



News Release

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Judiciary Lays Plans for New Pre-trial Release Program New Fee Schedule to Enable System Improvements

The New Jersey courts are taking ambitious steps to improve and modify the pre-trial release system, ensure uniformity and consistency in case processing fees, and bring their case filing and management systems into the digital age, announced Judge Glenn A. Grant, acting administrative director of the courts.

Effective Nov. 17, the Judiciary will implement the first portion of P.L. 2014, c. 31, which was signed into law on Aug. 11. The law is the result of an effort by all three branches of government to reduce the justice system's reliance on bail for offenders whose pre-trial release would present a low risk to the community and a low risk of missing their court appearance.

A significant part of the increase in court fees will be used to pay for a supervision program for offenders who qualify for pre-trial release. A portion of the funds raised will go toward the Judiciary's efforts to digitize its electronic filing and case management systems. Additional funding has been earmarked for Legal Services of New Jersey, which serves civil litigants who cannot afford legal representation.

"Our organization is continuously trying to provide access to the justice system at the least possible cost. Our government partners and the larger public are asking the court system to perform additional duties and responsibilities, which require additional funding in order to implement these improvements. While no one wants to pay more money for government services, the reality is that additional funding is needed to support these important changes," said Judge Grant.

The increases range from a \$15 increase to file a local property small claims case in the Tax Court, to a \$50 increase for some types of civil cases. No fee was increased by more than \$50, consistent with the new law.

Before it enacted the fee increases under the new law, the Supreme Court encouraged and solicited both written and public comments on the proposed increases from members of the bar and the public. After carefully considering the goals of the three initiatives outlined in the law and the need to ensure the opportunities for all citizens to have equal access to the courts, the court adopted the fees listed on the [attached fee schedule](#), which is set forth in new Court Rule 1:43. In some cases, the fee schedule has been adjusted in response to comments received from the bar and the public during the open comment period that ended Oct. 21 and at the Oct. 21 public hearing on the proposed fees.

The new fee schedule reflects the Judiciary's efforts to minimize the impact of the fee increases on litigants in high volume courts accessed most frequently by the public, such as small claims and landlord/tenant cases. Fee increases in those case types range from \$15 to \$25. Out of a concern for those looking to reclaim their lives from the results of a single bad act, the proposed fee for an expungement was set at \$75, lower than originally proposed, and the proposed application fee for the pre-trial intervention program was eliminated.

Court fees can be waived for litigants who are indigent. The Judiciary is working to ensure that comprehensive information on how to apply for a fee waiver is made widely available. Many of the public comments that were received stressed the need for an effective fee waiver process.

When possible, fees were kept uniform across case types to ensure fairness and consistency in the system. For example, motion fees are the same whether the case is filed in civil, family or criminal court.

The Judiciary anticipates that the fee increase will generate the funding required under the new law: \$22 million to develop, implement and administer a pre-trial services program beginning in January 2017 to supervise low-risk offenders who cannot afford bail; \$10.1 million for Legal Services of New Jersey; and \$10 million to fund the Judiciary's digital eCourts information system.

New Jersey's court fees have not been raised since 2002. The new fee schedule was developed with suggestions from judges and court staff based on filing volume and the amount of work required to resolve each case type. The full fee schedule can be found at njcourts.com.

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