

RULES GOVERNING THE COURTS OF THE STATE OF NEW JERSEY
RULE 1:33. ADMINISTRATIVE RESPONSIBILITY

Rule 1:33-1. The Chief Justice of the Supreme Court; Acting Chief Justice

The Chief Justice of the Supreme Court shall be responsible for the administration of all courts in the State. To assist in those duties the Chief Justice shall appoint an Administrative Director of the Courts who shall serve at the pleasure of and report directly to the Chief Justice. A full-time judge of any court of this State may be designated to serve temporarily as Acting Administrative Director, in which event such judge shall continue to hold, and shall only be paid the salary of such judicial office. If there is a vacancy in the office of Chief Justice, the senior justice shall serve temporarily as Acting Chief Justice. Seniority shall be determined by order of taking of oath as a member of the court. If the Chief Justice is absent or unable to serve, the senior justice shall serve temporarily as Acting Chief Justice.

Note: Source-R.R. 6:2-1A(b), 7:20-2(b), 8:13-3A, Const. of 1947, Art. VI, Sec. VII, par. 1; amended June 5, 1973, effective immediately; 5th, 6th and 7th sentences adopted October 30, 1973, to be effective immediately; amended January 16, 1975 to be effective April 1, 1975; amended June 20, 1979 to be effective July 1, 1979; amended October 26, 1983, to be effective immediately; amended June 29, 1990 to be effective September 4, 1990.

Rule 1:33-2. Court Managerial Structure

(a) The Chief Justice shall divide the State into such geographical divisions as appropriate to facilitate the efficient administration of the courts. Such geographical divisions shall be known as "vicinages."

(b) For each vicinage, the Chief Justice shall designate a judge of the Superior Court to serve as Assignment Judge. Each such Assignment Judge shall serve at the pleasure of and report directly to the Chief Justice.

(c) Within each vicinage, the Chief Justice shall organize the Superior Court trial court system into four functional units to facilitate the management of the trial court system within that vicinage. These units shall be: Civil, Criminal, Family and General Equity.

(d)

(1) Each functional unit shall be supervised by a Presiding Judge who shall be appointed by the Chief Justice, after consultation with the Assignment Judge, and who shall serve at the pleasure of the Chief Justice. A Presiding Judge may supervise more than one functional unit. The Presiding Judge shall report directly and be responsible to the Assignment Judge.

(2) The Chief Justice may appoint the Assignment Judge to serve as the Presiding Judge for one or more functional units within the vicinage.

(e) The Chief Justice shall designate a judge of the Tax Court as presiding judge, to serve at the pleasure of the Chief Justice.

(f) For each vicinage, the Chief Justice shall designate a municipal court judge to serve as Presiding Judge of the municipal courts for that vicinage, who shall serve in that role at the pleasure of the Chief Justice. The Presiding Judge shall report directly to and be responsible to the Assignment Judge of the vicinage.

Note: Former rule redesignated R. 1:33-3 and new rule adopted October 26, 1983 to be effective immediately; paragraphs (a) (b) (d) and (e) amended June 29, 1990 to be effective September 4, 1990; paragraph (c) amended June 28, 1996 to be effective September 1, 1996; paragraph (c) amended and new paragraph (f) adopted July 30, 2021 to be effective September 1, 2021.

Rule 1:33-3. The Administrative Director of the Courts

The Administrative Director of the Courts shall be generally responsible for the enforcement of the rules, policies and directives of the Supreme Court and the Chief Justice relating to matters of administration. At the direction of the Chief Justice and the Supreme Court, the Administrative Director shall promulgate a compilation of administrative rules and directives relating to case processing, records and management information services, personnel, budgeting and such other matters as the Chief Justice and Supreme Court shall direct. The Administrative Director also shall perform such other functions and duties as may be assigned by the Chief Justice or by rule of the Supreme Court.

Note: Former Rule redesignated R. 1:33-4 October 26, 1983, to be effective immediately. Source (Current Rule)-Formerly R. 1:33-2 redesignated as R. 1:33-3 and amended October 26, 1983 to be effective immediately; amended June 29, 1990 to be effective September 4, 1990.

Rule 1:33-4. Assignment Judges; Presiding Judge for Administration of the Appellate Division

(a) The Assignment Judge shall be the chief judicial officer within the vicinage and shall have plenary responsibility for the administration of all courts therein, subject to the direction of the Chief Justice and the rules of the Supreme Court. The Assignment Judge shall be responsible for the implementation and enforcement of the rules, policies and directives of the Supreme Court, the Chief Justice and the Administrative Director.

(b) The Assignment Judge shall be the authorized representative of the Chief Justice for the efficient and economic management of all courts within the vicinage. The responsibilities of the Assignment Judge also shall include all such matters affecting county and municipal governments, including but not limited to budgets, personnel, and facilities.

(c) The Assignment Judge shall be responsible for the supervision and efficient management of all court matters filed in the vicinage and for the supervision,

superintendence and allocation of all judges and personnel having a judicial support function within the vicinage.

(d) The Assignment Judge shall have full responsibility for the administration of all court units within the vicinage, including those of the Surrogate and the Deputy Clerk of the Superior Court.

(e) Subject to uniform minimum standards and conditions promulgated by the Administrative Director, the Assignment Judge may appoint and discharge judicial support personnel within the vicinage.

(f) The Assignment Judge shall perform such additional duties as shall be assigned by the Chief Justice or by rule of the Supreme Court.

(g) The Presiding Judge for Administration of the Appellate Division, with the assistance of the Deputy Presiding Judge for Administration, shall have responsibility for the administration of the Appellate Division subject to the direction of the Chief Justice and the rules of the Supreme Court. The Presiding Judge for Administration shall be responsible for the implementation and enforcement of the rules, policies and directives of the Supreme Court, the Chief Justice and the Administrative Director; the responsibilities of the Presiding Judge for Administration shall include all personnel and management matters as are assigned by the Chief Justice or by rule of the Supreme Court, and the Presiding Judge for Administration shall perform such additional duties as may be assigned.

Note: Former Rule redesignated R. 1:33-6 October 26, 1983, to be effective immediately. Source (Current Rule)-R.R. 1:29-1, 1:29-1A, 1:29-2, 1:31-1, 3:11-5 (first sentence), 4:41-4(b) (first sentence); caption amended and paragraph (g) adopted November 1, 1985 to be effective January 2, 1986; paragraphs (a) (b) (e) and (f) amended June 29, 1990 to be effective September 4, 1990; paragraph (g) amended October 8, 2013 to be effective immediately.

Rule 1:33-5. Trial Court Administrators-Case Coordinators

(a) The Trial Court Administrator shall be the administrative arm of the courts within the vicinage, under the direction of the Assignment Judge and the Administrative Director. The Trial Court Administrator shall be appointed by the Administrative Director, after consultation with the Assignment Judge, subject to the approval of the Chief Justice. The responsibilities of the Trial Court Administrator shall include the provision of technical and managerial support to the Assignment Judge and Administrative Director with respect to budget development and expenditures, the supervision of all judicial support personnel, program development and analysis, facilities and resource management, the provision of such assistance as shall be necessary to such advisory committees to the courts as shall be appointed, and such additional administrative duties as shall be designated by the Administrative Director.

(b) After consultation with the Assignment Judge, the Administrative Director may appoint such Assistant Trial Court Administrators as are deemed necessary. The

Assistant Trial Court Administrators shall report to and be supervised by the Trial Court Administrator.

(c) For each vicinage there shall be a Case Coordinator who shall be responsible for the efficient movement of cases within the vicinage, subject to the direction of the Assignment Judge.

(d) The Trial Court Administrator shall serve as the Case Coordinator for the vicinage, provided, however, that the Administrative Director may designate, after consultation with the Assignment Judge, an Assistant Trial Court Administrator to serve as Case Coordinator.

Note: Former Rule redesignated R. 1:33-9 and new Rule adopted October 26, 1983, to be effective immediately; paragraphs (a) and (b) amended June 29, 1990 to be effective September 4, 1990.

Rule 1:33-6. Presiding Judges of Functional Units

(a) Except as provided by the Chief Justice or by the Supreme Court, the Assignment Judge may delegate to the Presiding Judge of each functional unit within the vicinage, judicial duties and responsibilities allocated to the Assignment Judge by these rules.

(b) In addition to judicial duties, the Presiding Judge of each functional unit within the vicinage shall be responsible for the expeditious processing to disposition of all matters filed within that unit.

(c) The Presiding Judge annually shall submit to the Trial Court Administrator and Assignment Judge, budget and personnel needs and recommendations for the unit at such times and in such format and in accordance with such procedures as shall be prescribed by the Administrative Director.

(d) The Presiding Judge shall perform such additional administrative duties as shall be assigned by the Assignment Judge and shall be responsible for the implementation and enforcement within the court of all administrative rules, policies and directives of the Supreme Court, the Chief Justice, the Administrative Director and the Assignment Judge.

Note: Source-R.R. 1:31-1, 6:2-1A, 7:7-2, 7:7-8, 7:7-9, 7:19-2 (first sentence), 7:20-2(a), 8:7-1 (third and fourth sentences), 8:13-3A. Formerly R. 1:33-4, redesignated and amended October 26, 1983 to be effective immediately; new paragraph (a) adopted and paragraphs (a), (b), and (c) redesignated (b), (c), and (d), respectively November 1, 1985 to be effective January 2, 1986; paragraphs (b) (c) and (d) amended June 29, 1990 to be effective September 4, 1990.

Rule 1:33-6A. Supervising Judges of the Special Civil Part

The Assignment Judge in each vicinage shall designate a Supervising Judge of the Special Civil Part, who shall be responsible for such supervisory and administrative duties for that Part as may be assigned by the Civil Presiding Judge. The Supervising

Judge shall serve at the pleasure of the Assignment Judge and the Assignment Judge may designate the Civil Presiding Judge to be the Supervising Judge.

Note: New R. 1:33-6A adopted July 13, 1994 to be effective September 1, 1994.

Rule 1:33-7. Division Managers

There shall be on the staff of the Trial Court Administrator a Division Manager for each court-support unit within the vicinage who shall be appointed by the Administrative Director after consultation with the Assignment Judge. The Division Manager's responsibilities shall include the management, under the direction of the Presiding Judge and Trial Court Administrator, of such judicial-support personnel and resources as have been allocated to the Division Manager's functional unit by the Assignment Judge and Trial Court Administrator.

Note: Adopted October 26, 1983, to be effective immediately; amended June 29, 1990, to be effective September 4, 1990; amended July 14, 1992, to be effective September 1, 1992.

Rule 1:33-8. Probation Services

(a) For each vicinage, there shall be a Vicinage Chief Probation Officer who shall be appointed by the Administrative Director after consultation with the Assignment Judge, subject to the approval of the Chief Justice and who shall serve at the pleasure of the Administrative Director.

(b) The Vicinage Chief Probation Officer shall be the supervisor of probation services. The responsibilities of said officer shall include the supervision and management of the delivery of probation services as part of a statewide system as organized and directed as to programmatic and statewide policy matters by the authority of the Administrative Director. In the performance of professional duties over probation services, the Vicinage Chief Probation Officer shall report to the Assignment Judge. In the performance of administrative duties, the Vicinage Chief Probation Officer shall report to the Trial Court Administrator.

(c) The Vicinage Chief Probation officer annually shall submit to the Trial Court Administrator the budget and personnel needs of the Probation Department and recommendations for probation services at such times, in such format and in accordance with such procedures as shall be prescribed by the Administrative Director.

(d) The Vicinage Chief Probation Officer shall assign to each functional unit such staff as may be required. The staff so assigned shall be directly responsible to the Presiding Judge with regard to their day-to-day functions.

(e) The Vicinage Chief Probation Officer shall perform such additional duties as shall be assigned by the Assignment Judge.

Note: Adopted October 26, 1983, to be effective immediately; paragraphs (b) (c) and (e) amended June 29, 1990 to be effective September 4, 1990.

Rule 1:33-9. Review of Administratively Recommended Facilities Disputes Dispositions

Any dispute between the county governing body and the Assignment Judge concerning the location, size, or other physical characteristics of courtrooms, chambers, office space or related facilities shall, at the request of either party, be resolved by submission of the dispute to arbitration. The number or selection of arbitrators may be stipulated by mutual consent of both parties to the dispute. If the parties fail to stipulate the names or number of arbitrators, the county governing body shall select one arbitrator, the Assignment Judge a second arbitrator, and the two arbitrators thus selected shall pick a third. In the event said two arbitrators are unable to agree upon a third arbitrator, the third arbitrator shall be selected by the American Arbitration Association in accordance with its procedures. The arbitrators' jurisdiction shall be limited to the consideration of disputes concerning the location, size, or other physical characteristics of courtrooms, chambers, office space or related facilities. The decision of the arbitrators is subject to review by the Supreme Court pursuant to the standards set forth in N.J.S.A. 2A:24-8 and -9 but, otherwise, shall be final, binding, and not subject to review unless the Supreme Court, on petition by the county or by the Assignment Judge, finds by clear and convincing evidence that the decision fails to balance the needs and interests of the county and the Judiciary in a fair manner.

Note: Adopted March 11, 1981 to be effective immediately. Formerly R. 1:33-5, redesignated October 26, 1983, to be effective immediately; paragraph (a) amended, new paragraph (b) adopted, former paragraphs (b), (c), (d), (e), (f), (g) redesignated as paragraphs (c), (d), (e), (f), (g) and (h) and amended December 31, 1987 to be effective December 31, 1987; paragraph (a) and former paragraphs (c) and (d) amended, paragraphs (b), (c), (d) and (e) adopted, and former paragraphs (b), (c), (d), (e), (f), (g) and (h) redesignated paragraphs (f), (g), (h), (i), (j), (k) and (l), respectively, July 14, 1992 to be effective September 1, 1992; new paragraph (m) adopted February 28, 1995 to be effective March 1, 1995; paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) deleted and paragraph designation (m) deleted and amended June 28, 1996 to be effective September 1, 1996.