

NOTICE TO THE BAR

SUPREME COURT OF NEW JERSEY

Re: Clarification of State v. Clark (A-120-98)

On the filing of its January 19, 2000, opinion in State v. Clark, the Supreme Court amended Rule 1:15-3(b) to preclude a municipal prosecutor from representing criminal defendants in the Superior Court or any other municipal court in the county in which the municipal prosecutor serves. (The Court stayed the full implementation of its opinion and the Court Rule until January 1, 2001.) An inquiry has been made on the issue of whether the proscription is personal to the municipal prosecutor or extends to his or her partners, employers, associates, shareholders, or members in a limited liability entity in which the attorney practices. See, e.g., R. 1:15-4.

The Court did not address this issue in Clark. Before considering the question, the Court seeks the comment of the Bar.

Those wishing to respond should forward their written comments to me by April 17, 2000, at the following address:

Clerk of the Supreme Court
Hughes Justice Complex
P.O. Box 970
Trenton, New Jersey 08625-0970

Stephen W. Townsend
Clerk of the Supreme Court

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