

***Krol* Commitments**

Directive #9-96
Issued by:

December 3, 1996
James J. Ciania

At its October 7, 1996 Administrative Conference, the Supreme Court approved the recommendation contained in the Criminal Practice Committee's 1994-96 Report, that a directive be issued requiring that, in *Krol* cases where commitment is ordered, the maximum sentence that could have been imposed for any charge on which the defendant has been acquitted by reason of insanity should be set forth by the judge in the judgment. *N.J.S.A. 2C:4-8b(3)*. Additionally, counsel should be heard with respect to the possible merger or other appropriate disposition of the remaining charges.

The Court also approved the Committee's recommendation that a copy of the judgment of commitment be forwarded to the County Adjuster. The County Adjuster shall track *Krol* commitments, schedule a hearing no later than five days prior to the expiration of the maximum sentence, and notify the County Prosecutor and other interested parties of the date, time and place of the hearing so that the court may determine whether the committed person is to remain committed as an involuntary civil committee [commitment]. This recommendation was the result of the Criminal Practice Committee's review of the Civil Practice Committee's Mental Commitments Subcommittee Report from a previous rules cycle.

Please ensure that judgments of commitment in *Krol* cases state the maximum sentence and are forwarded to the County Adjuster in accordance with this directive.

Editor's Note

The only change in this directive is the insertion of the work Acommitment,@ which was inadvertently omitted from the original.