are politically active). The rule also precludes contributions to political parties. The ban on contributions extends to members of the employee's immediate family where he is the actual source of the funds.

c. Supplementary Employment

Since a clerk serves the court full time, secondary employment must be limited. A court employee or person assigned to serve the courts may not utilize his position, either during or after court hours, to provide special services for private employers. For example, personnel may not search for or extract court records relating to judgments, liens, etc. for credit bureaus or other private agencies. Even though these are matters of public

record and available to anyone, it is nonetheless so difficult to make certain that the information is not obtained during working hours that it is necessary to prohibit doing it at all.

It is improper for a court employee or person assigned to serve the courts to be employed in any capacity by an attorney. For example, a court attendant may not serve papers for an attorney after hours.

Further, court employees or persons assigned to the courts may not engage in private investigative work after court hours. Whether the investigations are connected with matters within the jurisdiction of the particular judge or court is irrelevant.

Should additional employment be desired, individuals may apply to the Assignment Judge for the county for permission. Approvals must be filed with the Administrative Office of the Courts, indicating the court position of the employee and the hours or time required, as well as the nature of the employment which has been approved. Requests for permission to hold any public office position or employment, with or without compensation, must be submitted to the Supreme Court, through the Administrative Director of the Courts.

d. Gifts and gratuities

Court clerks may not accept gifts or gratuities from attorneys practicing in the courts or from other persons using the records of court such as title searchers. Such officers and employees are prohibited from soliciting contributions from attorneys or from other persons dealing with the courts, for the purpose of financing office or association parties and the like.

e. Fees for solemnizing marriages

Court clerks and other court employees may not accept a fee or gratuity in connection with a marriage ceremony performed by a judge.

f. Judges' families not eligible

The spouse, members of the immediate family and close relatives of a judge may not be employed by or assigned to serve the courts, except for law secretaries appointed to serve for one year in accordance with Supreme Court policy.

g. Supervision

All court clerks serving the trial courts in the county are under the supervision of the Assignment Judge of that county. Any of the court clerk personnel assigned to the courts are under the full control of the courts. They may not be assigned to any other duties without the Assignment Judge's prior approval.

In addition, the number of persons employed by or assigned to the courts at the county level, whether on a permanent or temporary basis, may not be increased or decreased without the prior prior approval of the Assignment Judge. Persons assigned to work for the courts must be assigned for a period of one year or such other substantial period of time as the Assignment Judge decides.

The clerk of the court is responsible also to the judge or the presiding judge of that court. Deputy clerks in the county district courts are responsible to the clerk of their respective courts.

h. Vacations

By R. 1:30-5(b), vacations of persons in the judicial

branch are to be scheduled, as far as is practical, during the times when the courts are in recess or when they will least inconvenience the work of the courts. Supporting personnel of the courts are not, however, entitled to be on vacation merely because the court is in recess or a judge is on vacation. The vacations of all persons assigned to or working for a judge are subject to the approval of that judge and the Assignment Judge, who establishes vacation schedules for court personnel. These schedules must be consistent with vacations authorized for county employees generally.

E. Jurisdiction

Territorial limits of the county district court are defined by the boundary lines of the county in which the court is located. The sole exception involves litigation with more than one defendant. In that case, out-of-county defendants may be served where at least one defendant is within the county hearing the matter. N.J.S.A. 2A:6-33.

The monetary limits of actions brought in contract or tort action are \$3,000 except for those matters transferred from the Superior or County Courts. N.J.S.A. 2A:6-34. A party may have a claim for more, but he can sue only up to the jurisdictional limits (plus any interest earned after judgment and, in some instances, costs). If the party institutes suit in the District Court, he is barred from suing for the excess amount in any court. N.J.S.A. 2A:6-35.

Where several parties individually have claims for \$3,000 or less, the actions must be accepted for filing by the county district court clerk, even though the total amount may exceed \$3,000. In replevin actions the value of the goods is controlling. If the

value is less than \$3,000, the court has jurisdiction regardless of how much the creditor is owed.

Actions to enforce recovery of statutory penalties and suits on a bond for a penal sum are within county district court jurisdiction. Once again, the \$3,000 limit applies to these actions.

Landlord-tenant dispossession actions and actions for forcible entry and detainer are within the county district court's jurisdiction. However, county district courts can try title to land only where the title is an issue in a case in which the county district court already has jurisdiction.

County district courts are authorized to enter declaratory judgments and have concurrent jurisdiction with the municipal courts, subject to court rules.

The county district courts also have small claims division (except for Union and Warren counties), in which the monetary limit for jurisdiction is \$200. An exception is made for security deposits in landlord-tenant disputes, where the limit is \$500.

N.J.S.A. 2A:6-44.

II. Procedures

A. Record-Keeping

The New Jersey Court Rules require that court clerks keep books and records prescribed by the Administrative Director of the Courts with the approval of the Chief Justice of the Supreme Court (Rule 1:32-2). In prescribing record-keeping procedures for the courts, the Administrative Director seeks to avoid unnecessary duplication of records and to achieve as much uniformity as possible among the various counties.

Clerks may continue to keep any working papers they consider

essential for efficient operation but must get permission from the Administrative Director if they wish to discontinue keeping any records formerly specified by the Rules of Court.

If compliance with the rules or Administrative Office directives would be unusually inconvenient or costly for a particular county, the clerk of the county district court may ask the Administrative Director for special permission to follow a different procedure from the one prescribed, giving reasons for the request.

A reasonable length of time is usually allowed for adapting to new requirements.

1. Dockets

For uniformity, dockets maintained by the clerk shall be as similar as possible to the following:

- a. 10 X 14 inches in size, of durable canvas or buckram binding, with pre-numbered pages, either bound or loose-leaf with a permanent binder. The loose-leaf method is recommended.
- b. Volumes should be marked to distinguish civil actions, small claims actions, and landlord and tenant cases.
- c. The clerk must maintain either (1) an index in each volume, alphabetically listing the names of all defendants, with the name of the first plaintiff opposite each indexed name, and the case number (i.e., the docket number) in a column between the defendant's and plaintiff's names, or, (2) a general index to defendant's names, with the name of the first plaintiff and docket number opposite each indexed defendant's name.

There should also be a general alphabetical card index by names of plaintiffs. Risk of losing cards can be reduced by using

rods through the cards in index drawers.

No information besides the names of parties and docket numbers of cases has to be kept on the index cards. The clerk may include additional information on the cards if it results in greater efficiency.

2. Docket (Case) Numbers

All regular cases should be numbered commencing with the start of the new court term in September each year preceded by the last two digits of the court year then beginning, e.g., 72-1, 72-2, etc. "SC" should continue to precede the number of a small claims case and "T" should continue to precede the number of a landlord and tenant case, e.g., SC-72-1, 72-2; T-72-1, T-72-2.

If clerks want to avoid confusion between their cases and those of other counties, they may prefix the case number with a number or letter code for their county. Clerks may also follow the prescribed number by a docket book number if this will make it easier to find a case.

3. Docket Entries

A sample format for a regular civil action docket can be found in the Appendix on page 41. A similar model may be followed for recording small claims and landlord and tenant cases. All items should fit on a single large page. The exact format suggested here need not be adopted by each county as long as the essential information is entered for all cases. Preprinted pages should be used, with captions, for as many items as possible. Routine entries may be made by stamp. Entries regarding the manner of return of the summons and complaint need not be made, but a paper detailing this information should be in the file. All that the dockets have to show is the date of return.

4. Case File Folders

a. Papers filed in each action shall be kept in a prenumbered (docket numbered) filed folder for convenient handling in the clerk's office and courtroom. Flat filing should be used whenever possible.

b. File folders of different colors are to be used for regular civil, small claims, and landlord and tenant cases.

c. The face of the file folders must include the name of the court, the case number, and an outline for entering the title of the case on it (including the full names of the attorneys for both parties, the amount of money claimed, the dates of issuance of process and service of summons, the return date (if any), and the trial date).

d. Court minutes are kept on the file folder of each case. Docket entries shall be made from these minutes. Rough minutes can be taken on a work sheet that is kept in the file folder.

5. Filed materials

Information which appears in the docket book or on papers inside the file folder may be eliminated from the face of the jacket. The criteria for what must be kept on the file folder should be its usefulness to judges and clerks.

When files are borrowed by the judge, all papers should be kept with the file and returned to the clerk intact. Papers received by a judge should be promptly forwarded to the clerk for filing.

Pleadings and other papers filed with the county district court must be on letter size (approximately 8 1/2 x 11 inches) paper of standard weight and quality (R. 1:4-9). By R. 1:5-6(c), however, "[t]he clerk shall file all papers presented to him for filing and may notify the person filing if such papers do not conform to these rules." Thus, the clerk may not refuse to file a

paper because he feels it does not comply with the prescribed format, but he should notify the filing party that his papers do not conform to the rules so that future filings may comply.

B. Pre-trial Procedures

As complaints are received, they are dated and filed, with an original of the complaint for the court and one copy for each defendant.

The clerk classifies the complaint and summons by stating the nature of the action in the caption (e.g., contract, tort, landlord-tenant, etc.). He also endorses on each summons or warrant the sum claimed in the complaint, with costs.

The plaintiff or his attorney should supply the addresses for all defendants to be served. Constables or sergeant-at-arms perform the service. In matters where there is to be substituted service (R. 4:4-4(e)), R. 6:2-3 now provides that all mailed process is to be handled by the court rather than the plaintiff's attorney. The presiding judge may designate an individual to handle this or the clerk may assign a sergeant-at-arms to keep the necessary records.

Defendants have twenty days to answer. In small claims and landlord-tenant actions, there is no answer, discovery, etc. Instead, the complaint and summons in those cases includes the return date.

a. Fees - Waiver

Rule 1:13-2 provides for the waiver of fees for indigents. This waiver applies to all court fees and to the charges of public officers for service of process, and to bail bond filings and their discharges.

The Fort Dix and Fort Monmouth Legal Assistance

Pilot Programs are considered legal aid programs, and their clients qualify for such waiver without court order, as do clients of the Office of Economic Opportunity Legal Services, the Office of the Public Defender, Legal Aid Societies, and assigned counsel.

b. Spanish Language Notice of Availability of Legal Services

Because of reports that many Spanish-speaking persons have not been aware of the availability of legal services for their defense in County District Court actions, it has been suggested to the clerks of the county district courts that a stamp be prepared similar to the one now in use in English for the availability of legal services, and that both be used in the future on every summons issued by the county district court.

The stamp should read:

SI UD. NO PUEDE PAGAR UN ABOGADO AYUDA
LEGAL GRATIS ESTA A SU ORDEN. LIAME
SERVICIOS LEGALES (OEO): [Insert tele-
phone number of the local OEO Legal
Services Office].

This is an exact translation of the English-language stamp in use.

c. Calendaring

Because of lack of uniformity of workload, counties vary in method.

Essex County, for example, because of its high volume, publishes its schedule in the New Jersey Law Journal, while some counties use weekly or monthly calls.

Once pre-trial preparations and a pre-trial conference, if any, have been completed, the case is ready to be tried.

a. Military Lists

Actions are placed on the Military List when it appears by affidavit or other competent proof that a party in any action pending on the trial calendar of any county district court is in military service and the court feels that his ability to prosecute or defend the action is materially affected and he could not conveniently attend court.

The affidavit or proof must show where the party is stationed and for how long and establish that he cannot conveniently attend trial.

Every six months the action is automatically returned to the active trial calendar unless further affidavits or proof show that the party is still materially affected kept from litigating by military service.

b. Death of Attorney of Record

When the attorney of record in a presiding case dies, rather than insisting that a substitution of attorney be filed by the executor or administrator of the deceased attorney before the appearance of another attorney as attorney of record is recognized, the proper action is for the new attorney merely to file his appearance indicating that the attorney of record has died and that he is the new attorney of record. (Administrative Office of the Courts - Bulletin #4-68).

D. Post-Trial

1. Entry of judgment by default

The county district court clerk, under R. 6:6-2, must enter a default automatically when the defendant has failed to appear or plead or otherwise defend, or to appear at the time set for trial, or if his answer is ordered stricken on order of the court. No formal written request is required of the county district court

clerk, since R. 4:43-1 is not applicable to that court. However, when a defense has been suppressed, the default should not be entered without court order.

By R. 6:6-3, the clerk enters defaults for money judgments in accordance with R. 4:43-2(a). By R. 6:6-3(b), the clerk may also enter default judgment on affidavit for possession in summary actions between landlord and tenant (except where the defendant is an infant or incompetent).

By R. 1:5-7, an affidavit of non-military service must be filed for every defendant, male or female, before a default judgment may be entered. It may be included as part of the affidavit of proof.

The requirement that defaults not be entered automatically if there is any question that the defendant is in military service is a matter of both federal law (50 USCA 50) and State statute (N.J.S.A. 38:23A-38).

2. Enforcement of Judgment

The clerk must be prepared to assist successful plaintiffs with the various means of enforcing judgments, and the procedures to be followed with each.

Requests for issuance of writs of execution are to be made in writing to the clerk. Requests for writs other than wage executions must include a statement of the amount due. R. 6:7-1.

Wage executions are governed by R. 4:59-1(c) and R. 6:7-3. The procedure of the Superior Court is followed except that where a defendant objects to the entry of a wage execution order in the county district court, he must notify the clerk and the plaintiff in writing within 10 days after being served concerning his objections

3. Forwarding of Writs

The Supreme Court's committee on county district courts has recommended that each county utilize the following procedure in forwarding writs for execution in another county.

a. The clerk of the court issuing the writ may designate the officer to whom the writ is to be directed. The clerk then forwards the writ to the clerk of the court of the county where the writ is to be executed.

b. The receiving clerk enters the writ in a record book which must contain the date received, the name of the court forwarding the writ, the docket number of the case, and the name of the officer to whom the writ is issued.

4. Transcripts

a. For appeals

Under R. 2:6-12, transcripts are now to be filed directly with the Appellate Division by the parties. Should a copy of the transcript be filed in the county district court prior to the filing of a notice of appeal, the appellant must request that the clerk transmit the transcript to the Appellate Division. The preparation and content of transcripts are covered under R. 2:5-3.

b. For Indigents in Civil Matters

No order for transcripts or other order calling for an expenditure of funds by the State or by the county should be entered without notice having first been given to the State (State Treasurer and the Attorney General) or the county (County Treasurer, County Counsel, and the Assignment Judge), as the case may be. If they consider there is any question as to the State or county's liability to pay for the transcripts or other items, they can

contest the propriety of the order. If the funds involved are those of the Judiciary, the Administrative Office of the Courts should also be notified.

6. Interest Rates on Judgments

The present rate of interest on judgments remains at 6%, despite the higher rates of interest permitted by N.J.S.A. 31:1-1. Administrative regulations have been promulgated accordingly.

Rule 4:42-11(b), which provides for interest on tort and products liability judgments, computed from the date of the filing of the action or 6 months after the date of the tort (whichever is later), is applicable to the county district courts by virtue of R. 6:6-1.

E. Pro se Parties

Any citizen is entitled by law to proceed in any court of the land. In most instances, of course, legal complexities tend to require the use of an attorney. Thus, parties are most likely to appear pro se in the small claims divisions.

The county district court clerk's role here is a most important one. While he, as always, must observe the prohibition against giving legal advice or making legal determinations or interpretations, he should assist parties without lawyers in the successful use of the small claims division. He should strive to be as helpful as possible.

The small claims division may use regular county district court forms for complaint, subpoena, executions, etc., or there may be special forms for these procedures for use in small claims matters. In county district courts without regular small claims forms, some

clerks refer plaintiffs to local legal stationery stores to buy commercial forms. For persons who may be unable to afford purchasing commercial forms, clerks should tell plaintiffs that they may draw up their own forms, and should, if necessary, provide assistance in drawing up such forms. In any event, sample small claims forms should be available.

The clerk collects from the small claims plaintiff the filing fee of \$2.70 plus the mileage fee for the constable. If the plaintiff is a client of Office of Economic Opportunity Legal Services, all fees are waived (R. 1:13-2). The plaintiff need not write a letter to the judge to have the fee waived if the legal services attorney calls the clerk to verify the representation.

For plaintiffs who have won judgments but are having problems collecting from the defendant, the clerk should assist with obtaining executions. He should question the plaintiff about the defendant's job, car, or bank account, in order to best collect the judgment. The clerk issues the writ of execution, if necessary, to the constable, upon payment of the execution fee of \$2.50, plus constable's mileage.

III. Administration

A. Keeping of Accounts

1. Accounts of Officers for Writs of Execution

All officers executing writs out of any county district court are subject to audit of their fiscal records, which must be kept according to court rules (R. 6:12-3). The records which must be kept for the purpose of audit are check book, bank deposit record, cash book, ledger, writ register and receipt book. They must be suitably bound, neat, legible, and typed or in ink.

a. Trust Account

All funds collected must be deposited at least weekly in a trust checking account of a bank authorized to do business in New Jersey. Only official collections may be deposited to the account, and they must not be mixed with personal funds. Deposits must be made in the exact amount of the collections. Official collections, except fees earned, must be paid over by check to judgment creditors or their attorneys at least monthly.

b. Check Book

The check book used must have pre-numbered checks and stubs and be kept so that it can be reconciled monthly with the bank statement.

c. Cash Book

The cash book is the book of original entry, and must be kept in accordance with generally accepted accounting procedures. It must have pre-numbered pages and contain every item of receipts and disbursements. The items collected must be reconciled with the deposits shown in the bank statement at least monthly.

d. Ledger

The ledger must contain an account for each case in which moneys are collected. Each amount must show the name of the judgment debtor, title of case and court, docket number, the name and address of the garnishee, if any, as well as the name and address of the attorney or person to whom remittances are to be made. The ledger account must show the total due to the judgment creditor, the fees the officer is entitled to, and the total amount due from the debtor. All credits must be shown in detail and posted from the cash book. The account must be kept in such a manner that all

details appear without the necessity of oral explanation. Ledger accounts must be kept alphabetically or numerically, and indexed.

e. Receipt Book

The officer must maintain a receipt book with original and duplicate pre-numbered receipts. Receipts must indicate from whom the money was received, the title of the case and docket number. The amount received must be written in words as well as in figures, and each receipt must show the balance remaining due in figures. Where payment is received by money order, the receipt must indicate the serial number.

f. Writ Register

The officer must keep a record to be known as a "Writ Register" in which he records, in the order received by him, every writ of execution issued to him by any court. The record must show the following: title of case and docket number, court, nature of writ, date writ issued, date received, amount to be collected, return date of writ, date actually returned, and remarks.

g. Audit

An audit of any officer executing writs must be made semiannually, at the expense of the officer, by a certified public accountant or registered municipal accountant approved by the judge or presiding judge. The audit shall be conducted and reported as the Administrative Director of the Courts may prescribe. The practice has been to perform the audits on April 1 and October 1, and to report on them within two weeks thereafter. The auditor may inquire into all writs held by the officer for execution, whether issued out of the county district court of the county, or of another county, or out of the municipal court, may communicate

directly with judgment debtors to verify payments of balances on such writs, and shall have access to the books and records of the clerk of the district court to the extent required for the audit.

2. Clerk's Accounts

The clerk must keep an accurate account of all fees, costs and moneys received, as well as all disbursements. He is to give a monthly statement to the county treasurer or board of freeholders, totalling all receipts and disbursements and paying over to the treasurer the balance remaining in his hands, except for deposits he holds under the direction by the court. Receipts are to be deposited daily, or as soon as practical, in a state-authorized bank. Disbursements must be made only by checks drawn on that bank.

The following accounting records must be maintained: dockets, case files, check books, cash receipts and disbursements books, and semi-monthly analyses of constables' fees.

a. The docket contains financial data substantiating book-keeping entries. Entries must be made in the docket of all fees and deposits, indicating the amount and date received in each instance.

b. Case files are used to contain all papers pertaining to each action and to serve as a basis for all deposits and recording. Notations must be made there for deposits.

c. The check book provides an up-to-date record of cash in the bank. Each day's balance is carried forward to the succeeding day.

d. A cash receipts and disbursements book with pre-numbered pages must be used as a chronological record and analysis of receipts and disbursements. One line shall be devoted to each

item paid out. Receipts are entered on the left side of page and disbursements on the right side. A loose-leaf book may be used for such purpose.

e. Work sheets with separate columns for each officer must be prepared for the purpose of ascertaining the amounts standing to the credit of each officer. Entries in the "Due Constable" column of the cash receipts book are posted to the proper column of the work sheet. Individual columns are totalled on the 15th and last day of each month. Officers are paid their statutory fees semi-monthly.

3. Accounting Procedures

A detailed explanation of the bookkeeping procedures for the various types of financial transactions in the clerk's office follows:

a. Receipts

Upon receipt of the initial filing fee in any case, a file folder and docket page bearing identical numbers are assigned to the case. All subsequent fees and deposits pertaining to such case are identified with the original number, and entries are made on the docket page and notations of deposits are made on the folder.

Deposits and fees are recorded on the dockets by a notation covering the type of receipt, the amount of the deposit or fee, and the date. Indications (such as a small colored seal) shall be made on the jackets of jury demands.

Every receipt of cash (checks, currency, etc.) must be entered in the cash book.

Cash receipts book entries must be summarized daily by bringing down totals for all columns, the total credits being in agreement with the "Net Cash" total. A bank deposit shall be made of all receipts, the total of which must also conform with the "Net Cash" total.

At the end of each month daily totals for all columns are grouped on a recapitulation sheet, and a monthly grand total arrived at.

b. Monthly Analysis of Cash Balance

Paid checks, as returned by the bank, shall be compared with the individual items entered in the total "Net Cash" column of the cash disbursements. A listing of all outstanding checks is then prepared. Outstanding checks will be indicated as entries in the cash-disbursements side of the book for which paid checks have not been returned. The listing must show check numbers and amounts.

Daily "Net Cash" totals in the cash receipts of the book shall be compared with deposits as reflected by the monthly bank statements.

c. Monthly Listing of Open Escrow Balances

Upon disbursement of any money held in escrow, the corresponding entry in the "Escrow Funds" column of the cash receipts part of book should be circled and marked with the number of the pages of the cash disbursements part of the book on which the expenditure is recorded. At the same time, the entry in the cash disbursements part of book shall be marked to reflect the location of the corresponding entry in the cash receipts part of the book.

At the end of each month a tape listing shall be prepared of all unpaid escrow items consisting of all uncircled entries.

The total of this listing should be in agreement with the cash balance as of that same date.

The Administrative Director, with the approval of the Chief Justice, may relax or dispense with the requirements contained in the above procedures.

B. Facilities and Hours

The freeholders of each county are legally required to provide for and maintain the county district court. They must provide suitable quarters, furnishings and equipment for the court and a central place for storing permanent court records. Funds for salaries and other court expenses must be included in the annual county budget. N.J.S.A. 2A:6-31. The responsibility for the county district court budget rests with the assignment judge as chief administrative officer for the judiciary in each county. Budget requests by the clerk should be carefully worked out with the Assignment Judge, the Presiding Judge of the county district court, and the county's trial court administrator.

The county district court clerk's office is open to the public for transaction of business from at least 8:30 AM to 4:30 PM every weekday except legal holidays, or days when the state and county buildings are closed if the courts are in recess as required by R. 1:30-4. These hours should be observed whether or not they coincide with the normal working hours in the county; the hours of the clerk's office are determined by order of the Chief Justice. As specified in R. 6:12-2, all business of the court is conducted at the clerk's office unless otherwise ordered by the presiding judge.

If adequate facilities are not available at the principal location, the Administrative Director of the Courts may direct the clerk to terminate their use, and approve some other appropriate location, after giving a reasonable time for proper facilities to be provided. R. 1:31-2. Determinations of the adequacy of the county district court facilities may also be made by the Assignment Judge under his general administrative powers. R. 1:33-3.

C. Sound Recording

1. Recording of Proceedings in the County District Courts

Sound recording devices have been installed in the courtrooms of county district court judges. They are used to record all proceedings of the court and should be operated by personnel designated by the judge. The Administrative Office of the Courts prescribes the training of the operators.

When a county district court judge is assigned regularly to hear County Court matters, a court reporter will be assigned to the proceedings. Proceedings before a County Court judge hearing district court matters are recorded by the court reporter regularly assigned. Proceedings before a juvenile and domestic relations court judge hearing district court matters are recorded by the sound recording device assigned to his court.

Any questions concerning the recording of proceedings in the county district courts should be directed to the Assistant Administrative Director of the Courts.

2. Handling of Sound Recording Equipment

The clerk should be familiar with the manual on sound recording distributed by the Administrative Office of the Courts. Additional copies, in limited numbers, are available upon request.

3. Court Rooms

Clerks assigned to court rooms equipped with sound recorders approved by the Administrative Director must check the recorders each morning to be sure that they are operating properly, to see that adequate tape is available and that proper logs are kept.

4. Transcripts

When a transcript of sound recorded proceedings is ordered the clerk must be sure that the proper deposit is received, when required by R. 2:5-3(d), and he must make arrangements for the prompt typing of the transcript.

5. Use of Reporters in the County District Court

A party may, at his own expense, retain a certified shorthand reporter to make a record of proceedings in a county district court which is equipped with a sound recorder. While there is no necessity for counsel to incur this additional expense, he should be permitted to do so, although the sound recording will still be the official record of the court. In the event, however, that a transcript has already been prepared by the privately retained reporter at the time an appeal is taken, it may be utilized for appeal purposes so as to avoid the additional cost of having a second transcript made from the sound recording.

D. Reports to the Administrative Office of the Courts

The clerks of all courts are required by R. 1:32-1(c) to submit to the Administrative Director of the Courts such reports as he requests. It is important that the reports are checked for typographical and arithmetical errors, and that they are mailed to Trenton within the prescribed time limits.

1. Purpose

The information contained in the various reports is tallied and published by the Administrative Director of the Courts. Throughout the year the Chief Justice and the Administrative Director use the results of the statistical reports in the assignment of judges, budget requests, etc. Accordingly, it is imperative that clerks' reports to the administrative office be accurate.

2. Instructions for Preparation

Most report forms have complete instructions for their use printed on the reverse side. If there are questions with respect to the completion of such forms, direct them to the Statistical Unit of the Administrative Office of the Courts at (609)-292-4632.

The following records are to be submitted as indicated to the Administrative Office of the Courts (samples can be found in the Appendix):

1. Judges' Weekly Report
(Form ST-CDC-W-1-9/70)
2. County District Court Monthly Report
(Form No. ST-CDC-M-1-Rev. 9/69)
3. Report of Money Judgments Entered
(4 times per year)
4. Report of Trials Begun
(Form No. ST-T1-4, submitted for a particular month in the year for time interval study purposes)

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APPENDIX I JUDGE'S WEEKLY REPORT

JUDGES WEEKLY REPORT COUNTY DISTRICT COURT

FORM ST-CDC-W-1 - 9/70

NOTE: A separate report is required for each county for which the judge sits during the week.

Other report(s) submitted for this week (County and division):

Judge: _____

Sitting in (County) _____

Week Beginning: _____ 19__

TIME ON BENCH, INCL. PRETRIALS; TIME IN SET. CONF. (Show clock time)	TRIALS, APPLICATIONS AND MOTIONS HEARD IN OPEN COURT (Do <u>not</u> include scheduled matters not heard)	MOTIONS (Total)		SETTLED WITH AID OF COURT BEFORE TRIAL	TRIALS COMMENCED		OUTCOME OF TRIALS COMMENCED			
		CONTESTED	UNCONTESTED		JURY	NON-JURY	SETTLED DURING TRIAL	TRIED TO CONCLUSION	MISTRIAL	TRIAL CONTINUED
MONDAY										
TOT. BENCH HRS.										
TUESDAY										
TOT. BENCH HRS.										
WEDNESDAY										
TOT. BENCH HRS.										

MAILING INSTRUCTIONS: Original to the Administrative Office of the Courts **NOT LATER THAN MONDAY MORNING** of each week, before the opening of court. Reports should not be delayed merely for obtaining the signature of the judge. R. 1:32-1(a)... "each judge shall forward a copy of such weekly report to the Assignment Judge of each county in which he was sitting during the week covered by such report."

ST-CDC-W-1 - 9 '70

TIME ON BENCH, INCL. PRETRIALS; TIME IN SET. CONF. <small>(Show clock time)</small>	TRIALS, APPLICATIONS AND MOTIONS HEARD IN OPEN COURT <small>(Do <u>not</u> include scheduled matters not heard)</small>	MOTIONS (Total)		SETTLED WITH AID OF COURT BEFORE TRIAL	TRIALS COMMENCED		OUTCOME OF TRIALS COMMENCED			
		CONTESTED	UNCONTESTED		JURY	NON-JURY	SETTLED DURING TRIAL	TRIED TO CONCLUSION	MISTRIAL	TRIAL CONTINUED
THURSDAY										
TOT. BENCH HRS.										
FRIDAY										
TOT. BENCH HRS.										
TOTALS FOR THE WEEK (TOTALS OF 9 COLUMNS ON RIGHT)										

SUMMARY TOTALS FOR THE WEEK

1. Summary of Hours:

* (a) Total hours on bench (to nearest 1/4 hour) _____

(b) Total hours in settlement conferences (to nearest 1/4 hour) _____

(c) Total hours on bench and in settlement conferences (a) plus (b) above _____

2. Number of pretrial conferences held. (If a case was settled *during pretrial* include as "pretrial") _____

* "(a) Total hours on bench" includes _____ hours hearing traffic and criminal cases in concurrent jurisdiction with the municipal courts.

This space for use by Adm. Office of Courts only

CUMULATIVE REPORT OF ALL RESERVED MATTERS

(Include matters in which briefs or transcripts are yet to be filed)

IF THERE ARE NO RESERVED MATTERS, PLEASE STATE "NONE". A BLANK SPACE IS INSUFFICIENT.

NAME OF MATTER <small>(abbreviate)</small>	Case <small>(Check)</small>	Motion <small>(Check)</small>	NATURE OF MATTER	Date Presented or Last Heard	Date of Final Brief	Date Disposed of

Date Submitted: _____ X _____
(Signature of Judge) Do not delay report merely for Signature.

APPENDIX II COUNTY DISTRICT COURT MONTHLY REPORT

COUNTY DISTRICT COURT MONTHLY REPORT

Form No. ST-CDC-M-1
Rev. 9/69

County of _____ Month of _____ 19 _____

THE THREE COLUMNS NOTED() TO THE RIGHT DO NOT INCLUDE SMALL CLAIMS.	*AUTO NEG.	*OTHER TORT	*CON- TRACT	SMALL CLAIMS INCL. AUTO	TEN- ANCY	TOTAL
<u>I</u> COMPLAINTS <u>PENDING</u> AT BEGINNING OF MONTH						
<u>II</u> COMPLAINTS <u>ADDED</u> DURING THE MONTH:						
A. New Filings						
B. Transferred <u>from</u> other courts or other counties						
C. Restored from inactive list or by way of motion, etc.						
D. TOTAL ADDED (Total of <u>II</u> A,B,C above)						
<u>III</u> TOTAL OF PENDING AND ADDED COMPLAINTS (Item <u>I</u> plus <u>II</u> -D.)						
<u>IV</u> COMPLAINTS <u>DISPOSED</u> OF DURING THE MONTH:						
A. <u>BY TRIAL</u> :						
1. By <u>JURY</u> trials commenced (i.e. drawing of jury started)						
(a) Partially tried but disposed of during trial, e.g., by settlement, motion for judgment, etc.						
(b) Tried to completion (jury verdict rendered)						
2. By <u>NON-JURY</u> trial commenced (i.e., opening started, or, if waived, first witness sworn):						
(a) Partially tried but disposed of during trial by settlement, etc.						
(b) Tried to completion (i.e., issued submitted to judge for judgment)						
B. <u>WITHOUT TRIAL</u> :						
1. Judgment by default, R.6:6-3						
2. Settled, dismissed or discontinued <u>before trial commenced</u> :						
(a) By Court per R.1:13-7, Dismissal of Inactive Civil Case						
(b) Before trial date						
(c) On trial date						
3. Transferred <u>to</u> other courts or other counties						
4. Placed on inactive list						
C. TOTAL <u>DISPOSED</u> OF DURING THE MONTH						
<u>V</u> COMPLAINTS <u>PENDING AT END OF MONTH</u> (Item <u>III</u> minus <u>IV</u> -C) <u>BY AGE FROM DATE OF COMPLAINT</u> :						
A. <u>JURY</u>						
(1) Under 6 months						
(2) 6 to 12 months						
(3) 1+ to 1½ years						
(4) 1½+ to 2 years						
(5) Over 2 years						
(6) TOTAL ACTIVE <u>JURY</u> CASES						
B. <u>NON-JURY</u>						
(1) Under 6 months						
(2) 6 to 12 months						
(3) 1+ to 1½ years						
(4) 1½+ to 2 years						
(5) Over 2 years						
(6) TOTAL ACTIVE <u>NON-JURY</u> CASES						
C. TOTAL (Must equal Item <u>III</u> minus Item <u>IV</u> -C.)						

To be forwarded by the fourth day of the following month to:STATISTICS UNIT, ADMINISTRATIVE OFFICE OF THE COURTS,
STATE HOUSE ANNEX, TRENTON, N. J. 08625

Person Preparing Report:

TELEPHONE NUMBER:
Area Code Number Extension

MONTHLY COUNTY DISTRICT COURT REPORT
FORM ST-CDC-M-1, Rev. 9/69

NOTE: THE UNIT OF COUNT IS THE COMPLAINT. CONSOLIDATED CASES SHOULD BE REPORTED ACCORDING TO THE NUMBER OF COMPLAINTS.

- I. "COMPLAINTS PENDING AT BEGINNING OF MONTH" After September 1969 this figure should agree with the number pending at the end of the previous month unless, upon rechecking, an error is discovered, in which case the new figure should be noted "Recount."
- II. "CASES ADDED DURING THE MONTH":
 - A. "New filings". Complaints filed on newly instituted matters.
 - B. "Transferred from other courts or other counties". (In effect what occurs is that when a case is transferred from another jurisdiction it is added to the inventory of the District Court). Do not report in this item those cases transferred to another jurisdiction and then restored to the District Court within the same month, because this activity on a case balances itself out within the month and will not change the total number of cases.
 - C. "Restored from inactive list or by way of motion, etc." Report number of complaints that had been disposed of during a prior month and then restored during the month for which this report is made. If still pending at the end of the month it should be reported in Item V. as pending, the age to be computed from date of restoration.
 - D. "Total ADDED (Total of II, A, B and C above)".
- III. "TOTAL OF PENDING AND ADDED COMPLAINTS (Item I plus II-D)."
- IV. "COMPLAINTS DISPOSED OF DURING THE MONTH." (By the manner of disposition.) Where two or more complaints are consolidated for trial the disposition of each should be separately reported. The categories of dispositions are mutually exclusive; therefore, a complaint should be reported in only one category. A mistrial does not terminate a case and should not be reported as a disposition.
 - A. BY TRIAL:
 1. A jury case is reported as a trial commenced if the drawing of the jury is started even if only one juror is called.
 - (a) A jury case is reported partially tried if, after the drawing of the jury has started, it is disposed of by settlement, motion for judgment or in any other manner before a jury verdict is rendered.
 - (b) A jury case is reported as tried to completion if a jury verdict is rendered.Example: Two cases are consolidated. After the drawing of the jury has started one case is settled. (Report in IV-A.-1(a)). The other goes to verdict (Report in IV-A.-1(b)).
 2. A non-jury case is reported as a trial commenced if the opening to the court is started or, if the opening is waived, the first witness is sworn.
 - (a) A non-jury case is reported partially tried if, after trial has commenced, it is disposed of by settlement or any other way before the issues are submitted to the judge and he gives judgment or reserves decision thereon.
 - (b) A non-jury case is reported as tried to completion if after a full trial the issues are submitted to the judge and he gives judgment or reserves decision thereon.Note: Where liability is admitted and damages are assessed by a judge or jury, count the case as tried under 1. jury or 2. non-jury above as the case may be. Unlike infant or incompetent settlements, it should not be reported as settled.
 - B. WITHOUT TRIAL:
 1. "Judgment by default, R.6:6-3." Report all defaults and proofs by affidavit whether or not judgment is entered by the Clerk. These cases are counted as dispositions and should therefore not be included in cases pending at the end of month, Item V.
 2. "SETTLED DISMISSED or DISCONTINUED" before trial is commenced and settlements on behalf of infants or incompetents even though approved by the judge or jury in court. (With or without the aid of the court, whether in attorneys' offices, "on courthouse steps," in judge's chambers, in court, etc.) Separate entries should be made for the following mutually exclusive categories:
 - (a) "By Court per R.1:13-7, Dismissal of Inactive Case." Include in this item not only dismissals of the military list cases, R.1:13-6, but also complaints on which summonses have not been served and are noticed for dismissal but have not yet been dismissed.
 - (b) "Before trial date."
 - (c) "On trial date."
 3. "Transferred to other courts or other counties." Report in this item only such transfers to other jurisdictions this month and not restored to the District Court. If a case has been transferred to another jurisdiction and restored to the District Court within the same month, do not include it in this item, because this activity on a case balances itself out within the month and will not affect the total number of cases on the inventory.
 4. "Placed on inactive list." Include in this item not only the military lists, R.1:13-6, but also complaints which on order of the judge are marked as "untrialable" when for reason it appears that the case cannot be tried, e.g. enjoined, a party or essential witness is institutionalized or hospitalized because of mental or physical disability for a period which in all likelihood will extend through the next stated session; other special reason exists beyond the control of the court and the attorneys which make it impossible to bring the case on for trial, etc. A complaint is on the active list unless the judge puts it on the inactive list.Note: When the reason for marking a case inactive no longer exists, the Clerk should advise the Presiding Judge and place the case on the active list. A case may not be marked inactive for temporary illnesses or absences.
- C. "TOTAL DISPOSED OF DURING THE MONTH."
- V. "COMPLAINTS PENDING AT END OF MONTH (Item III minus IV-C), BY AGE FROM DATE OF COMPLAINT".

NOTE: EFFECTIVE WITH THE REPORT FOR SEPTEMBER 1969 (THIS REVISED FORM) THE DEFINITION OF A "PENDING" CASE HAS BEEN CHANGED. PLEASE NOTE THAT NOW EVERY COMPLAINT IS ON THE ACTIVE LIST EXCEPT MILITARY LISTS, R. 1:13-6, AND WHERE THE JUDGE MARKS IT AS INACTIVE FOR REASON. A COMPLAINT IS TO BE REPORTED AS ACTIVE PENDING EVEN IF SUMMONS THEREON HAS NOT BEEN SERVED.

All cases in which demands for jury have been filed should be included as jury cases whether or not listed for trial.

Age is calculated on the basis of date of complaint including cases transferred from other jurisdictions. However, on cases restored the age is calculated from date of restoration.

REPORT DUE BY THE FOURTH DAY OF THE FOLLOWING MONTH
ALL FIGURES SHOULD BE CHECKED FOR ACCURACY OF
ARITHMETIC AND INVENTORY BALANCE

Questions regarding this report may be directed to the Administrative Office of the Courts, Statistical Unit, State House Annex, Trenton, New Jersey 08625, Telephone: Area Code 609, 292-4632.

APPENDIX III **REPORT OF MONEY JUDGMENTS ENTERED**

Form No. ST-34-12/72

COUNTY COURT

Report of Money Judgments Entered Sept. 1, 19__ thru Aug. 31, 19__

*Do not include docketed judgments from District Court, Wage Claims
Note: Division of the Department of Labor or Workmen's Compensation Div.
The unit of reporting is the individual judgment entered.

PLEASE DO NOT LEAVE BLANK SPACES. FILL IN "NONE" OR "0" WHERE APPLICABLE.

Number of Auto Negligence Judgments Entered

AMOUNT	SEPT-DEC	JAN-MAR	APR-JUNE	JULY-AUG	COURT YEAR TOTAL	AOC USE ONLY
Up to \$100. inc.						
\$ 100.01 to \$500.						
\$ 500.01 to \$1000.						
\$1000.01 to \$1500.						
\$1500.01 to \$2000.						
\$2000.01 to \$3000.						
\$3000.01 to \$4000.						
\$4000.01 to \$5000.						
\$5000.01 to \$10,000.						
Over \$10,000.						
TOTAL AUTO						

Number of Other Judgments Entered

AMOUNT	SEPT-DEC	JAN-MAR	APR-JUNE	JULY-AUG	COURT YEAR TOTAL	AOC USE ONLY
Up to \$100. inc.						
\$ 100.01 to \$500.						
\$ 500.01 to \$1000.						
\$1000.01 to \$1500.						
\$1500.01 to \$2000.						
\$2000.01 to \$3000.						
\$3000.01 to \$4000.						
\$4000.01 to \$5000.						
\$5000.01 to \$10,000.						
Over \$10,000.						
TOTAL OTHER						

SEND PHOTO OF REPORT BY THE 15TH OF THE MONTH FOLLOWING THE END OF EACH OF THE FIRST THREE PERIODS. AFTER THE END OF THE COURT YEAR SEND THE ORIGINAL AND RETAIN A PHOTO FOR YOUR RECORDS.

DO NOT SIGN ORIGINAL TILL END OF COURT YEAR MAIL TO:
SIGN PHOTOS BEFORE MAILING ADMINISTRATIVE OFFICE OF THE COURTS
COMPLETED BY: STATE HOUSE ANNEX
TELEPHONE NO. AREA _____ NUMBER _____ EXT. _____ TRENTON, NEW JERSEY, 08625

ADMINISTRATIVE OFFICE OF THE COURTS
STATE HOUSE ANNEX
TRENTON, NEW JERSEY 08625

INSTRUCTIONS FOR COMPLETING MONEY JUDGMENTS REPORT
BY FOUR REPORTING PERIODS*

1st Reporting Period--September 1 to December 31 (to be submitted by January 15.)

1. Enter the total number of money judgments for this period on the original form.
2. Have a photocopy made and sent it to this office by January 15. Retain the original.

2nd Reporting Period--January 1 to March 31 (to be submitted by April 15.)

1. Enter the number of money judgments for this period on the original.
2. Follow the same procedure as indicated for the first period, sending a photocopy to this office by April 15, and retaining the original.

3rd Reporting Period--March 1 to June 30 (to be submitted by July 15.)

1. Enter the number of money judgments for this period on the original.
2. Submit a photocopy of the original to this office by July 15, and retain the original.

4th Reporting Period--July and August (to be submitted by September 15.)

1. Enter the number of money judgments for this period on the original.
2. Calculate the yearly totals for the four periods and enter on the "Court Year Total" column.
3. Send the ORIGINAL DOCUMENT to this office by September 15 and retain the photocopy.

*NOTE: If photocopy machine is not available, please send the original to us. We will copy and return it.

PLEASE DO NOT LEAVE BLANK SPACES. FILL IN "NONE" OR "0" WHERE APPLICABLE.

Form No. ST-TI-4

County District Court.

(Do not include small claims and tenancy cases)

October 1972

(Instructions on Reverse Side of this form)

PLEASE TYPE OR PRINT CLEARLY, USING DOUBLE SPACING

* DO NOT INCLUDE SMALL CLAIMS.

STATISTICAL SERVICES UNIT
ADMINISTRATIVE OFFICE OF THE COURTS
STATE HOUSE ANNEX
TRENTON, NEW JERSEY 08625

Form No. ST-TI-4

INSTRUCTIONS

PLEASE COMPLETE ALL COLUMNS, STATING "NONE," WHERE APPROPRIATE

Please report all "Auto Negligence" "Other Tort" and "Contract" (none of these to include small claims matters) complaints in which trials commenced during the month of October 1972, whether or not tried to completion and regardless of how or when disposed of. Where 2 or more complaints are consolidated for trial the full information on the first trial of each should be separately reported. A jury case should be included even if, after the drawing of the jury has started, it is disposed by settlement, motion for judgment or in any other manner. A non-jury case should be included if the opening of the court is started or, if the opening is waived, the first witness is sworn. The instructions for the "County District Court Monthly Report," Form No. ST-CDC-M-1, Rev. 9/69, will apply for this report insofar as definitions of jury and non-jury trials are concerned (see Instructions Item IV-A-1,2). Do not include proofs, friendlies, entries of judgment (settlement) on record, etc. as trials.

Under "Name of FIRST NAMED PLAINTIFF" abbreviations may be used, e.g. N.J., AT&T, GMAC, etc.

Please specify by check mark "Auto Negligence" "Other Tort" or "Contract" as appropriate.

Under "Personal Injury" or "No Personal Injury" check one section as appropriate, regardless of the type of case.

PLEASE COMPLETE ALL COLUMNS, STATING "NONE" WHERE APPROPRIATE.

PLEASE TYPE OR PRINT CLEARLY, USING DOUBLE SPACING.

SHOW ALL DATES IN ORDER OF MONTH/DAY/YEAR, as for example 10/16/72. Check all dates for accuracy and for proper sequence.

If you have any questions regarding this report please contact Mrs. Dollie Gallagher or Mr. Peter P. Aiello at 609-292-4632.

Name of person completing this report _____

Telephone No. _____

Area Code	Number	Extension
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To be forwarded by November 10, 1972 to:
STATISTICAL SERVICES UNIT
ADMINISTRATIVE OFFICE OF THE COURTS
STATE HOUSE ANNEX
TRENTON, NEW JERSEY 08625

APPENDIX V
SAMPLE DOCKET PAGE

Docket No. R-10001-72

10"

John Tompkin, Esq
744 Broad Street
Newark, N.J.

The Essex County District Court

JOHN DOE

Plaintiff

vs

MARY SAMITH AND JOHN POLL

Defendant

On Contract
In Tort
Civil Action

PLAINTIFF'S COSTS		Plaintiff's Attorney Deft's Costs
Summons	: 10.40	9/10/72
Mileage	: 1.10	
re-service	1.00	
Attorney's Fee	: 45.00	
Total Cost	57.50	
Execution	:	
order		\$1.00 10/15/72

Address M.S. 300 Cutler Street, Newark

Address J.P. 100 Main Street, East Orange

A complaint was filed and a Summons was issued September 10, 1972

Wherein the plaintiff demands the sum of \$ 3,000.00

SUMMONS AND COMPLAINT WERE SERVED AND RETURNED AS FOLLOWS:

I served the within Summons and complaint September 12, 1972, on the defendant, John Poll by giving him a copy thereof.

The said defendant Mary Samith, not being found, I served the within Summons and complaint October 2, 1972 by leaving a copy thereof at her dwelling house or place of abode with a competent member of family residing therein, of the age of fourteen years or over.

Jack Brown, Court Officer

I served the within Summons and complaint 19 on he being the of said corporation, by giving a copy thereof.

14"

9/15/72 Summons returned--wrong address as to deft. Mary Samith
9/25/82 Summons reissued with new address as to deft. Mary Samith
10/1/72 Default entered as to defendant John Poll
10/15/72 Defts. order filed vacating default as to John Poll
10/18/72 Answer filed for defendant by Joseph Towns, attorney for Mary Samith and case marked Date to be Fixed.
12/12/72 Notice of motion for an order to enter default for failure to answer interrogatories.
12/14/72 Case set for trial on December 23, 1972.
12/16/72 Objection to motion filed.
12/20/72 Consent order to answer interrogatories filed.
12/23/72 Case adjourned to January 4, 1973.

JAN 4 1973

This case was tried before Joseph F. Walsh, Judge
The Plaintiff and the Defendant appearing, the cause was tried and determined at this time.

PLAINTIFF'S SUM - CONTRACT IN EVIDENCE
DEFENDANT'S SUM

The evidence being closed, the court rendered judgment in favor of the Plaintiff and against the Defendant in the sum of one thousand five hundred and 00/100 \$ 1,500.00 dollars damages with costs.

Petition and order for judgment of costs.

APPENDIX VI

Pursuant to Rule 6:12-3 of the 1969 revision of the Rules Governing the Courts of the State of New Jersey, the officers' bond required by said rule shall be in the form set forth below.

OFFICER'S BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____ (as Principal) of the City of _____, in the County of _____, in the State of New Jersey, and _____, a _____ Corporation of _____, and duly authorized to transact business in the State of New Jersey, (as Surety), are held and firmly bound unto the County of _____ and the Clerk of the _____ County District Court in the sum of _____ DOLLARS to be paid to the said County of _____, its successors or assigns or to the Clerk of the _____ County District Court, or his successor, for the use of such person or persons as may be lawfully entitled to such moneys and for which such person or persons may ensue in the name of the obligee; to which payment well and truly to be made, we do hereby bind ourselves, and our respective heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED WITH OUR SEALS and dated the _____ day of _____, 19__.

THE CONDITION OF THIS OBLIGATION IS SUCH that if the said _____ a court officer authorized to executive writs of _____ County, in the State of New Jersey, shall well and truly execute his office and all things pertaining to the same, especially with respect to all writs issued out of any of the County District Courts in the State of New Jersey, designating _____ as a court officer authorized to execute writs, and shall from time to time, in accordance with law and the rules and orders of the court, pay over to the person or persons entitled thereto all moneys collected, and shall return all writs properly endorsed; and at the expiration of his office or at the termination of his designation to handle writs out of the _____ County District Court, whichever may sooner occur, shall return to the office of the Clerk all writs properly endorsed and submit to audit of his accounts in accordance with the rules of court, and pay over to the person or persons entitled thereto, all moneys collected on said writs in accordance with the audit, then this obligation shall be void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Witness

Principal

L.S.

ATTEST:

Surety

COUNTERSIGNED:

By _____

Resident Agent State of New Jersey

(ACKNOWLEDGEMENT)

I hereby approve the within bond as to form and sufficiency.

Judge, _____ County District Court

DATED: _____

APPENDIX VII

OATH OF OFFICE AND ALLEGIANCE

STATE OF NEW JERSEY :
: ss.
County of _____:

I, _____, do solemnly
swear (or affirm) that I will support the Constitution of
the United States and the Constitution of the State of
New Jersey; that I will bear true faith and allegiance to
the same and to the Governments established in the United
States and in this State, under the authority of the people;
and that I will perform the duties of _____
_____ faithfully, impartially and justly, to the best of my ability.
So Help Me God.

Sworn and subscribed before me
this _____ day of _____
_____ A. D. 19_____
_____ P.O. Address _____

7/30/70

APPENDIX VIII

RECORDS RETENTION SCHEDULE FOR
COUNTY DISTRICT COURT _____

<u>Item No.</u>	<u>Description</u>	<u>Retention Period**</u>
1.	Docket Book (All)	Permanent
2.	Index to Docket	Permanent
3.	Case Jackets with Case Papers	
	a. Civil Actions and Small Claims	25 Years*
	b. Landlord Tenancies	6 Years*
4.	Court Calendars	1 Year
5.	General Correspondence	3 Years
6.	Clerks' Monthly Statement of Receipts and Disbursements	6 Years
7.	Cash Receipts and Disburse- ments Book	Permanent
8.	Transmittal Sheets of Funds to County	6 Years
9.	Branch Office Transmittal Sheets	6 Years
10.	Cancelled Checks	6 Years
11.	Monthly Bank Statements	6 Years
12.	Check Book	6 Years
13.	Deposit Slips	6 Years
14.	Books, Things, Papers and Records of Sergeant At Arms Filed with Clerk at Expira- tion of Term	25 Years
15.	Bonds of Officer Issuing Writs	6 Years after term of contract
16.	Audit Report of Constables Audits	3 Years
17.	Ledgers	Permanent
18.	Receipt Books	6 Years
19.	Writ Register	Permanent
20.	Bank Books	6 Years
21.	Bank Statements	6 Years
22.	Correspondence	
	a. Administrative	Periodic Review
	b. General	3 Years

* 25 Years (N.J.S. 2A:6-45) or if microfilmed 7 Years after final judgment (N.J.S. 2A:11-53).

** All records required for audit must have been properly audited prior to their destruction under this schedule.

