

**FREQUENTLY ASKED QUESTIONS ABOUT THE RECENTLY-PASSED
MANDATORY CERTIFICATION STATUTE**

Q: I was a court administrator on the effective date of the mandatory certification statute (May 25, 2006) but I am not certified, can I keep my job?

A: Yes. You will have five years from the effective date of the legislation to become certified. If you do not wish to become certified, you may remain in your current position under the statute's grandfather clause, as long as you complete the training and continuing education requirements of certification. However, if you wish to move to a court administrator position in another court, you will be treated as a new hire.

Q: I was appointed to the position of court administrator after the effective date of the mandatory certification statute (May 25, 2006), do I need to become certified?

A: Yes. Under the statute, you need to become certified within five years of your date of appointment as a court administrator in order to retain that position.

Q: I am a Certified Municipal Court Administrator. How does the legislation impact me if I decide to stay in my current administrator position or else take a court administrator's position in another municipality?

A: The legislation impacts you very little. The only requirement is that your certification status remains in good standing.

Q: I am a deputy court administrator. Do I need to become certified under the mandatory certification statute?

A: No. The statute does not affect deputies.

Q: I currently work in the court system and am not certified. Will I need to be certified in order to be hired and retained as a court administrator?

A: Yes, your date of hire will determine your actual position status and what you will be required to do.

If date of hire is May 25, 2006 through May 24, 2011: The legislation provides that a municipality may hire someone who is not certified during that time period. However, if you are hired as a new administrator between May 25, 2006 and May 24, 2011 and are not certified, you will need to become certified within five years of your date of hire. For example, if you are not certified as an administrator and are hired on January 1, 2008, you have until December 31, 2012 to become certified.

If date of hire is on or after May 25, 2011: After May 25, 2011, a municipal governing body may appoint someone who is not certified to the position of court administrator, but only *on an interim* basis for a period not to exceed one year. That person may be reappointed on an interim basis by the municipality (following consultation with the Judge) for two subsequent one-year terms. Provided that the person has enrolled in the certification program, the municipality may reappoint him/her on an interim basis for up to two additional one-year terms (years four and five). The fourth and fifth years are intended to provide the interim administrator with ample time to complete the Certification Program.

Q: I am a court administrator with tenure. Will this legislation affect my tenure?

A: No. These bills have no affect on a court administrator's tenure.

Q: I am a non-certified municipal court administrator and have satisfactorily completed prior mandatory training programs (Orientation and Principles I and II). Am I required to re-enroll in the current Principles training course (Levels 1-IV)?

A: Maybe. If you are grandfathered in and do not wish to be certified, the successful completion of the former mandatory training programs satisfies the education requirements of the grandfather clause. However, if you wish to become certified, you must satisfy the current educational requirements for certification; that is, successful completion of Level I, Level II, Level III and Level IV of the Principles series.

Q: As a non-certified municipal court administrator who is grandfathered in, what continuing education is required?

A: You will be required to do 15 contact hours of continuing education every year, beginning after you have finished your mandatory training program. This is the same continuing education requirement for certified municipal court administrators.

Q: Does mandatory certification apply to courts in both civil and non-civil service municipalities?

A: Yes. The recent amendments do not distinguish between these two types of municipalities.

Q: I am a Municipal Court Director; am I required to become certified under the statute?

A: No. The mandatory certification law does not pertain to Municipal Court Directors, only those individuals holding the title of Municipal Court Administrator are subject to the provisions of this act.