

News Release



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Supreme Court Appoints Special Master to Manage Cases in Alcotest Decision

The Supreme Court today appointed retired Superior Court Judge Robert A. Fall to serve as a special master to coordinate and manage cases affected by State of New Jersey v. Eileen Cassidy.

The [order](#), signed by Chief Justice Stuart Rabner, addresses the management of more than 20,600 adjudicated driving-while-intoxicated cases where Alcotest machines not calibrated with the proper thermometer were used to take breath tests from defendants.

The [Supreme Court ruled in November](#) that tests obtained from the use of those uncalibrated machines were not reliable evidence.

Following a [report](#) on the scientific reliability of the tests, the Administrative Office of the Courts recommended a special master “to develop better processing of these cases, to provide greater consistency and efficiency, and to minimize conflicts and delays.”

Judge Fall, who is on recall, will serve as a special master in addition to his other assignments. The order gives him the authority to make judicial and administrative decisions on a statewide basis regarding affected cases.

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