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Acting Administrative Director of the Courts

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**[Questions and/or comments may be
directed to 609-292-4638.]**

To: Assignment Judges
Criminal Presiding Judges

From: Glenn A. Grant, J.A.D.

Subj: Criminal – Judgment of Conviction – Amendments to JOC Form to
Incorporate Certain Statutory Penalties

Date: June 8, 2012

Directive # 04-12
(Supplements and Modifies
Directive #14-08)

The current Judgment of Conviction (JOC) form was one of a number of forms promulgated by Directive #14-08 (the JOC was Attachment 12 to that directive). This Directive amends the judgment of conviction (JOC) form so as to incorporate certain statutory penalties, with the attached revised JOC thus superseding and replacing the JOC appended to Directive #14-08 effective July 10, 2012. The delay in implementation until July 10 is necessary in order to complete the programming and testing of the revised automated form. This Directive therefore prospectively supplements and modifies Directive #14-08.

The Supreme Court previously delegated the authority and responsibility to approve the form of the JOC to the Administrative Director. My approval of these amendments was on the recommendation of the Criminal Practice Committee.

Certain statutory penalties are imposed only when a defendant is convicted of the relevant specific offenses. In order to be able to accurately reflect such offense-based penalties, page 2 of the JOC has been revised to add a new box entitled “Offense-Based Penalties.” When the JOC is generated, the “Offense-Based Penalties” box will display the penalty name, statute number and the amount of the penalty imposed pursuant to any of the following statutes: Drug Abuse Education Fund, N.J.S.A. 2C:43-3.5; Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8; Insurance Fraud Surcharge, N.J.S.A. 17:33A-5.1; Anti-Money Laundering Profiteering Penalty, N.J.S.A. 2C:21-27.1 and -27.2; Public Corruption Profiteering Penalty, N.J.S.A. 2C:30-8; and Anti-Drug Profiteering Penalty, N.J.S.A. 2C:35A-3 and -4. Whenever a

new offense-based statutory penalty is enacted, the JOC will be updated so that the new statutory penalty can be displayed in the "Offense-Based Penalties" box.

If a judge imposes more than one offense-based penalty against a defendant, the first such penalty will display on page 2 of the JOC in the "Offense Based Penalties" box. Any additional offense-based penalties that are imposed will display on an overflow page of the JOC. Additionally, the total amount of offense-based penalties that are imposed, as set forth in both the "Offense Based Penalties" box and the overflow page, will be calculated in the "Total Financial Obligation" on page 2 of the JOC.

Any questions or comments regarding this Directive or the appended form, should be directed to Assistant Director Joseph J. Barraco, at (609) 292-4638.

G.A.G

Attachment

cc: Chief Justice Stuart Rabner
Attorney General Jeffrey Chiesa
Public Defender Joseph Krakora
Criminal Division Judges
Stephen J. Taylor, Director, DCJ
County Prosecutors
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Trial Court Administrators

Criminal Division Managers
Assistant Criminal Division Managers
Gurpreet M. Singh, Special Assistant
Susan Callaghan, Chief, Criminal Practice
Vance Hagins, Asst. Chief, Criminal Practice
Melaney S. Payne, Criminal Practice

ATTACHMENT 1

JUDGMENT OF CONVICTION



Superior Court of New Jersey,

State of New Jersey

v.

Last Name

First Name

Middle Name

Also Known As

Date of Birth

SBI Number

Date(s) of Offense

Date of Arrest

PROMIS Number

Date Ind / Acc / Compl Filed

Original Plea

Not Guilty

Guilty

Date of Original Plea

Adjudication By

Guilty Plea

Jury Trial Verdict

Non-Jury Trial Verdict

Dismissed / Acquitted

Date:

Original Charges

Ind / Acc / Compl

Count

Description

Statute

Degree

Final Charges

Ind / Acc / Compl

Count

Description

Statute

Degree

Sentencing Statement

It is, therefore, on _____ **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

It is further **ORDERED** that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term

Institution Name

Total Probation Term

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																															
<p>A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)</p> <p><input type="checkbox"/> DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">Standard</th> <th style="width: 10%;"></th> <th style="width: 20%; text-align: center;">Doubled</th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> </tbody> </table> <p style="text-align: center;">Total DEDR Penalty \$ _____</p> <p><input type="checkbox"/> The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)</p>			Standard		Doubled		1st Degree	_____ @ \$		_____ @ \$		2nd Degree	_____ @ \$		_____ @ \$		3rd Degree	_____ @ \$		_____ @ \$		4th Degree	_____ @ \$		_____ @ \$		DP or Petty DP	_____ @ \$		_____ @ \$		<p><input type="checkbox"/> The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to community supervision for life. (If offense occurred before 1/14/04) (N.J.S.A. 2C:43-6.4)</p> <p><input type="checkbox"/> The defendant is hereby sentenced to parole supervision for life. (If offense occurred on or after 1/14/04) (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby ordered to serve a _____ year term of parole supervision, which term shall begin as soon as defendant completes the sentence of incarceration. (N.J.S.A. 2C:43-7.2).</p> <p><input type="checkbox"/> The court imposes a restraining order pursuant to DORA. (N.J.S.A. 2C:35-5.7(h)). Restraining Order expires _____</p>	
	Standard		Doubled																														
1st Degree	_____ @ \$		_____ @ \$																														
2nd Degree	_____ @ \$		_____ @ \$																														
3rd Degree	_____ @ \$		_____ @ \$																														
4th Degree	_____ @ \$		_____ @ \$																														
DP or Petty DP	_____ @ \$		_____ @ \$																														
Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____ Offenses @ \$ _____		Total Lab Fee \$ _____																															
VCCA Assessment (N.J.S.A. 2C:43-3.1)		Findings Per N.J.S.A. 2C:47-3																															
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Counts</th> <th style="width: 20%;">Number</th> <th style="width: 10%;"></th> <th style="width: 20%;">Amount</th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td>_____</td> <td style="text-align: center;">_____ @</td> <td></td> <td style="text-align: center;">\$ _____</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: center;">_____ @</td> <td></td> <td style="text-align: center;">\$ _____</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: center;">_____ @</td> <td></td> <td style="text-align: center;">\$ _____</td> <td></td> </tr> <tr> <td>_____</td> <td style="text-align: center;">_____ @</td> <td></td> <td style="text-align: center;">\$ _____</td> <td></td> </tr> </tbody> </table> <p style="text-align: center;">Total VCCA Assessment \$ _____</p>		Counts	Number		Amount		_____	_____ @		\$ _____		_____	_____ @		\$ _____		_____	_____ @		\$ _____		_____	_____ @		\$ _____		<p><input type="checkbox"/> The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.</p> <p><input type="checkbox"/> The court finds that the defendant is amenable to sex offender treatment.</p> <p><input type="checkbox"/> The court finds that the defendant is willing to participate in sex offender treatment.</p>						
Counts	Number		Amount																														
_____	_____ @		\$ _____																														
_____	_____ @		\$ _____																														
_____	_____ @		\$ _____																														
_____	_____ @		\$ _____																														
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)		License Suspension																															
Offense _____ Mandatory Penalty \$ _____		<p><input type="checkbox"/> CDS / Paraphernalia (N.J.S.A. 2C:35-16) <input type="checkbox"/> Waived</p> <p><input type="checkbox"/> Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)</p> <p><input type="checkbox"/> Eluding (N.J.S.A. 2C:29-2)</p> <p><input type="checkbox"/> Other _____</p>																															
Offense Based Penalties		Number of Months _____ <input type="checkbox"/> Non-resident driving privileges revoked																															
Penalty _____ Amount \$ _____		Start Date _____ End Date _____																															
Other Fees and Penalties		Details _____																															
Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3) <input type="checkbox"/> \$ _____	Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2) <input type="checkbox"/> _____ Offenses @ \$ _____ Total: \$ _____	Driver's License Number _____ Jurisdiction _____																															
Probation Supervision Fee (N.J.S.A. 2C:45-1d) <input type="checkbox"/> \$ _____	Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6) <input type="checkbox"/> _____ Offenses @ \$ _____ Total \$ _____	If the court is unable to collect the license, complete the following: Defendant's Address _____																															
Transaction Fee (N.J.S.A. 2C:46-1.1) <input type="checkbox"/>	Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7) <input type="checkbox"/> \$ _____	City _____ State _____ Zip _____																															
Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4) <input type="checkbox"/> \$ _____	Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10) <input type="checkbox"/> \$ _____	Date of Birth _____ Sex <input type="checkbox"/> M <input type="checkbox"/> F Eye Color _____																															
Fine \$ _____	Restitution \$ _____	Total Financial Obligation \$ _____																															
Details _____																																	

Time Credits		
Time Spent in Custody <i>R. 3:21-8</i> Date: From _____ - To _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ Total Number of Days _____	Gap Time Spent in Custody <i>N.J.S.A. 2C:44-5b(2)</i> Date: From _____ - To _____ _____ _____ _____ Total Number of Days _____	Prior Service Credit Date: From _____ - To _____ _____ _____ _____ _____ _____ _____ _____ _____ Total Number of Days _____
Rosado Time Date: From _____ - To _____ _____ _____ _____ _____ Total Number of Days _____		

Statement of Reasons - Include all applicable aggravating and mitigating factors

Form Prepared By _____	Preparer Telephone Number _____
Attorney for Defendant at Sentencing _____	Public Defender <input type="checkbox"/> Yes <input type="checkbox"/> No
Prosecutor at Sentencing _____	Deputy Attorney General <input type="checkbox"/> Yes <input type="checkbox"/> No
Judge at Sentencing _____	
Judge (Signature) _____	Date _____

Continuation