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**To:**           **Assignment Judges**  
                  **Civil Presiding Judges**  
                  **Supervising Special Civil Part Judges**  
                  **Trial Court Administrators**  
                  **Civil Division Managers**  
                  **Assistant Division Managers**

**DIRECTIVE #05-25**

Supersedes Directive #01-15; First Supplement to  
Directive #01-15 (dated 11/26/18), and Second  
Supplement to Directive #01-15 (dated 07/13/20).

Questions may be directed to the Civil Practice  
Division at 609-815-2900, ext. 54900.

**From:**       **Michael J. Blee, J.A.D., Acting Administrative Director** 

**Subj:**       **Special Civil Part Officers – Policies and Procedures**

**Date:**       **September 30, 2025**

Special Civil Part Officers (Officers) are officers of the court. Their responsibilities include, but are not limited to, serving summonses and complaints in landlord/tenant actions, serving and executing warrants for removal in landlord/tenant cases, serving goods and chattel writ executions, wage executions, writs of replevin, and other process, as ordered by the court. Officers also conduct sales of goods and chattels, remit execution proceeds to judgment creditors, and perform such other duties as may be directed by the court or required by statute, court rule, or administrative directive.

Special Civil Part Officers are not employees of the Judiciary. Their income consists of statutory fees paid by litigants for service of process issued by the court, pursuant to N.J.S.A. 22A:2-37.2. Some types of Officers retain a percentage of the money they collect pursuant to writs of execution, against wages and chattels issued by the court, and they receive fees for serving and executing warrants for removal issued by the court in tenancy actions. Officers defined in this Directive as serving “post-judgment process” are those Officers and appointed Deputies, if any, that serve wage executions, goods and chattel writs of execution or are otherwise authorized to receive or levy upon a judgment debtor’s assets. Warrants of removal are a form of post-judgment process but are not included in this definition for purposes of differentiating various Officers’ responsibilities, as outlined herein, as

Officers may be appointed to perform only limited or specific work unrelated to post-judgment process, such as service of original process and/or service and execution of warrants of removal.

Special Civil Part Officers are independent contractors appointed by order of the Assignment Judge on the recommendation of the Civil Presiding Judge or designee. The appointment may be discontinued at any time at the discretion of the Assignment Judge.

## **I. SPECIAL CIVIL PART OFFICER POSITIONS**

### **A. Special Civil Part Officer (SCPO)**

#### **1. May:**

- a. Perform any of the SCPO duties and responsibilities set forth in this Directive, including but not limited to serving pre- and post-judgment process and administering the post-judgment collections process for assigned and executed writs
- b. Supervise an assigned Deputy SCPO

#### **2. Is paid:**

- a. Statutory fees for service of process and writs
- b. 10 % of each collection on the execution of post-judgment writ

### **B. Deputy SCPO**

#### **1. May:**

- a. Under the supervision of an SCPO, perform any of the SCPO duties and responsibilities set forth in this Directive, including but not limited to serving pre- and post-judgment process and administering the post-judgment collections process for assigned and executed writs
- b. Be separately appointed as a Limited SCPO and serve in both roles concurrently

#### **2. Is paid:**

- a. By agreement with the SCPO for whom he works

### **C. Limited SCPO**

1. **May:**
  - a. Serve process of summons and complaint
  - b. Serve and execute on warrants of removal
  - c. Be separately appointed as a Deputy SCPO and serve in both roles concurrently
2. **Is paid:**
  - a. Statutory service fees, by the state.

**D. Special Assistant Officer (SAO) –** (Temporary Position) initially established by the November 26, 2018 Supplement to Directive #01-15 and required for every SCPO (See Section VI of this Directive.)

1. **May:**
  - a. Serve as the required designee who is responsible for winding down an SCPO's business in the event of the SCPO's death, incapacity, or abrupt retirement, in a manner agreed upon in advance between the SCPO and the SAO, as set forth herein.
  - b. But does not have to, be an SCPO or a Deputy SCPO
2. **Is paid:**
  - a. As an SCPO, once their role is triggered due to the death, incapacity, or abrupt retirement of an SCPO, or in the manner agreed upon in advance by the SCPO and the SAO.

## **II. POSITION QUALIFICATIONS AND REQUIREMENTS**

### **A. Qualifications**

#### **1. SCPO and Deputy SCO Positions**

Candidates for appointment as an SCPO or Deputy SCPO must meet **at least one** of the following criteria:

- a. The candidate shall have successfully attained a bachelor's degree from an accredited college with at least 30 credits in business law and/or accounting.
- b. The candidate shall have been employed for at least three years in the Civil Division of the Superior Court.

Judiciary employees may apply for appointment as an Officer but must resign from their judiciary position if selected for appointment.

- c. The candidate shall have been employed on a full-time basis for at least three years by an officer/process server of a New Jersey court or by a bonded collection agency in the State of New Jersey in a managerial capacity.
- d. The candidate shall have been employed as a full-time law enforcement officer. All persons qualifying under this provision must have performed, in their previous position, duties that were of an investigative nature for a period of no less than three years.

Relaxation of these criteria may be necessary when suitable candidates for appointment do not meet one of the above qualifications; any such relaxations must be approved in writing by the Administrative Director.

## **2. Limited SCPO Position**

Candidates for appointment to the position of Limited Special Civil Part Officer must be at least 18 years of age and be appointed by the Assignment Judge with the recommendation of the Civil Presiding Judge and/or the Civil Division Manager.

## **B. Requirements**

### **1. Candidates for appointment as an Officer must have:**

- a. **No Judgments.** The candidate must not have any outstanding judgments against them and must provide recent copies (issued within 60 days of resume submission) of credit reports and credit scores from three major credit reporting agencies: currently, Equifax, Experian and Trans Union.
- b. **No Criminal Record.** The candidate must not have a criminal record in the State of New Jersey, any other state,

district or territory of the United States. Additionally, the candidate must agree to a criminal background check. If the background check reveals that the candidate has a criminal record and the candidate has disclosed those facts, the Assignment Judge can request the Administrative Director for an exception to appoint the candidate based on mitigating factors.

2. Additional Requirements for SCPO and SAO Candidates Only

a. **Ability to Meet Bonding Requirements.** The candidate for SCPO must be able to obtain an initial \$100,000 bond. Thereafter, the candidate must be eligible for increases in bonding as needed. See Section V(E) for additional information on bonding requirements.

b. **Ability to Perform Accounting Functions.** If the candidate intends to personally perform or oversee staff that will perform the accounting functions associated with the position of SCPO, the candidate's ability to do so must be demonstrated by experience or education outlined in their business plan. In the alternative, the candidate may use an accountant or accounting firm to perform the necessary accounting functions.

### III. RECRUITMENT AND SELECTION PROCESS

The recruitment and screening of Special Civil Part Officer candidates is the responsibility of the Civil Division Manager or designee. The Vicinage Human Resources Division and Vicinage Equal Employment Opportunity/Affirmative Action Officer shall not be involved in the recruitment or the appointment process, as Special Civil Part Officers are not employees of the Judiciary. The New Jersey Judiciary observes Equal Employment Opportunity/Affirmative Action principles in appointing Special Civil Part Officers.

The Assignment Judge determines the number of SCPOs to be appointed in their vicinage. An Officer may work in two separate vicinages only if the Assignment Judges in both vicinages approve.

#### **A. Advertisement of Appointment Opportunity**

The advertisement seeking Officer candidates shall be labeled as a Notice of a Special Civil Part Officer or Deputy Special Civil Part Officer Appointment Opportunity rather than a Job Opportunity or Notice of Vacancy and shall be in the form set forth Appendix A to this Directive (“Notice of Special Civil Part Officer Appointment Opportunity,” or “Notice of Deputy Special Civil Part Officer Appointment Opportunity”). If an appointment opportunity is for an Officer to perform limited duties unrelated to serving post-judgment process then the notice should be entitled “Notice of Limited Special Civil Part Officer Opportunity.” All Notices must be posted in public areas in both the Civil Division Manager’s office and the Human Resources Division but segregated from judiciary job opportunities and notices of vacancies.

Notices shall be posted on the Judiciary’s Infonet/Internet pages, in a category entitled “Special Civil Part Officer Opportunities,” segregated from Judiciary Job Opportunities and Notices of Vacancies, and may be placed in the classified advertising section of newspapers of general circulation in the Vicinage. Notices of Officer Appointment Opportunities shall remain open internally and externally for a minimum of 10 calendar days.

#### **B. Application Process**

1. An Officer candidate shall submit a cover letter and current resume to the Assistant Civil Division Manager for the Special Civil Part. All records pertaining to the candidate’s application shall be maintained in the Civil Division Managers’ office.
2. The candidate must complete a “Special Civil Part Officer Candidate Information Computerized Criminal History Authorization and Release Form” and submit it to the Assistant Civil Division Manager together with the cover letter and current resume. The Form is set forth in Appendix B to this Directive.

3. The SCPO candidate must provide a business plan which includes the following:
  - a. Business location that complies with Section VIII-A of this Directive.
  - b. Identification of who will be responsible for performing the accounting functions associated with the position.
  - c. The accounting system that will be used.
  - d. How the accounting system will be backed up.
  - e. The type of Antivirus/Spyware that protects their system.
  - f. How the historical accounting data will be recovered in the event of the loss of the accounting system (i.e., the cloud-based system used).
  - g. How paper records, that cannot be reproduced and/or any assets levied upon, will be safeguarded against unauthorized access, theft, fire and water damage (e.g., safes, fire extinguishers, locking filing cabinets.)
  - h. The name of the financial institution and the branch where the SCPO's accounts will be established.
  - i. How financial instruments will be safeguarded prior to deposit to the SCPO's account.
  - j. How mail will be received (e.g., post office box versus street address).

### **C. Interview Process**

The number of candidates selected for interview shall be sufficient to increase the likelihood of selecting a high-level performer and reasonable efforts shall be made to ensure that minorities and all genders are given a fair opportunity to compete for the appointment. All candidates shall be

given a uniform set of questions by the interview panel, consisting of members of the Civil and Finance Division Managers' offices, and shall be treated fairly and equally during the interview.

#### **D. Recommendation of Civil Presiding Judge**

Upon completion of the recruitment and selection process, the interview panel will make a selection recommendation to the Civil Presiding Judge. The Civil Presiding Judge, or their designee's recommendation will convey their recommendation to the Assignment Judge for consideration.

### **IV. Appointment and Discontinuation of Appointment**

#### **A. Appointment**

An Officer's appointment is formalized by a court order signed by the Assignment Judge. See Appendix C, "Sample Order Appointing Special Civil Part Officer." The sample order contains a provision requiring the Officer to agree to comply with all relevant statutes, court rules and administrative directives pertaining to Special Civil Part Officers, including the Officer's geographical limitation, the SCPO under whose supervision they are working (if Officer is a Deputy) and method of payment. The sample order provided in Appendix C provides for selection of appointment of SCPO, Deputy SCPO, or Limited SCPO. The Officer's agreement to these terms is stated by the Officer's signed consent, which is a part of the Order.

#### **B. Discontinuation of Appointment**

An Officer's appointment may be discontinued at any time at the discretion of the Assignment Judge. Nothing contained in this Directive abrogates the authority of the Assignment Judge to discontinue the appointment of the Officer at any time. Upon discontinuation of the Officer's appointment, the Officer shall immediately return to the Court Security Administrator, Court Judiciary Security Unit, (phone 609-815-2900 ext. 58028) all judicial and/or Officer identifications, badges, parking decals and keys. The Officer shall continue to be obligated to comply with all of the requirements contained in this Directive for as long as the Officer continues to receive remuneration for any work previously assigned. The SCPO will continue to maintain their records in a cloud-based service 2 years from the order discontinuing their appointment.



Immediately upon the discontinuance of an Officer's services, the SCPO must provide the Finance and Civil Division Managers, or their designees, access to their electronic files containing all documents and records pertaining to any assigned execution for the purpose of making a copy.

## **V. Special Civil Part Officer Policies --- General**

If the SCPO uses a subcontractor or staff member, including a Deputy SCPO or Limited SCPO, to fulfill any of their obligations, the SCPO shall be responsible for the subcontractor or staff member's: (a) performance; (b) compliance with this Directive; and (c) compliance with the requirements of all applicable laws. Nothing shall be construed as creating any contractual relationship between any subcontractor or staff member and the Judiciary/Vicinage.

### **A. Special Civil Part Officer's Deputy and Supporting Staff**

#### **1. Deputy SCPO**

SCPOs may employ a Deputy, with the express approval of the Assignment Judge. A prospective Deputy shall complete a "Special Civil Part Officer Candidate Information Computerized Criminal History Authorization and Release Form" and submit it to the Assistant Civil Division Manager together with a cover letter and current resume. The Form is set forth in Appendix B to this Directive. An order of appointment must be entered by the Assignment Judge for any persons so employed and the order must include a provision setting forth the subordinate role of the Deputy to the SCPO and specifying the permitted duties or tasks that this person can perform on behalf of the primary Special Civil Part Officer, including whether they are authorized to serve post-judgment process. Any existing Order of Appointment that does not contain these requirements shall require the Assignment Judge to issue an Amended Order of Appointment that contains these requirements.

#### **2. Staff Who Do Not Serve Process**

SCPOs may utilize staff of their choosing to perform duties that do not include serving process. An order of appointment is not required for these individuals. The SCPO shall be responsible for all the actions undertaken by their employees, agents or assigns while engaged in services on their behalf. Note that Judiciary employees cannot be utilized, employed by or provide any service to the SCPO, unless ordered to do so in a particular case by a judge.

**B. Identification**

All persons appointed by the Assignment Judge as a SCPO, Deputy or Limited Officer must obtain and carry an official badge and identification that contains a photograph, both in a form approved by the Administrative Office of the Courts. The Administrative Office of the Courts will provide the badge and identification at Judiciary expense for those officers appointed on or before October 1, 2014. For officers appointed after that date, badges and identification will be issued at the expense of the officer. Any replacement badges or identification for any officer will be issued at the expense of the officer.

**C. Political and Other Non-Judiciary Activities**

SCPOs must not hold or be a candidate for any elected public office and must not publicly engage in activity that is primarily aimed at electing candidates for any governmental position.

SCPOs shall not hold any position or employment in private business nor engage in other gainful pursuit that is incidental to or arises from their official duties, including but not limited to performing or charging fees for performing additional services beyond their official duties that are not required or permitted by statute, court rule or administrative directive. SCPOs shall also not engage in gainful pursuits that constitute or create the appearance of a conflict of interest or impropriety, or that interfere with their ability to perform official duties.

SCPOs and Deputies must report any personal or immediate family member involvement in civil or criminal litigation in the county of appointment to the Assignment Judge for that county. For the

purposes of this requirement, “immediate family” shall include all members of the individual’s household, as well as the following, whether related by marriage or by adoption: spouse or the substantial equivalent; child; foster child; brother; sister; parent; grandparent; grandchild; father-in-law; mother-in-law; sister-in-law; brother-in-law; son-in-law; daughter-in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half-brother; half-sister; nephew; niece; aunt; uncle; children of aunt or uncle.

All Officers must provide a completed “Special Civil Part Officer Personal Disclosure Form” to the Civil Division Manager annually on or before July 1. See Appendix D, “Special Civil Part Officer Personal Disclosure Certification Form.” The Special Civil Part Officer Personal Disclosure Certification Form is to be completed by all newly appointed Officers within thirty (30) days of appointment. If there is any change to the information contained on this form, the Officer must submit a completed and revised Personal Disclosure Certification Form, with the new information thereon, to the Civil Division Manager within 14 days of the change.

An Officer’s failure to comply with this section may result in the immediate suspension of all work to the Officer pending the Assignment Judge’s assessment of the Officer’s ability to continue their performance of their duties.

#### **D. Organizational Form of Special Civil Part Officer’s Business**

Limited liability companies and corporations may not be appointed as SCPO or Limited Officer. Therefore, SCPOs and Limited Officers may not organize themselves as limited liability companies or corporations

#### **E. Bonding Requirements**

All SCPOs shall be required to obtain an annual surety bond at their expense, conditioned on the SCPO’s faithful performance of official duties required by law, including but not limited to the appointment order and this Directive.

##### **1. Bond Requirements**

Each surety bond must satisfy the following:

- The bond must be issued by a qualifying surety approved by the U.S. Department of Treasury; [List of Certified Sureties](https://www.fiscal.treasury.gov/surety-bonds/list-certified-companies.html)(<https://www.fiscal.treasury.gov/surety-bonds/list-certified-companies.html>)
- The State of New Jersey and the New Jersey Judiciary must be listed as “Obligee” on the initial bond and all subsequent riders or continuations;
- The initial bond should recite the SCPO’s duties as set forth in the first paragraph of this Directive verbatim;
- Each annual bond, continuation, or rider must recite an effective date and expiration date, and should not be for an indefinite term;
- Each annual bond, continuation or rider must be cumulative;
- Each annual bond, continuation, or rider shall be affixed with the seal of the corporate surety, accompanied by a power of attorney showing proof of signing authority as the surety’s representative; and
- Each annual bond continuation, or rider must comply with the minimum coverage requirements set forth in Section 2, below.

All SCPOs shall be required to submit the original bond or a copy of the initial bond, as well as all subsequent riders, updates, continuations, or modifications thereto, to the Vicinage Finance Division Manager and copy the Trial Court Administrator and Civil Division Manager. Prior to assignment of work, newly appointed SCPOs must provide the Vicinage Finance Division Manager the initial bond effective on the date of appointment and copies to the Trial Court Administrator and Civil Division Manager. On or before June 25<sup>th</sup> of each year, existing SCPOs must provide proof of bond coverage in the form of a bond rider effective July 1<sup>st</sup>.

Upon receipt of the bond or bond rider, the Vicinage Finance Division Manager shall send an email receipt to the officer, then send each new bond

to Counsel's Office to review for compliance with Section E of this Directive and consult with Counsel's office with any questions on renewals.

The Vicinage Finance Division Manager shall maintain the initial bond, and all riders, updates, continuations, or modifications thereto, for a period of twenty (20) years, or the duration of the SCPO's assignment, whichever is longer.

If the SCPO fails to provide the annual bond rider by June 25th of each year (except in the in the situation of new officers as indicated in Section 2 a. ii. outlined below), or a lapse in coverage is suspected, assignment of new work to the SCPO should be immediately suspended.

The Vicinage Finance Division Manager shall notify the Trial Court Administrator, Assignment Judge and Civil Division Manager of the officer's non-compliance so they can determine how the suspension of work will occur. The Civil Division Manager shall send an email notification to the officer advising of such suspension and the possible discontinuation of their appointment on July 14.

If the SCPO fails to provide the annual bond rider by July 14 of any year, the Vicinage will discontinue the SCPO's appointment.

If there is a lapse in a SCPO's bond coverage, neither the SCPO nor their staff may perform any services while no bond is active. The SCPO may only resume performing services after providing the annual bond rider and the Vicinage's determination that all bonding requirements set forth herein have been satisfied.

## **2. Minimum Coverage Requirements**

The coverage amounts and coverage periods applicable to initial bonds for newly appointed SCPOs are set forth in section 2.a. The coverage amounts and coverage periods applicable to all annual bonds are set forth in section 2.b.

### **a. Initial Bond**

Upon appointment, the SCPO's surety bond shall be in the amount of \$100,000, if the SCPO is starting a new book. If the SCPO is assuming the responsibility for an

existing account, the Required Coverage shall be either \$100,000 or an amount the bond should comply with the minimum coverage requirements for that account set forth in Section 2.b.

- i. If the SCPO's date of appointment is prior to March 1, the term of the initial bond for the new book of business shall be from the date of appointment to June 30 of the current calendar year. The SCPO is required to renew this bond before July 1.
- ii. If the appointment occurs between March 1 and June 30, the bond term shall be until June 30 of the following calendar year. Before October 1 of the first year, the Vicinage Finance Division Manager should calculate the SCPO's average monthly collection figure. If three times the monthly average is more than the bond amount, the Vicinage Finance Division Manager should notify the SCPO by October 1 that the SCPO must increase the coverage to comply with the minimum requirements set forth herein. The SCPO must submit the revised rider for same to the Vicinage by October 10.

**b. Bond Amount Calculation Period and Bond Coverage Period**

Each SCPO is required to maintain an annual surety bond for three times the amount of their average monthly gross receipts during the current bond amount calculation period, or \$100,000, whichever is greater. The annual bond coverage period for all officers serving at the time of the promulgation of this Directive and those appointed after the date of this Directive shall be July 1 through June 30, in order to coincide with the required financial examination period. Bonds may not include coverage periods that extend indefinitely or that exceed a period of one year, except as set forth in section 2.a. ii. for initial bonds entered by SCPOs appointed between March 1 and June 30.

If the SCPO's current bond period is not July 1 through June 30, the officer should obtain a pro-rated rider from the current bond expiration date through the following June 30. For example, if the bond expiration date is 12/31/2025, the officer shall obtain a rider covering the period from 1/1/2026 to 6/30/2026.

As noted in Section VI-D of Appendix G to this Directive, each SCPO is subject to a financial examination for the period beginning on July 1 of each year and ending on June 30 of the following year. The bond amount calculation period shall be the first eleven months of each examination period.

On or before June 10<sup>th</sup> of every year, each officer shall calculate their average monthly collection figure for this eleven-month period and multiply that average by three. The resultant figure or \$100,000, whichever is greater, shall be the required bond amount for the upcoming financial examination period. Each officer shall ensure that any increase or decrease to their current bond amount required as a result of this calculation shall be made effective by their bonding company on or prior to July 1<sup>st</sup>. Said bond rider shall be submitted to the Vicinage Finance Division Manager on or before June 25<sup>th</sup> each year.

Upon receipt of the bond rider on or before June 25<sup>th</sup> each year, the Vicinage Finance Division Manager shall calculate the average monthly collection figure for each SCPO's prior eleven-month period and multiply that average by three. The resultant figure (or \$100,000, whichever is greater) shall be compared to the bond rider to ensure adequate coverage for the upcoming financial examination period. If an increase is necessary, the Vicinage Finance Division Manager should notify the SCPO immediately and give them 14 days to have the bond increased. If the officer does not provide the amended bond rider within the 14 days, the Vicinage Finance Division Manager shall notify the Trial Court Administrator, Assignment Judge and Civil Division Manager of the officer's non-compliance so they can determine how suspension of work will occur until the amended bond rider is received.

The Vicinage Finance Division Manager, or their designee, should also review the SCPO's monthly reconciliations throughout the year, in order to ensure that the bond's annual coverage is sufficient. In circumstances where the rolling three-month collections total exceeds the bond amount by 10% for more than 3 consecutive months, the Vicinage should notify the SCPO

that their annual bond coverage is out of compliance and must be increased unless there are extenuating circumstances. The Vicinage may consider suspending new work to the SCPO until the revised rider is provided.

The SCPO may also request a decrease in the amount of the bond, supported by a detailed accounting in support thereof, and an explanation of the exceptional circumstances justifying the request, at any time after the first anniversary of their appointment. Any modified bond reflecting the new amount of the bond must be provided to the Vicinage Finance Division Manager, copy to the Civil Division Manager, within 30 days of execution.

### **3. Bond Requirements for Civil Part Executions**

In matters cognizable in the Civil Part, where the judgment amount exceeds the prevailing jurisdictional limit of the Special Civil Part , currently \$20,000, and the Civil Presiding Judge has assigned a civil part execution to a SCPO in accord with Rule 6:1-1(e), the SCPO shall obtain and file a surety bond that guarantees the SCPO's performance of the assignment, in such sum and form as the Civil Presiding Judge may deem necessary to address any loss or misuse of funds. (See Appendix F, Section III, A) This amount shall be set forth in the Civil Presiding Judge's order directing the writ to the SCPO and the SCPO shall be required to present proof of compliance with the bonding requirements to the Civil Division Manager and the Finance Division Manager prior to processing such executions.

## **VI. Court Officer Contingency Plan**

SCPOs may enter into an agreement with a qualified person of their choice to serve as their *Special Assistant Officer* (SAO). The SAO will be responsible to wind down the SCPO's business in the event of the SCPO's death, incapacity or abrupt retirement in the manner agreed upon in advance by the SCPO and the SAO. While no new vicinage work will be assigned to an SCPO once they are deemed incapacitated, die or abruptly retire, the SCPO or their estate and SAO will have the opportunity to continue to earn dollarage and/or other applicable fees for all work previously assigned.

It is the responsibility of the SCPO to share all pertinent information with the SAO to effectuate a seamless transition, including passwords, computer programming technologies, record retention, COOP Plan, bank account



signatory authority, staff and business office/access information, etc. The Judiciary will honor the pre-approved agreement between the SCPO and SAO.

The SAO may continue to derive income from other sources, in accord with Directive #05-25, Section V. C. The SAO may apply, in the normal course, for an independent appointment in response to a vicinage SCPO recruitment. The SAO will be considered along with all other applicants for the appointment. SAO status does not a guarantee that the applicant will be selected for the appointment.

The following mandatory requirements must be met and approved by the Assignment Judge or their designee and the Administrative Director or his/her designee:

- A. The SAO must satisfy the qualification requirements under Directive #05-25, Sections II. A. and B. The SAO may be an existing Deputy officer or the SCPO may request appointment of a new person to serve as SAO;
- B. The SAO must comport with the requirements of Directive #05-25, and must enter into a Consent Order (See Consent Order at Appendix C to Directive #05-25) which so provides their designation as an SAO;
- C. The SCPO and SAO must sign the *Special Civil Part Officer Contingency Plan Agreement Form* (See new Appendix I, attached hereto) and attach same to the Consent Order;
- D. The Plan is triggered when the SAO is notified by the vicinage in writing of the discontinuation of the SCPO's appointment. Within seven (7) days of the receipt of such notice, in accord with Directive #05-25, Section V. E., the SAO must procure their own bond in the identical amount of the preceding SCPO's bond at that time and provide the initial bond to the Trial Court Administrator and Finance Division Manager. The SAO may seek subsequent bond amount reductions upon submission of detailed accounting in accord with Directive #05-25, Section V. E.;

- E.** Upon the discontinuation of an SCPO's appointment, all of the discontinued SCPO's work shall cease, including but not limited to, disbursements, deposits, earning of dollarage, etc. The SAO shall assume responsibility for carrying on the SCPO's business, provided that the SAO has procured the necessary bond as set forth in the preceding paragraph. In the event that the SAO has failed to procure the necessary bond, the vicinage may, in its discretion, void the Plan or permit the SAO to have no more than one additional week to provide the initial bond. Any further extensions to this requirement require approval from the Administrative Director;
- F.** Any agreements between the SCPO and SAO shall be enforceable between them as provided for by law and they shall agree to hold the Judiciary harmless in the event of any claimed breach thereof, e.g., disputes over the amount of dollarage to be earned by the SAO and/or the SCPO or their estate, responsibility for cost of the mandatory close-out audit, operating expenses, staffing issues such entitlement to severance pay and unemployment benefits, etc. The SCPO and SAO shall acknowledge that the vicinage/Judiciary is not a party to any agreement between them;
- G.** The Assignment Judge and Administrative Director, or their designees, shall determine when a Plan has failed, including but not limited to, when a SAO fails to obtain the necessary bond in a timely manner. In the event a Plan is deemed to have failed and the vicinage is required to assume control of an SCPO's accounting system, and any bank accounts and undertake the SCPO's responsibilities with respect to work previously assigned, the vicinage/Judiciary shall be entitled to retain any dollarage earned thereafter. The SCPO or their estate shall be liable for the cost of the close-out audit required by Directive #05-25. The SCPO or their estate, the SAO, and their sureties, shall be liable for any other costs or expenses borne by the vicinage/Judiciary in excess of said dollarage;
- H.** The SAO must return all of the SCPO's previously assigned executions that did not incur receipt of any income or garnishment within four months from the date that the SAO's bond is satisfactorily procured. Within 30 days of the date upon which the SAO's bond is satisfactorily procured, the SAO and Civil Division Manager shall develop and submit an agreed upon Action Plan, that meets with the Civil Presiding Judge's approval. The SAO's action plan may include

other terms agreed to by the SAO and vicinage, but must minimally include the following:

1. SAO's schedule for the dissemination of the 30-day notices of intent to return executions to all applicable judgment creditors in accord with Directive #05-25, Appendix F, Section II., A;
  2. SAO's schedule on when and how they intend to disseminate any applicable Omnibus Court Orders to all applicable banks, third party garnishees, attorneys and/or litigants which direct them to treat the SAO as if they were originally assigned these executions and/or other Orders that otherwise assist in the implementation of the Plan;
  3. SAO's schedule for the return to the Court of the aforesaid executions;
  4. SAO's plan to address any unresolved or pending complaints, if any, against the preceding SCPO; and the
  5. Name and address of the accounting firm that the SAO intends to rely upon to perform the close out audit.
- I.** Prior to the discontinuation of an SCPO's appointment due to death, incapacity or immediate retirement, an SCPO is permitted to revise any previously approved Plan in accord with these requirements. Section (VI) does not apply, and any existing Plan shall be deemed voided, in the event an SCPO's appointment is discontinued by the vicinage/Judiciary. The SAO must provide the vicinage with at least 60 days' notice of their intent to no longer serve as SAO. An SAO is not permitted to designate their own SAO. With the approval of the Assignment Judge and the Administrative Director, or their designees, an SCPO may retire in good standing but remain working for the purpose of winding down their own business in accord with Directive #05-25. In that case, Section VI would not apply.

## **VI. Operational Requirements for Special Civil Part Officers**

### **A. Business Office Location**

SCPOs shall maintain a business address in the State of New Jersey. The Assignment Judge or designee may require newly appointed SCPOs to maintain a physical business street address in the Vicinage which will not be provided to the public. Vicinages shall permit SCPOs to meet with litigants in the courthouse from time to time as needed.

### **B. Business Hours**

SCPOs must provide phone coverage during regular court business hours and the SCPO and/or their staff must telephonically respond to all telephone inquiries, messages or calls within 2 business days.

Limited Officers, and SCPOs and their Deputies shall be available by telephone to court staff during court business hours.

### **C. Communication**

The SCPO's business office must have a computer and the ability to send and receive an electronic transmission using current technology approved by the AOC. Each SCPO and Limited Officer shall be required to maintain an email account to facilitate communications with all of the Special Civil Part Clerks' Offices, as deemed appropriate, and provide same to their respective Civil Division Manager or their designees.

All required SCPO's business information (e.g., phone number(s), fax number, email address, business office address, names of all employees 18 years of age or older, etc.) shall be provided annually on or before July 1 to the Civil Division Manager and the Finance Division Manager in the Officer's respective vicinage by completing the "Special Civil Part Officer Business Information Certification Form." See Appendix E, "Special Civil Part Officer Business Information Certification Form." If there is any change to the information contained on this form, the SCPO must immediately submit a completed and revised Business Information Certification

Form, with the new information thereon, to the Civil and Finance Division Managers.

**D. Identification on Correspondence and Checks**

All SCPO correspondence must contain the name of the SCPO, their title, the business mailing address, the business phone number, email address, and the business fax number.

All letterhead and checks used by SCPOs must be approved by the Assignment Judge or designee. The Officer's letterhead and checks may include the Seal of the Superior Court, but not the Great Seal of the State of New Jersey.

**E. Record Retention & Location**

All written and electronic non-duplicative and relevant correspondence to and from the SCPO, documentation and/or pleadings, related to any post-judgment work assigned must be maintained by the SCPO for a period of seven years from the Officer's return date of the execution to the Court to which the correspondence, pleadings or documentation pertains. All non-duplicative and relevant correspondence, documentation or pleadings related to warrants of removal, warrants for arrest, personal reservice requests of original service of process and for any other process assigned, must be maintained by the SCPO for two years from the Officer's return date to the Court to which the correspondence, pleadings or documentation pertains.

Documents pertaining to any assigned execution must be maintained for 20 years from the date of the assignment. If any records are not maintained at their business address, the Officer is required to disclose the location of the same to the Court.

Upon the discontinuance of an Officer's services, the SCPO must provide the Finance and Civil Division Managers, or their designees, access to their electronic files containing all documents and records pertaining to any assigned execution for the purpose of making a copy.

**F. Disaster Recovery / Contingency Planning**

Each SCPO must create and submit to the Assignment Judge or designee a copy of an emergency action plan or Continuity of Operations Plan (COOP) which provides for the safety of all court records, court documents, ledgers, bank records, checks, cash or any other personal property that has been levied upon, if any, affiliated with the SCPO's duties, that are not otherwise stored electronically. The SCPO's COOP must include a plan to regularly back up the computer's hard drive into a cloud-based system, and any and all electronically stored data that the SCPO is required to maintain, which must be accessible off site in the event of an emergency or catastrophe to the structure where these records are maintained.

The Assignment Judge and Trial Court Administrator shall designate the particular vicinage manager who shall be responsible to assess the COOP on their behalf and perform a site visit at the Officer's business location to assess its compliance with these requirements. The designee, in their discretion, can utilize applicable vicinage staff to assist in this regard. A copy of the aforementioned COOP, including any updates, shall be kept on site at the SCPO's business office and in the office of the aforementioned designee.

**G. Mandatory Biennial Site Visitation by Vicinage Staff**

SCPOs shall entertain visitation in their business office by court personnel during court business hours for SCPO related business for a mandatory Biennial Site Visitation, and as the need arises.

Vicinage staff from Finance Division and Civil Division, during their Biennial Site Visitation, shall use the Special Civil Part Officer Site Visitation Checklist to determine the SCPO's compliance with this directive. See Appendix J, attached hereto. If deemed necessary by the visitation team, they will consult with Vicinage Information Technology.

**H. Work Retrieval**

Each SCPO shall be required to retrieve all work assigned to them on a daily basis unless alternate arrangements are approved by the Civil Division Manager or designee.

## **I. Training**

### **1. Orientation**

The Civil Division Manager or designee will coordinate an orientation for the newly appointed SCPOs. The orientation shall include an introductory meeting between the SCPO and the Vicinage Finance Division Manager or designee. A newly appointed SCPO will work with a selected incumbent SCPO(s) for a specified period of time or under the supervision of an incumbent SCPO for at least 90 days. The purpose is for the incumbent SCPO to train the newly appointed SCPO on how to perform SCPO duties in accordance with all relevant statutes, court rules and administrative directives. The Civil Division Manager or designee and the incumbent SCPO(s) shall report to the Assignment Judge and/or designee on the newly appointed SCPO's progress no later than 90 days after appointment, and thereafter, in the discretion of the Assignment Judge or designee. In addition, the orientation program should include training in and oversight of a new SCPO's record keeping and office procedures for the first six months of the SCPO's service. A visit by designated vicinage staff, to the newly appointed SCPO's business office, shall occur no later than 90 days after appointment, and thereafter, in the discretion of the Assignment Judge or designee, as the need may arise, in addition to the mandatory biennial visit.

### **2. Ongoing**

SCPOs shall be required to attend training, as determined by the Judiciary.

## **J. Internal Controls**

It is the responsibility of the SCPO to:

1. Enter every writ assigned to them into their accounting system promptly.
2. Not close a writ in their accounting system unless the writ has been returned to the vicinage.

3. Safeguard the monies entrusted to the care of the SCPO.
4. Establish internal controls for the Accounting System to assure the integrity of the data entered into the system and prevent misuse or defalcation.
5. Develop and maintain a back-up method for the Accounting System.
6. Develop and maintain a disaster recovery plan for the Accounting System and related financial data (bank statements, deposit slips, bank reconciliations). See Section VII(F), "Disaster Recovery / Contingency Planning," above.
7. Develop and train staff/employee(s) Deputies, and SAO utilized by the SCPO to manage the financial operation.

**K. Writ Register Requirements for SCPOs**

The SCPO shall maintain a Writ Register for all Civil Part, if any, and Special Civil Part executions. The writ register shall contain:

1. Issue date of execution and expiration date of execution
2. Date of the execution (date the Officer enters this information into their computer)
3. Execution number (writ #)
4. Docket number, venue, vicinage judgment (VJ) number or docketed judgment (DJ) number of the case
5. Nature of the execution (wage, chattel or replevin)
6. Caption of the case
7. Amount of the execution
8. Remarks/status of execution, which must provide, as follows:
  - a) Date(s) of attempted service;
  - b) Date of actual service if more than one date of attempted service;



- c) Verification of the debtor's employment, if any, and any other relevant information provided by the garnishee to the Officer (e.g., debtor never employed, debtor's employment terminated, debtor seasonal or part time employee, etc.);
- 9. Notice of bankruptcy, if any
- 10. All accrued interest requests, if any.

#### **VIII. Procedures for Service of Process by Special Civil Part Officers**

The service of initial, mesne, and post-judgment process shall be carried out by SCPOs, Deputies or Limited Officers, as assigned, pursuant to the procedures set forth in Appendix F to this Directive, which is entitled "Procedures for Service of Process by Special Civil Part Officers," and relevant New Jersey Rules of Court and statutes. Appendix F forms will be updated from time to time by the Administrative Office of the Courts and Officers are expected to keep themselves abreast of all such changes. Common examples of initial process are service of landlord/tenant summons and complaints or reservice of original service of process on other docket types within the Special Civil Part Court. Examples of mesne process are service of a writ of attachment or writ of replevin. Common examples of post-judgment process are a writ of execution against goods and chattels or an order for execution against wages.

#### **IX. Financial Requirements for SCPOS**

Financial recordkeeping and procedural requirements for SCPOs are set forth in Appendix G to this Directive, which is entitled "Financial Requirements for Special Civil Part Officers" and in Rule 6:12 of the New Jersey Rules of Court. Appendix G will be updated from time to time by the Administrative Office of the Courts and Special Civil Part Officers are expected to keep themselves and their auditors abreast of all such changes.

## **X. Judiciary Support and Monitoring Procedures**

### **A. Special Civil Part Officers Advisory Committee**

#### **1. Formation**

Each Assignment Judge shall form a Special Civil Part Officers Advisory Committee to be chaired by the Civil Presiding Judge. This Committee shall meet at least semiannually to advise the Assignment Judge with regard to the appointment of new Officers, training, policy, procedures and other issues pertaining to SCPOs. Minutes of these meetings shall be maintained by the vicinage and be available to the officers upon request.

#### **2. Membership**

In addition to the Civil Presiding Judge, the Advisory Committee should consist of the Supervising Judge of the Special Civil Part, the Civil Division Manager, the Assistant Civil Division Manager – Special Civil Part, all SCPOs, at least two members of the local bar who regularly practice in the Special Civil Part, an attorney from legal services, the Finance Division Manager or designee, and other individuals as the Assignment Judge may designate.

### **B. Annual Review of Special Civil Part Officer Personal Disclosure Form**

The Special Civil Part Officer Personal Disclosure Certification Form (See Appendix D) submitted by the Officer, as required by Section V(C) herein, shall be reviewed by the Civil Division Manager, and kept on file by the Assignment Judge or designee within the appointing vicinage. A SCPO's failure to timely and/or accurately complete the form may result in the immediate suspension of all work to the SCPO pending the Assignment Judge's assessment of the SCPO's ability to continue their performance of their duties.

### **C. Workload Distribution by the Case Management Office**

The Assistant Civil Division Managers for the Special Civil Part shall be responsible for the day-to-day allocation of work to Officers in their counties. Attorney and pro se preferences for the assignment of post-judgment process and warrant of removal process to a particular Officer will not be honored. Civil Presiding Judges and Civil Division Managers should evaluate the case assignment practices in their courts to ensure that work is being distributed in a manner that promotes timely service and provides each Officer who serves post judgment process and warrants of removal with the opportunity for the fair and equitable assignment of available cases, whether based on geographic locale, alternating docket numbers or through some other method of case distribution. As part of that ongoing process of case assignment practices, the Civil Division Manager or designee shall annually provide the Civil Presiding Judge with a report on the allocation of cases to the various officers in that vicinage.

**D. Assignment and Tracking of Writs for Compliance with Legal Requirements**

The Civil Presiding Judge or Supervising Judge of the Special Civil Part and the Civil Division Manager or designee shall meet periodically, but not less than annually, with the SCPOs to address issues regarding service of initial and post-judgment process, warrants of removal and/or other assigned process, prompt return of expired writs through eCourts, and ascertain compliance by the Officers with appropriate statutes, rules and directives. The assessment shall include reviewing any concerning results of the annual Special Civil Part Officer Performance Survey. The Civil Presiding Judge shall determine the quantity of surveys necessary to be distributed annually. See Appendix H to this Directive, "Special Civil Part Officer Performance Survey."

**1. Acknowledgment of Receipt of Work**

The Civil Division Manager or designee shall provide to all SCPOs any available report that reflects the post-judgment work that has been assigned to the Officer such as the "Court Officer Fee Report (Report 219)" on a bi-weekly basis or once per month, as the Civil Division Manager or designee deems appropriate. The Civil Division Manager or designee can

utilize a different report in this regard, as long as it meets this requirement, and they may also include additional assigned Officer work, that is non-post-judgment related, in their discretion and as the need arises. The SCPO shall review and advise, by initial or signature thereon or by email, that the SCPO has received all the executions/work contained thereon prior to the issuance of the next report and/or to report if any executions/work were not yet received by the SCPO so that the Assistant Civil Division Manager can provide the SCPO with another copy of same.

## **2. Expired Writ Report**

The Civil Division Manager or designee shall provide to each SCPO, the “Expired Writ Report (229X Report)” at a minimum, every other month. SCPO shall return by way of eCourts, if they have not done so already, all expired writs within 45 days of receipt of the writs’ initial appearance on a 229X Report. A SCPO’s failure to return any writ, expired more than 60 days, within 45 days of its appearance on a second consecutive bimonthly 229X report may result in the immediate suspension of all work to the Officer pending the Assignment Judge’s assessment of the Officer’s ability to continue their performance of their duties. See Appendix F, Section II(A) regarding the required 30-day notice of intent to return a writ and release levies.

## **3. Review of Court Officer Writ Register**

The SCPO must provide a copy of the Officer’s Writ Register required by Section VII(K) of this Directive quarterly to the Civil Division Manager or designee who will compare the Officer’s Writ Register with the Vicinage’s Active Writ Register/Wage Report [CVB 229(a)] to check for discrepancy in number of writs assigned and reported. If there is a discrepancy of more than 25 writs, the Civil Division Manager will send a letter to the SCPO requesting an explanation for the discrepancy and requiring the SCPO to bring the lists into compliance.

The Civil Division Manager or their designee shall also review

5% of the executions, up to a maximum of 100, for compliance with the requirements of Section VII(K) of this Directive on a semiannual basis. Issues of non-compliance with Section VII(K), if any, shall be brought to the attention of the Assignment Judge and directed to the officer for correction.

**E. Review of Monthly Bank Reconciliations**

Each month the SCPO must submit a copy of their bank statement, the associated bank reconciliation, an outstanding check list, and an analysis of the adjusted bank balance documenting pending liabilities associated to these funds. Additionally, any errors or discrepancies must be explained. This complete submission must be forwarded to the Finance Division Manager by the 20<sup>th</sup> day of the month subsequent to the bank reconciliation date. See Attachment A to Appendix G for examples of the three schedules required to be submitted monthly. The reconciliation will be reviewed by the Finance Division Manager or their designee. The amounts collected will be reviewed by the Civil Division Manager or their designee and compared to amounts collected by other SCPOs for any anomalies. If there are unaddressed errors or deficiencies, the Finance Division Manager and/or Civil Division Manager will advise the Trial Court Administrator. The Assignment Judge or designee will determine if additional work will be assigned to the SCPO while the errors or deficiencies remain unaddressed.

**F. Review and Approval of Annual Financial Examination Reports**

The roles of the Trial Court Administrator, Finance Division Manager, Civil Division Manager and the AOC's Chief of Internal Audit in the review and approval of Annual Financial Examination Reports submitted by SCPOs are set forth in Section VI(I-L) of Appendix G to this Directive.

**G. Special Civil Part Officers Records Maintained by the Judiciary**

Pursuant to Rule 1:38-5(r), records pertaining to a SCPO's audit, monthly reconciliations and Appendix Forms B, D and E herein are administrative records excluded from public access. Said records shall be maintained by the Finance Division Manager.

Appendixes A through J Attached

cc: Chief Justice Stuart Rabner  
Steven Bonville, Chief of Staff  
AOC Directors and Assistant Directors  
Special Assistants to the Administrative Director  
John Brodowski, Chief, Internal Audit  
Melissa Czaratoryski, Chief, Civil Practice  
Finance Division Managers  
Christina Blunda, Assistant Chief, Special Civil Part

## **List of Appendices to the Directive**

### Appendix A:

- Notice of Special Civil Part Officer Appointment Opportunity

### Appendix A-1:

- Notice of Limited Special Civil Part Officer Appointment Opportunity

### Appendix B:

- Special Civil Part Officer Candidate Information – Computerized Criminal History Authorization and Release Form

### Appendix C:

- Sample Order Appointing Special Civil Part Officer

### Appendix D:

- Special Civil Part Officer Personal Disclosure Certification Form

### Appendix E:

- Special Civil Part Officer Business Information Certification Form

### Appendix F:

- Procedures for Service of Process by Special Civil Part Officers

### Appendix G

- Financial Requirements for Special Civil Part Officers

### Appendix H:

- Special Civil Part Officer Performance Survey

### Appendix I:

- Special Civil Part Court Officer Contingency Plan Agreement

### Appendix J:

- Special Civil Part Officers – Biennial Site Visit Checklist

**Administrative Directive #05-25**

**APPENDIX A**



**APPENDIX A to ADMINISTRATIVE DIRECTIVE #05-25**  
**SUPERIOR COURT OF NEW JERSEY**  
**SPECIAL CIVIL PART COUNTY OF XX**

JANE SMITH  
Civil Division Manager

JOHN DOE  
Assistant Civil Division Manager



ANY COUNTY COURTHOUSE  
85 MAIN STREET ANYTOWN, NJ 08000  
TELEPHONE (555) 555-5555

**NOTICE OF SPECIAL CIVIL PART OFFICER APPOINTMENT OPPORTUNITY**

**Compensation:** Special Civil Part Officers are unsalaried independent contractors whose income consists of statutory fees paid by litigants for service of process issued by the court. Special Civil Part Officers also retain a percentage of the money they collect pursuant to writs of execution against wages and chattels issued by the court and they receive fees for serving and executing warrants for removal issued by the court in tenancy actions.

**Applications Accepted Through XXXX XX, XXXX**

**DESCRIPTION**

Special Civil Part Officers are officers of the court. Their responsibilities include serving summonses and complaints in landlord tenant actions and serving and executing warrants for removal in eviction cases as ordered by the court. Special Civil Part Officers also serve post-judgment papers issued by the court, such as chattel and wage executions, post and conduct sales of goods and chattels, remit execution proceeds to judgment creditors, and perform such other duties as may be directed by the court or required by statute, court rule or administrative directive.

**REQUIREMENTS**

Candidates must meet **at least one** of the following qualifications:

- a) The candidate shall have been employed for no fewer than three years by a New Jersey Court. Judiciary employees may apply for appointment as a Special Civil Part Officer but must resign from their Judiciary position if selected for appointment.
- b) The candidate shall have been employed on a full-time basis for no fewer than three years by an officer/process server of a New Jersey Court or by a bonded collection agency in the State of New Jersey in a managerial capacity.
- c) The candidate shall have been employed as a full-time law enforcement officer. All persons qualifying under this provision must have performed in their previous position, duties that were of an investigative nature, for a period of no less than three years.

- d) The candidate shall have successfully attained a Bachelor's degree from an accredited college with no fewer than 30 credits in criminal justice, business law and/or accounting.

In addition to meeting one of the aforementioned qualifications, the candidate must demonstrate all of the following:

- a) If the candidate intends to personally perform or oversee staff that will perform the accounting functions associated with the position, the candidate or staff member's ability to do so must be demonstrated by experience or education outlined in their business plan. In the alternate, the candidate may utilize an accountant or accounting firm to perform the necessary accounting functions.
- b) The candidate must not have any outstanding judgments against them and must provide recent copies of credit reports and credit scores from three major credit reporting agencies: currently, Equifax, Experian and TRW.
- c) The candidate must not have a criminal record and must have a reputation for honesty in the community.
- d) The candidate must be able to obtain an initial \$100,000 bond. Thereafter, the candidate must be eligible for required increases in bonding as needed.
- e) The candidate must provide a business plan per Directive #05-25.

Candidates should submit a cover letter, current resume and a completed Special Civil Part Officer Candidate Information/Computerized Criminal History Authorization and Release Form by XXXX XX, XXXX to: \_\_\_\_\_, Civil Division Manager, Any County Superior Court, Special Civil Part, 85 Main Street; Anytown, New Jersey 08000.

**THE JUDICIARY OF NEW JERSEY OBSERVES  
EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PRINCIPLES IN APPOINTING  
SPECIAL CIVIL PART OFFICERS**

**Administrative Directive #05-25**

**APPENDIX A-1**

**APPENDIX A-1 to ADMINISTRATIVE DIRECTIVE #05-25**  
**SUPERIOR COURT OF NEW JERSEY**  
**SPECIAL CIVIL PART COUNTY OF XX**

JANE ROE  
CIVIL DIVISION MANAGER

JOHN DOE  
ASSISTANT CIVIL DIVISION MANAGER



ANY COUNTY COURTHOUSE  
85 MAIN STREET ANYTOWN, NJ 08000  
TELEPHONE (555) 555-5555

**NOTICE OF LIMITED SPECIAL CIVIL PART OFFICER APPOINTMENT OPPORTUNITY**

**Compensation:** Limited Special Civil Part Officers are unsalaried independent contractors whose income consists of statutory fees paid by litigants for service of process issued by the court and for serving and executing warrants for removal issued by the court in tenancy actions.

**Applications Accepted Through XXXX XX, XXXX**

**DESCRIPTION**

Limited Special Civil Part Officers are officers of the court. Their responsibilities include serving summonses and complaints in landlord tenant actions and serving and executing warrants for removal in eviction cases as ordered by the court.

**QUALIFICATIONS/REQUIREMENTS**

Candidates for appointment to the position of Limited Officer must be at least 18 years of age and be appointed by the Assignment Judge with the advice of the Civil Presiding Judge and/or the Civil Division Manager.

In addition to meeting the aforementioned qualifications, the candidate must demonstrate all of the following:

- a) The candidate must not have any outstanding judgments against them and must provide recent copies of credit reports and credit scores from three major credit reporting agencies: Currently, Equifax, Experian and TRW.
- b) The candidate must not have a criminal record and must have a reputation for honesty in the community.

Candidates should submit a cover letter, current resume and a completed Special Civil Part Officer Candidate Information/Computerized Criminal History Authorization and Release Form by XXXX XX, XXXX to: \_\_\_\_\_, Civil Division Manager, Any County Superior Court, Special Civil Part, 85 Main Street; Anytown, New Jersey 08000.

**THE JUDICIARY OF NEW JERSEY OBSERVES**  
**EQUAL OPPORTUNITY/AFFIRMATIVE ACTION PRINCIPLES IN APPOINTING**  
**SPECIAL CIVIL PART OFFICERS**

**Administrative Directive #05-25**

**APPENDIX B**

**APPENDIX B to ADMINISTRATIVE DIRECTIVE #05-25**

**New Jersey Judiciary**



**Special Civil Part Officer Candidate Information  
Computerized Criminal History Authorization and Release Form**

The form is to be completed by the Special Civil Part Officer candidate and submitted to the Assistant Civil Division Manager for the Special Civil Part together with a cover letter and current resume. A business plan must also be submitted if the candidate is seeking the position of Special Civil Part Officer.

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Apt. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_ Email Address \_\_\_\_\_

Other Names Used by Candidate \_\_\_\_\_

Social Security or EIN# Number \_\_\_\_\_ Driver's License # (include issuing state) \_\_\_\_\_

Candidates must not have any outstanding judgments against them and must submit recent copies of credit reports from the three major credit-reporting agencies.

I have never been convicted of, found guilty of or pled guilty to any crime or non-criminal offense, including disorderly or petty disorderly persons offenses, driving while intoxicated and offenses, except the following (check "None" or give details of each conviction and disposition; use and sign additional sheets if necessary):

☐ None

☐ Conviction and details \_\_\_\_\_

**Computerized Criminal History Authorization and Release**

I do hereby authorize a review and full disclosure of all records and information concerning myself regarding convictions for any crimes or non-criminal offenses, including but not limited to, disorderly or petty disorderly person's offenses and driving while intoxicated. I hereby release, discharge and exonerate the Judiciary, their agents and representatives, and any person so furnishing information pursuant to this Authorization and Release from any and all liability of every nature and kind arising out of the furnishing, inspection or collection of such documents, records and other information or the investigation made by the Judiciary. I understand that any information obtained through a comprehensive criminal history background investigation, which includes fingerprinting and examination of all non-expunged records, will be considered in determining my suitability for appointment as a Special Civil Part Officer by the Judiciary of the State of New Jersey. I have read and fully understand the contents of this Authorization and Release.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

**Administrative Directive #05-25**

**APPENDIX C**

**APPENDIX C to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample Order Appointing Special Civil Part Officer**

<p>In the Matter of the Appointment of _____ ,</p> <p>as a Special Civil Part Officer</p>		<p>Superior Court of New Jersey Law Division, Special Civil Part _____ County</p> <p style="text-align: center;"><b>Order Appointing Special Civil Part Officer</b></p>
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This matter being presented to the court by the Civil Presiding Judge of the Vicinage, pursuant to Administrative Directive #05-25, and it appearing that \_\_\_\_\_ has agreed, by consent to entry of this order, to comply with all court orders and all court rules, statutes and Administrative Directives pertaining to the Special Civil Part and Special Civil Part Officers,

IT IS HEREBY ORDERED that \_\_\_\_\_ is appointed to function as a:

- \_\_\_\_\_ Special Civil Part Officer
- \_\_\_\_\_ Deputy Special Civil Part Officer, working under the supervision of SCPO \_\_\_\_\_
- \_\_\_\_\_ Limited SCPO
- \_\_\_\_\_ Special Assistant Officer (SAO) to SCPO \_\_\_\_\_

for \_\_\_\_\_ County(ies) in Vicinage \_\_\_\_\_, and as such is authorized to:

- \_\_\_\_\_ serve and execute summonses and complaints, warrants of removal and executions of warrants of removal (Limited Officer, Deputy, SAO, or SCPO)
- \_\_\_\_\_ serve writs, warrants and orders directed to them by a judge or the clerk of the Special Civil Part; (Deputy, SAO, or SCPO)



IT IS FURTHER ORDERED that \_\_\_\_\_'s authority is limited to the geographical boundaries of \_\_\_\_\_ County(ies) in Vicinage, unless otherwise permitted by court order, court rule, statute or Administrative Directive;

IT IS FURTHER ORDERED that \_\_\_\_\_'s compensation is to be paid as provided in *N.J.S.A. 22A:2-37.2*, or, if a Deputy, as agreed upon by the Deputy SCPO and his supervising SCPO.

IT IS FURTHER ORDERED that this appointment may be discontinued in the discretion of the court.

Dated: \_\_\_\_\_

\_\_\_\_\_, A.J.S.C.

### CONSENT

I, \_\_\_\_\_ hereby consent to the entry of the above Order appointing me as a:

- \_\_\_\_\_ Special Civil Part Officer
- \_\_\_\_\_ Deputy Special Civil Part Officer
- \_\_\_\_\_ Limited Special Civil Part Officer.
- \_\_\_\_\_ Special Assistant Officer

Dated: \_\_\_\_\_

\_\_\_\_\_  
Officer

**Administrative Directive #05-25**

**APPENDIX D**

**APPENDIX D to ADMINISTRATIVE DIRECTIVE #05-25**

**New Jersey Judiciary**

**Special Civil Part Officer Personal Disclosure Certification Form**

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I, \_\_\_\_\_, being of full age, do hereby certify as to the following:

A. I have not been charged, found guilty of or pled guilty to any crime or non-criminal offense, including disorderly or petty disorderly persons offenses and driving while intoxicated, except the following (state "None" or give details of each conviction and disposition; use and sign additional sheets if necessary).

B. No person(s) has served process on my behalf other than those authorized by the Assignment Judge.

C. I have not been involved (i.e., party to an action), nor to my knowledge has any other immediate family member of mine been involved, with any litigation in the county where I am employed as a court officer other than those I have previously disclosed to the Assignment Judge. "Immediate family" shall include all members of the individual's household, as well as the following, whether related by marriage or by adoption: spouse or the substantial equivalent; child; foster child; brother; sister; parent; grandparent; grandchild; father-in-law; mother-in-law; sister-in-law; brother-in-law; son-in-law; daughter-in-law; stepfather; stepmother; stepson; stepdaughter; stepbrother; stepsister; half-brother; half-sister; nephew; niece; aunt; uncle; children of aunt or uncle.

D. Every person under my employ has been provided a copy with all applicable Special Civil Part officer policies, procedures, rules and directives and that I certify compliance therewith.

E. As a duly appointed Special Civil Part Officer, I shall, to the best of my ability, comply with all applicable Special Civil Part Officer directives, policies, rules and procedures.

F. No civil judgments and/or liens have been filed against me, personally or otherwise, or against any property in which I have an ownership interest, nor have I entered into any settlement of claims against me, personally or otherwise. (Give details of each civil judgment or lien, if any)

G. I do not hold any position or employment in private business nor have I engaged in other gainful pursuit of employment that is related to my duties as a Special Civil Part Officer or advances a position contrary to that of the parties or the New Jersey Judiciary. I have not performed nor have I accepted, any fee, remuneration or any other form of compensation for services provided beyond the official duties of a Special Civil Part Officer or services not required or permitted as part of the official duties of a Special Civil Part Officer.

H. I understand that as a Special Civil Part Officer, I am not an employee of the New Jersey Judiciary.

I do hereby certify that the foregoing statements made by me are true and accurate. I understand that if any of the foregoing statements are willfully false, I am subject to punishment under law.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Administrative Directive #05-25**

**APPENDIX E**

## APPENDIX E to ADMINISTRATIVE DIRECTIVE #05-25



### New Jersey Judiciary

### Special Civil Part Officer Business Information Certification Form

This form is to be completed by all newly appointed Special Civil Part Officers within thirty (30) days of appointment. Thereafter, this form is to be completed by all existing Special Civil Part Officers, on an annual basis, on or before June 25, and submitted to the Civil Division Manager and the Finance Division Manager in the respective vicinage. Any change of information requires a new form to be completed immediately.

I, \_\_\_\_\_, being of full age, do hereby certify as to the following information:

My office/business address (including any P.O. Boxes) is:

The address where my business records are located (if different than above) is:

My work telephone number is: \_\_\_\_\_

My business cell phone number is: \_\_\_\_\_

My fax number is: \_\_\_\_\_

My work email address is: \_\_\_\_\_

A copy of all applicable insurance policies, if any, for my staff and my place of business (excluding bonds) are attached hereto. The branch address, phone number, and bank account number for all existing Special Civil Part Officer accounts and any specific branch contact information is as follows:

The name, phone number, mailing address and e-mail contact information for my Special Assistant Officer (SAO) is as follows:

Name:

Phone Number:

Mailing Address:

Email:

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

The names, phone numbers and work addresses of all staff (18 years of age or older), if any, I employ in a part time, full time or temporary basis are as follows:

Name:	Phone Number:	Work Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**I UNDERSTAND THAT THIS FORM MUST BE UPDATED BY ME UPON ANY CHANGE IN INFORMATION AND IMMEDIATELY SUBMITTED TO THE CIVIL DIVISION MANAGER AND FINANCE DIVISION MANAGER**

I do hereby certify that the foregoing statements made by me are true and accurate. I understand that if any of the foregoing statements are willfully false, I am subject to punishment under law.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Administrative Directive #05-25**

**APPENDIX F**



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**APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**

**PROCEDURES FOR SERVICE OF PROCESS BY SPECIAL CIVIL PART OFFICERS**

**I. Service of Initial Process – Special Civil Part**

All Special Civil Part Officers who serve initial process shall comply with the following procedures:

**A. Procedures for Serving Summons and Complaint in Tenancy Actions**

**1. Timely Service**

The Special Civil Part Officer will timely receive their assigned work in this regard from the Special Civil Part Clerk's office and they must, in turn, timely serve a tenant within 10 days of receipt of the assignment.

**2. Personal Service**

The Special Civil Part Officer to whom the summons and complaint have been assigned for service must first make an attempt to personally serve the defendant or anyone over the age of 14 who resides in the premises.

**3. Posting**

If the Special Civil Part Officer is unable to make personal service, the Officer must attach a copy to "the door of the unit occupied by the defendant or, if that is not possible, on another conspicuous part of the subject premises."

**4. Completing the Return of Service**

If the Special Civil Part Officer succeeds in making personal service, the Officer must legibly complete the section of the return of service that provides for the date of timely service and describes the individual served. If the Special Civil Part Officer could not make personal service, the Officer must describe the efforts made to personally serve the defendant and then describe the premises if the summons and complaint were posted. The return of service must indicate the date and time of service and be signed by the Officer.

A copy of the completed return of service must be delivered by the Special Civil Part Officer to the Special Civil Part Clerk's Office as soon as possible but no later than 7 calendar days after the date of service.

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**B. Procedures for Serving Initial Process in Other Special Civil Part Actions**

**1. Time for Service**

- a. The first attempt at service must be made within seven days from the date the Officer received the process from the Special Civil Part Clerk.
- b. Within 30 calendar days after receiving process, a return must be made to the court.
- c. During this 30-day period, at least four attempts at service must be made. At least one attempt must be made after 6:00 p.m. during the week or on a weekend. Each date and time of attempted service must be noted by the Officer. If the process is unserved, the return must include a description of the premises where service was attempted.
- d. If a return is not made within 30 days, no additional matters shall be assigned to the Officer at the discretion of the Civil Presiding Judge until the Officer is no longer in violation of this provision.

**2. Unserved Process**

- a. It is the responsibility of the Officer to provide as much information as possible when returning the initial process unserved. The Officer must advise the plaintiff of the specific reasons service could not be made. Examples of acceptable reasons are:
  - (1) Dangerous animal prevents service;
  - (2) Cannot gain entrance to premises, i.e., door locked, fence, etc.;
  - (3) Defendant receives mail at the address but does not reside there;
  - (4) Defendant is owner of the real estate but does not reside on premises;
  - (5) Cannot serve at place of business. This return must also include a certification as to the date, time, and name or description of the person who refused the Special Civil Part Officer permission to serve the process.

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If the party to be served is on vacation, the Special Civil Part Officer is not entitled to a reissue fee unless the Officer has proceeded with at least four attempts at service as set forth above.

- b. If a specific reason is not given to the plaintiff, the Officer is not entitled to reservice fees and \$7.00 flat rate for mileage if the papers are reissued to the same address and if plaintiff presents proof that the previous address furnished is correct. This proof may be by verification from the post office or telephone calls to neighbors. Where telephone verification is used, plaintiff should include the name and telephone number of the neighbors contacted.
- (6) If the address furnished is a large complex, the Officer is only entitled to a reservice fee if they certify that there is no directory, mailbox, or superintendent that would lead the Officer to the correct apartment or unit.
- (7) If the Officer cannot locate the address and the address does exist, no reservice fees shall be allowed.

### **3. Conflicting Mailing Address**

It is the duty of an Officer to complete service of process even if the street address of the place of service is actually in a town that has a different mailing address.

### **4. Communication with Parties**

It is the duty of each Special Civil Part Officer to establish a location and a telephone number at which they can be reached any day during standard court hours of 8:30 am to 4:30 pm. The Special Civil Part Officer must return all telephone calls within 48 business hours. Limited Officers, Special Civil Part Officers and their Deputies shall be available by telephone to court staff during court business hours. See Sections VIII-A and VIII-B, "Business Office Location" and "Business Hours," respectively.

## **II. Service of Post – Judgment Process-Special Civil Part**

Special Civil Part Officers shall comply with the following:

### **A. Communication with Judgment Creditors/Attorneys and Court Officer Execution Returns**

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Special Civil Part Officers must notify the judgment creditor or the judgment creditor's attorney within 5 business days when an execution has been received for their case. Requests from judgment creditors or their attorneys for information regarding the status of an execution should be responded to within 15 calendar days.

At the end of two years, a goods and chattel execution (writ) is considered invalid and void, under *N.J.S.A. 2A:18-27*, and must be returned to the court via eCourts marked "satisfied," "partially satisfied," or "unsatisfied," with a notation of the exact amount collected by the Officer. In the rare instance when a levy was made by the Officer within 30 days of the writ's expiration, the Officer is permitted to retain this writ and levy for an additional 60 days from the date of the writ's expiration, for the purpose to allow the judgment creditor to file the applicable motion to turnover. If during this time the Officer is notified that a motion to turnover has been filed with the court regarding this writ, then the Officer shall retain this writ further upon resolution of that motion. However, once the writ expires after two years, the Officer cannot levy upon any other of the judgment debtor's assets or collect any money from the judgment debtor directly. Upon receipt of the expired writ register, the Officer shall advise the Assistant Civil Division Manager or designee, and provide a copy of each Certification of Levy previously submitted to the judgment creditor or their attorney, on those writs thereon wherein an asset was levied upon by the Officer within 30 days of that writ's expiration. Wage executions have no such time limit but also require a return to be marked "satisfied," "partially satisfied," or "unsatisfied," with a notation of the exact amount collected by the Special Civil Part Officer. An Officer can mark an execution return "fully satisfied" only if the entire judgment amount and the officer's entire commission were collected by the Officer personally, including as collected any service fee deducted by an employer pursuant to *NJSA 2A:17-53*; and the return must provide the dollar amounts collected. The Officer can only reflect on an execution's return how much money they collected personally, including as collected any service fee deducted by an employer pursuant to *NJSA 2A:17-53*; they cannot reflect the amount that the judgment creditor or the judgment creditor's attorney may have received from a judgment debtor, nor can they reflect the amount of commissions that were collected by the judgment creditor or the judgment creditor's attorney and turned over to the Officer.

The Special Civil Part Officer must give the judgment creditor or judgment creditor's attorney 30 days' written notice of intent before they return every goods and chattel or wage execution. This is not required if the judgment creditor or judgment creditor's attorney requests the officer to return the execution. The creditor can submit, prior to the writ or wage execution's expiration or prior to an Officer's execution return, a certification stating how much additional or accrued interest must be collected before the execution is returned. However, an accrued interest request on a writ does not permit the officer to continue to collect beyond the two year expiration date of the aforesaid writ. The judgment creditor may also request the issuance of an additional goods and chattel execution (writ) to be reserved by the same Officer upon that same asset, if that Officer previously levied on that asset and/or is otherwise collecting upon that prior writ.

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The 30-day notice of intent to return an execution shall state that all personal property will be returned and/or all levies will be released by the Special Civil Part Officer upon the return of the writ unless the writ is extended by order of the court, the judgment creditor obtains an additional writ (alias or pluries writ) that is timely served by the Officer upon the same asset or as otherwise provided herein. See Attachment A to this Appendix, "Special Civil Part Officer's 30 Day Notice of Intention to Return a Chattel or Wage Execution." Executions must be returned, using eCourts, within two weeks of a request by the judgment creditor, judgment creditor's attorney or by the Special Civil Part Clerk's Office. The return of the execution is without prejudice to the Special Civil Part Officer's right to collect fees and dollarage that may be due.

**B. Time and Place at Which Levy Can Be Made**

Levies upon the judgment debtor's personal property, located inside the judgment debtor's home, another person's residence or garage attached to a residence, can be made only between the hours of 6:00 a.m. to 10:00 p.m., unless a court order provides otherwise. Special Civil Part Officers cannot enter and make a levy within the judgment debtor's home, another person's residence or the garage attached to a residence, without the judgment debtor's consent, unless a separate court order specifically permits the Officer to do so. Levies upon personal property that is not located inside a judgment debtor's home, another person's residence or garage attached to a residence can be made at any time. A Special Civil Part Officer can be required to levy upon a judgment debtor's property, outside the hours of 6:00 a.m. to 10:00 p.m., only if that property cannot otherwise be levied upon during those hours.

The Special Civil Part Officer shall issue a pre-numbered receipt for any cash seized and shall make a true inventory of all other property seized at the time of the seizure and shall annex a copy of the inventory and/or cash receipt to the writ. The Officer shall file same with the court and mail to the judgment creditor or judgment creditor's attorney and the judgment debtor, within five days after the levy, a certification of levy and a copy of the inventory, appraisalment and cash receipts.

**C. Appraisal Procedure to Ascertain \$1,000 Individual Exemption**

A judgment debtor who is a natural person (i.e., not a corporation or limited liability company) is entitled to an exemption from execution of all wearing apparel and \$1,000 in cash or personal property. To determine the value of the personal property levied upon, for purposes of determining what will be exempt from sale, the Special Civil Part Officer appoints three "discreet and judicious persons" from the county who have no interest in the case, to appraise the property. The appointment must be in writing, contain an oath in which the appraisers swear or affirm to "faithfully, honestly and impartially" appraise the "true and intrinsic value" without regard to the fact that the sale will be made pursuant to court order, and it must be signed by each of the appraisers. On five days' notice to the judgment creditor or the judgment creditor's attorney, the appraisers set a time and place for the appraisal to take place. The appraisal must be in writing, include a list of the items appraised and their values, and be signed by the appraisers. The judgment debtor then selects items, up to \$1,000 in value, that are exempt from the sale.

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If the judgment debtor is not present, the selection can be made by the spouse or family, and if they are not present, the selection is made by the Officer or appraisers. Each appraiser is paid \$1.00 for their services, which is added to the costs in the case. (See *N.J.S.A. 2A:17-19* through 25.)

## **D. Levy Procedures**

### **1. Bank Accounts**

The Special Civil Part Officer levies on a bank account by serving a copy of the writ of execution on a manager or officer of the bank, savings and loan association or credit union where the judgment debtor has an account. A Special Civil Part Officer may not alter a writ of execution, such as by adding another asset to the writ. The Officer must complete and mail a copy of the Notice to Debtor to the judgment debtor and the judgment creditor, or judgment creditor's attorney if they have an attorney, on the same day the writ is served reflecting the amount of money, if any, that the bank or financial institution advises has been levied upon. If the bank or financial institution fails to advise the Officer how much money, if any, was levied upon at the time he/she serves the writ, the Officer must still complete and mail a copy of the Notice to Debtor, as previously described, and reflect that the full judgment amount was levied upon. See Attachment B to this Appendix, "Notice to Debtor." Once the bank or financial institution notifies the Officer of the amount of the levy, if any, the Officer must execute a Certification of Levy reflecting the amount levied and send it to the judgment creditor's attorney or directly to the creditor if the creditor does not have an attorney. If the court issues an order directing the bank to turn over the seized funds, the Officer serves it on the bank and deposits the bank's check into the Officer's SCPO account. The Officer then deducts 10% for the Officer's fee and remits the balance to the judgment creditor's attorney or to the judgment creditor if they do not have an attorney.

### **2. Other Personal Property**

The Special Civil Part Officer executes on other personal property owned by the judgment debtor by making an actual or constructive levy. An actual levy occurs when the Officer physically seizes the property and takes control of it. A constructive levy occurs when the Officer serves the writ of execution on the judgment debtor but decides, with the consent of the judgment creditor or judgment creditor's attorney and the consent of the judgment debtor, to leave the property in the possession of the judgment debtor until the writ is satisfied by payment or the Officer's judicial sale of the property. In either event, if the property consists of inventory that cannot be removed immediately from the premises where they are found, the Officer may lock the premises to prevent its removal by the judgment debtor. If the judgment debtor and creditor do not agree to a constructive levy, the Officer can return with a vehicle to remove and then store the inventory, with the judgment creditor or judgment creditor's attorney's permission. The cost of

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removing and storing the inventory is the immediate responsibility of the judgment creditor, who may subsequently be able to recover those costs from the judgment debtor. The judgment creditor or the judgment creditor's attorney, if they have an attorney, should provide the Special Civil Part Officer with a letter or other document stating that the judgment creditor will hold the Special Civil Part Officer harmless for any damages that may result from the seizure of the judgment debtor's personal property and that they will be responsible to satisfy registered lienholder's interests, if any, in the event the proceeds from any subsequent sale do not satisfy the registered lienholder's lien. At the time of the levy, the Officer shall provide the judgment debtor or custodian of the judgment debtor's assets with a list of the items seized, appraised in accord with section II(C) of this Appendix and a pre-numbered receipt for any cash that has been seized. These procedures apply to motor vehicles but additional procedural requirements also apply (see below).

#### **E. Levies on Motor Vehicles**

Before the Special Civil Part Officer levies on a motor vehicle, the judgment creditor's attorney or the judgment creditor, if not represented by an attorney, can provide helpful information to the Officer, such as a title lien search reflecting that the name of owner of the motor vehicle is the same name that appears on the goods and chattel execution and that there are no registered lienholders on the motor vehicle. There are two options for levying on a motor vehicle:

##### **1. Actual Levy by Seizure**

The judgment creditor's attorney or the judgment creditor, if they are not represented by an attorney, must file or authorize the Officer to file on their behalf a title lien search form (DO-22 Motor Vehicle Commission Form that costs \$15) before a motor vehicle can be physically levied upon. The motor vehicle's year, make and VIN # are required in order to complete this form. The lien search results will reflect the existence, if any, of a registered lienholder. The judgment creditor or the judgment creditor's attorney, if they have an attorney, should provide the Special Civil Part Officer with a letter or other document stating that the judgment creditor will hold the Special Civil Part Officer harmless for any damages that may result from the seizure of the automobile and that they will be responsible to satisfy the registered lienholder's interests, if any, in the event the proceeds from any subsequent sale do not satisfy the registered lienholder's lien.

The judgment creditor's attorney or judgment creditor, if they do not have an attorney, is responsible for making arrangements with an in-county towing company to be present at the time of the levy, to tow the vehicle to a storage facility in the county and to pay the storage fees that accumulate pending the judicial sale. The company must be bonded to cover the value of the vehicle and agree to store the vehicle in the county after the levy has been made. If the Special Civil Part Officer has reason to believe that a breach of the peace may occur during the physical levy, the Officer should contact the local police department and ask that a

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police officer be present. After making the levy, the Special Civil Part Officer must file a copy of their goods and chattel writ of execution along with a completed Motor Vehicle Commission SS-55 form with the Motor Vehicle Commission. The Motor Vehicle Commission will then record the judgment creditor's levy for 24 months and require the judgment debtor to surrender title papers upon proper sale of the motor vehicle (See Appendix F, Section II(H)(4)). The Officer is required to also send the Notice to Debtor form to the judgment debtor, judgment creditor or their attorney and the Special Civil Part Clerk's Office.

## **2. Constructive Levy**

If the vehicle is locked inside a garage or if the Special Civil Part Officer chooses, with the consent of the judgment debtor and the judgment creditor's attorney or the judgment creditor, if they do not have an attorney, the Officer can leave the motor vehicle in the possession of the judgment debtor. The Special Civil Part Officer then sends or delivers the Notice to Debtor to the judgment debtor, judgment creditor or judgment creditor's attorney if they have an attorney, and to the Special Civil Part Clerk's Office and files the above-mentioned SS-55 form and a copy of the goods and chattel execution with the Motor Vehicle Commission. The Motor Vehicle Commission will then record the judgment creditor's levy for 24 months precluding the judgment debtor from selling or giving away their motor vehicle during that period of time.

## **F. Notice to Debtor**

The Court Rules require that on the day the Special Civil Part Officer levies on personal property, the Officer must send a copy of the Notice to Debtor, set forth in Appendix VI to the Court Rules, by ordinary mail to the judgment debtor and to the attorney for the judgment creditor, or to the judgment creditor if the judgment creditor is not represented by an attorney. See Attachment B to this Appendix, "Notice to Debtor." The Special Civil Part Officer must also file a copy with the Special Civil Part Clerk's Office but this does not have to be done if the levy was made on a bank account.

## **G. Certification of Levy**

The Special Civil Part Officer must execute a certification of levy stating the date, time, place and amount of the levy and send it to the judgment creditor's attorney or the judgment creditor if they do not have an attorney. In cases involving bank levies, the certification of levy does not have to be executed until the bank or financial institution notifies the Special Civil Part Officer of how much money was seized as a result of the levy. However, as previously noted, if a levy was made by the officer within 30 days of the writ's expiration, the Officer is permitted to retain this writ and levy for an additional 60 days from the date of the writ's expiration, and the Officer advises and copies the Assistant Civil Division Manager or designee with their Certification of Levy. (See Section II(A) of this Appendix F).



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## **H. Execution Sales**

### **1. Threats to Sell Personal Property**

Special Civil Part Officers shall not post execution sale notices unless they intend to actually hold such a sale. Special Civil Part Officers shall not threaten to hold a sale of a judgment debtor's personal property when one cannot be held or when a sale can be held but there is no real intention to do so.

The Special Civil Part Officer may utilize the notices set forth in this Directive to tell a judgment debtor what steps may be taken to enforce a judgment. See Attachments C and D to this.

Appendix, "Sample Notices to Defendants." Both notices should contain the seal of the Superior Court. The purpose of these notices is to stimulate the judgment debtor to contact the Special Civil Part Officer to arrange to make payment without making idle threats.

These notices are not a substitute for the Notice to Debtor, prescribed by *Rule 6:7-1(c)*, which is served on the judgment debtor when the levy is actually made, nor a substitute for the notice of sale indicating the time and place of the intended sale that is to be posted in the sheriff's office.

### **2. Notice of Sale**

In setting the date for a public sale of personal property that has been levied upon pursuant to a goods and chattel execution (writ), the Special Civil Part Officer must allow at least 10 days' notice of the sale date to be served by the judgment creditor's attorney, or the judgment creditor if they do not have an attorney, by certified mail, return receipt requested, on all parties to the action, the owner of record and any person who has an interest in the property that has been recorded in public records of any court or the county. The Special Civil Part Officer must then post a notice of sale in the sheriff's office at least five days before the date of the sale. The notice must be signed by the Special Civil Part Officer and state the date, time and place of the sale and, if the sale involves a motor vehicle, the notice must contain a description of the motor vehicle. The Officer must also file a copy with the Special Civil Part Clerk's Office.

### **3. Place of Sale**

The sale must ordinarily be conducted at the sheriff's office, but may take place at the facility where a vehicle has been stored, or at the judgment debtor's home, if household belongings are to be sold.

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#### **4. After the Sale**

If a motor vehicle has been sold, the Special Civil Part Officer must execute and deliver to the purchaser an application for a certificate of ownership, in the form prescribed by the Motor Vehicle Commission, which will contain the name and address of the person from whom the motor vehicle was taken. A copy of the execution and a copy of the notice of sale must be attached to the application. Within 30 days after the sale of any personal property, the Officer must file a certification with the Special Civil Part Clerk's Office which sets forth their bill of costs and execution fees, the date, place and time of the sale, the amount due on the execution as of the date of the sale, and the amount for which the property was sold.

#### **I. Resolution of Disputes Regarding Fees and Dollarage**

Pursuant to *N.J.S.A. 22A:2-37.2*, a Special Civil Part Officer is entitled to his or her fee or dollarage when a levy made by the Special Civil Part Officer is the effective cause in producing payment or settlement of a judgment. Special Civil Part Officers retain the right to collect their fees or dollarage through an independent civil lawsuit and/or a motion in the underlying case. Issues pertaining to the appearance of conflict, as a result of any such lawsuit or motion, shall be addressed by the Assignment Judge or designee assigned to hear the suit or motion. The Assignment Judge must be immediately informed by the Officer if there is any civil litigation that they, or their immediate family members, are involved within their county of appointment. (See Section VI (C) and Appendix D – Disclosure Form)

#### **J. Coordination of Collection Efforts with Other Officers**

On any given case there may be more than one execution issued to two or more Special Civil Part Officers. Upon receiving notice that this has occurred, each Officer must contact the other Officer(s) and coordinate their collection efforts to avoid overpayment by the judgment debtor.

### **III. Reporting Requirements for Special Civil Part Collections**

The Supreme Court approved implementation of a Special Civil Part Collection Module ("Module") effective February 1, 2024. The Module is a reporting system in eCourts designed to foster transparency in collections made against Special Civil Part (SCP) judgments. Effective February 1, 2024, all SCPOs are required to report their collections as to each judgment using eCourts, which will in turn create and file a Certification of Collections.

#### **A. Initial Entry**

For the first entry on each existing judgment, SCPOs should report the total amount collected to date.

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**B. Subsequent Entries**

After the initial entry, SCPOs will report each month as to the amount collected on each judgment. For new judgments, the initial certification filed will start the reporting process.

**C. Return of Writs**

All writs shall be returned in eCourts.

SCPOs who have any questions or need assistance, should email the Judiciary's Automated Trial Court Services Unit at [ATCSUCivil.mbx@njcourts.gov](mailto:ATCSUCivil.mbx@njcourts.gov) using "CO Module" as the subject line in the email.

**IV. Service of Post – Judgment Process Issued by the Civil Part**

Special Civil Part Officers who serve post-judgment process issued by the Civil Part in L and DJ docket type cases shall comply with the process outlined above in Section II of this Appendix, and in addition shall comply with the following:

**A. Rule Requirements**

All writs of execution and/or possession bearing L or DJ docket numbers are filed and cognizable in the Superior Court, Law Division. As such, said executions are governed by *R. 4:59-1(a)* which states that "Unless the court otherwise orders, every writ of execution shall be directed to a sheriff ..." This rule and *R. 6:1-1(e)* both state that "A writ of execution issued by the Civil Part of the Law Division shall not be directed to a Special Civil Part Officer except by order of the Civil Presiding Judge and such order shall specify the amount of the Officer's fee." *R. 6:1-1(e)* further requires the Special Civil Part Officer in such cases, "... to account to the court for all funds collected and disbursed pursuant to the writ and ... to obtain and file a bond in such sum and form as the Civil Presiding Judge may deem necessary." To aid in tracking such orders, the Civil Presiding Judge shall file them in the Civil Part, and send a copy to both the Civil Division Manager and Assistant Civil Division Manager.

The Officers shall not serve or process any such executions absent compliance with these rules. Specifically, the Officers shall not serve or process any such executions absent the Officer's fee being addressed in the order. The Officers shall be required to present a copy of any such order to the Civil Division Manager prior to processing any such execution.

**B. Bond Requirements for Civil Part Executions**

In matters cognizable in the Civil Part, where the judgment amount exceeds \$20,000, Special Civil Part Officers shall provide such bond or other security as may be necessary to indemnify creditors and the State of NJ in the event of loss or misuse of funds. This

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amount shall be set forth in the aforementioned order and the Officers shall be required to present proof of compliance with the bonding requirements to the Civil Division Manager and the Finance Division Manager prior to processing executions, as defined in this section.

**C. Geographic Limitation**

Special Civil Part Officers shall not serve nor process any executions, as defined in this section, outside the geographic limits of the county/venue in which he/she has been appointed.

**V. Procedures and Fees for Evictions**

**A. Service and Execution of Warrant for Removal**

A warrant for removal cannot be executed by a Special Civil Part Officer earlier than the third business day after service on a residential tenant. This additional three day period does not apply to commercial tenancies; the Special Civil Part Officer may proceed to evict a commercial tenant on the day a warrant is served. The warrant must be executed between the hours of 8:30 a.m. and 4:30 p.m. on a day when court is in session in order to permit the tenant to seek relief from the warrant while the court is still in session that day.

A Special Civil Part Officer who has reason to believe that a breach of the peace may occur during the execution of the warrant for removal should request assistance from the local police department. The police cannot execute the warrant, but they can stand by to prevent a breach of the peace.

**B. Officer Fee for Issuance/Execution of a Warrant for Removal in Tenancy Actions**

The court charges a landlord \$35.00 for issuance of the warrant for removal in tenancy actions. The Special Civil Part Officer is paid \$10.00 from this fee, for service and execution of this warrant of removal, pursuant to *N.J.S.A. 22A:2-37.2(a)(8)*.

**C. \$7.00 Flat Rate for Mileage for Service and Execution of the Warrant for Removal in Tenancy Actions**

The Special Civil Part Officer is paid an additional \$7.00 flat rate for mileage for service or execution of the warrant of removal, pursuant to *N.J.S.A. 22A:2-37.2(b)*. The \$7.00 flat rate for mileage for service of the warrant of removal is collected by the court from the landlord and then paid to the Officer. The \$7.00 flat rate for mileage for execution of the warrant of removal is paid directly to the Officer by the landlord.

**D. Fee for Additional Services**

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The execution of the warrant for removal requires the landlord to contact the Special Civil Part Officer, who originally served the warrant of removal, to schedule the date and time of the Officer's timely execution of the warrant of removal, in accord with *Rule 6:7-1(d)*. The landlord must provide the Officer with access to the rental property on the date and time that the Officer has agreed to perform the execution. The Officer shall announce their arrival at the rental property demanding all tenants, if any, to vacate immediately. The Officer shall inspect the rental property to determine if all tenants have departed. In the event tenants remain at the time of execution of the warrant of removal, and the Officer has reason to believe that they have no intention to leave and/or otherwise may breach the peace, the Officer shall immediately contact the police within the municipality that the rental property is located within, requesting assistance to avoid a breach of the peace. The Officer shall affix the warrant of removal and the final "Eviction Notice to Tenant" form, or a form comparable thereto, to the primary door of the rental premises. (See Attachment E to this Appendix).

No "additional services," beyond the execution of the warrant of removal as defined above, are required. For each execution of a warrant for removal in tenancy actions, the Special Civil Part Officer, upon request and agreed to by the landlord or landlord's representative, may perform additional services beyond the execution of the warrant of removal. The fee for additional services, if any, may not exceed \$75. However, the Civil Presiding Judge can permit prior thereto, in writing, for the Officer to charge more than \$75 in certain circumstances deemed appropriate by the Civil Presiding Judge. The additional services fee, if any, and the \$7.00 flat rate for mileage for executing the warrant of removal, shall be paid by the landlord directly to the Special Civil Part Officer and the Special Civil Part Officer must indicate the amounts thus received in the spaces designated for that purpose on the warrant and issue a pre-numbered receipt for those amounts to the landlord or landlord's representative. If the landlord or landlord's representative does not request and/or agree to pay for any additional services, the Special Civil Part Officer shall execute the warrant of removal only upon payment of the \$7.00 flat rate for mileage by the landlord, and without performing any additional services.

The Officer can demand the time and manner of payment from landlords in their county of appointment, as permitted by the Assignment Judge. Otherwise, the Officer can only demand payment in advance from a particular landlord if that landlord or their representative previously failed to timely appear within 30 minutes of their scheduled date and time on a previously scheduled warrant of removal execution. The Officer can also demand payment in cash or certified funds from a particular landlord if that landlord or landlord's representative previously provided a check that had insufficient funds. In either instance, the Officer must first contemporaneously memorialize this in writing to the applicable landlord or landlord's representative, stating the permissible future basis thereof, and copy the Assistant Civil Division Manager who shall retain a copy. In no event can an Officer retain a fee for anticipated additional services, if those services were in fact not rendered.

**ATTACHMENT A to APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**

**Special Civil Part Officer's 30 Day Notice of Intention to  
Return a Chattel or Wage Execution**

From: Officer \_\_\_\_\_

Address \_\_\_\_\_

To: \_\_\_\_\_

Address \_\_\_\_\_

Writ # \_\_\_\_\_

Wage # \_\_\_\_\_

VJ # \_\_\_\_\_

Docket No. \_\_\_\_\_

**Case Caption:** \_\_\_\_\_ vs. \_\_\_\_\_

Dear Sir/Madam: *New Jersey Court Rule 6:7-1(a)* requires that I provide you with 30 days' notice, of my intention to return the above noted execution to the Special Civil Part Clerk's Office. Unless I receive further instruction from you or the court within 30 days hereof, I must return this execution. In addition, I must also contemporaneously instruct the applicable bank or other financial institution to release any levy and otherwise return any other personal property to the debtor that may have been frozen or levied upon, unless you obtain another writ or a court order extending the life of this writ.

The specific reason(s) for my intention to return the above execution is as follows:

☐ A writ of execution issued out of the Superior Court, Law Division, Special Civil Part shall remain valid and effective for the purpose of a levy, and shall be operative and effective against any goods and chattel levied upon, for only two years from the date of its issuance, unless sooner satisfied. Thereafter, it shall be void. [*N.J.S.A. 2A:18-27*] This writ will expire within 30 days hereof.

☐ I have completely satisfied this wage execution. [Also

☐ *Rule 6:7-3(b)*] I have completely satisfied this chattel

☐ execution.

☐ I have partially satisfied this wage execution.

☐ I have partially satisfied this chattel execution.

☐ This wage execution is unsatisfied.

☐ This chattel execution is unsatisfied.

An asset/employment cannot be located. If you have additional asset/employment information kindly forward a request to the court to issue an amended or alias execution.

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Additional Comments:

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**ATTACHMENT B to APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**

Re:

**Superior Court of New Jersey  
Law Division, Special Civil Part  
\_\_\_\_\_ County**

v.

Docket No. \_\_\_\_\_

**Notice to Debtor**

To: \_\_\_\_\_, designated defendant:

An attempt has been made to levy upon your asset, in an amount not to exceed \$\_\_\_\_\_ at the instruction of: \_\_\_\_\_ to satisfy in whole or in part the judgment against you in the above matter. If you are an individual rather than a business entity, some property may be exempt from execution by Federal and State law, including but not limited to clothing and a total of \$1,000.00 of cash and personal property, except for goods purchased as part of the transaction which led to the judgment in this case. In addition, welfare benefits, social security benefits, S.S.I. benefits, V.A. benefits, unemployment benefits, workers' compensation benefits and child support you receive are exempt, even if the funds have been deposited in a bank account. If any funds belong to a joint owner an objection to the levy can be filed to release the funds not owned by the debtor from the levy.

If the levy is against an account at a bank listed below, the bank has already been notified to place a hold on any account that you may have at the bank. However, the funds will not be taken from your account until the court so orders. If you are entitled to an exemption as an individual, you may claim your exemption by notifying the clerk of the court and the person who ordered this levy of your reasons why your property is exempt. This claim must be in writing and if it is not mailed within 10 days of service of this notice, your property is subject to further proceedings for execution. The address of the court is: \_\_\_\_\_. If this judgment has resulted from a default, you may have the right to have this default judgment vacated by making an appropriate motion to the court. Contact an attorney or the clerk of the court for information on making such a motion, or, for forms and instructions, go to: <https://njcourts.gov/>.

**A Writ of Execution has been served on the following:**

1. \_\_\_\_\_



\_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

**The name and address of the person who ordered this levy is:**

\_\_\_\_\_

**\* You may learn about the amount collected and the amount due on the judgment against you by going to [NJCourts.gov](http://NJCourts.gov), then access Public> Find a Case> Search Civil and Foreclosure Cases.**

#### **Certification of Service**

I mailed a copy of this notice to the defendant(s) and the person who requested the levy on \_\_\_\_\_, 20\_\_\_\_, the same day this levy was made or the execution was served on a bank. I certify that the foregoing statements made by me are true. I am aware that if the foregoing statements made by me are willfully false, I am subject to punishment.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Court Officer)

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**ATTACHMENT C to APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample Notice to Defendant**

Superior Court of New Jersey  
Law Division, Special Civil Part  
\_\_\_\_\_ County

\_\_\_\_\_  
Plaintiff

Docket No.

\_\_\_\_\_  
v.

**NOTICE TO DEFENDANT**

\_\_\_\_\_  
Defendant

On the \_\_\_ day of \_\_\_\_\_, \_\_\_\_, a judgment was entered against you by this Court. A copy of the writ of execution is attached showing the total amount due.

The following steps or any one of them can and will be taken to collect this judgment and may result in additional costs unless you contact the undersigned Court Officer immediately and make satisfactory arrangements to pay the total due.

Except for public benefits such as welfare, Social Security, S.S.I., Veterans', unemployment, and workers' compensation, your cash assets may be seized.

Your personal property may be seized and sold.

You may be entitled to an exemption of \$1,000 in cash and personal property.

Goods that were part of the transaction that led to this judgment may be seized regardless of value.

A portion of your wages over \$217.50 per week may be paid to plaintiff.

A lien may be placed against your real estate.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Special Civil Part Officer  
Telephone No.  
PO Box or Street Address  
City, NJ, Zip

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**ATTACHMENT D to APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**  
**Sample Notice to Defendant**

Superior Court of New Jersey  
Law Division, Special Civil Part

\_\_\_\_\_ County

Docket No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

**NOTICE TO DEFENDANT**

\_\_\_\_\_  
Defendant

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a judgment was entered against you by this Court in the amount of \$ \_\_\_\_\_, plus costs and fees of \$ \_\_\_\_\_, for a total due of \$\_\_\_\_\_.

To date, this judgment remains unpaid. Unless you contact me immediately and make satisfactory arrangements to pay the total due, I shall apply to the Court for an Order permitting me to enter your home to levy on your household goods and furnishings, inventory them and have them appraised so that the value in excess of \$1,000 may be sold at public auction to the highest bidder to satisfy the judgment.

Dated:

\_\_\_\_\_  
Special Civil Part Officer  
Telephone No.  
PO Box or Street Address  
City, NJ, Zip

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**ATTACHMENT E to APPENDIX F to ADMINISTRATIVE DIRECTIVE #05-25**  
**Sample Final Eviction Notice to Tenants**

Superior Court of New Jersey  
Law Division, Special Civil Part  
\_\_\_\_\_ County

\_\_\_\_\_  
Plaintiff/Landlord

Docket No. LT-

\_\_\_\_\_  
v.

**EVICTIION NOTICE TO TENANTS**

\_\_\_\_\_  
Defendant/Tenant

BY ORDER OF THE NEW JERSEY SUPERIOR COURT, SPECIAL CIVIL PART, THE TENANTS OF THIS RENTAL PREMISES HAVE BEEN EVICTED AND THE LANDLORD HAS BEEN PLACED IN FULL POSSESSION THEREOF.

ANY PERSON(S) FOUND TRESPASSING OR ENTERING THE PREMISES WITHOUT PERMISSION FROM THE LANDLORD WILL BE TRESPASSING AND MAY BE SUBJECT TO ARREST.

LOCATION OF RENTAL PREMISES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED: \_\_\_\_\_

SPECIAL CIVIL PART OFFICER AUTHORIZED TO PERFORM THE EXECUTION OF  
THE  
WARRANT OF REMOVAL: \_\_\_\_\_

SPECIAL CIVIL PART OFFICER

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IN THE EVENT THE TENANT(S) FAIL TO VACATE OR RE-ENTERS THE PREMISES AFTER THE WARRANT FOR REMOVAL HAS BEEN EXECUTED BY THE SPECIAL CIVIL PART OFFICER, THE POLICE IN THIS MUNICIPALITY WILL BE CONTACTED BY THE SPECIAL CIVIL PART OFFICER, AND WILL BE REQUESTED AND AUTHORIZED TO PROVIDE ASSISTANCE TO KEEP THE PEACE, PER THE ATTACHED WARRANT OF REMOVAL ISSUED BY THIS COURT.

**Administrative Directive #05-25**

**APPENDIX G**

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## **APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

### **FINANCIAL REQUIREMENTS FOR SPECIAL CIVIL PART OFFICERS**

#### **Introduction**

The requirements set forth in this Appendix G to this Administrative Directive deal with banking, record keeping, collections, disbursements, escheatment and the annual financial examination.

#### **I. Banking**

##### **A. Required Bank Accounts**

The Special Civil Part Officer (SCPO) must maintain; 1) an operating account and 2) an account to hold funds in trust for the creditor, used solely for depositing collections received on executions, disbursements to judgment creditors, and processing and disbursing of earned fees. When the officer's banks accounts are established, the SCPO should immediately disclose the name of the banking institution, the branch and the account numbers to the Civil and Finance Division Managers. The following requirements pertain to the SCPO's account holding trust funds.

1. The account must be a non-interest bearing bank account in a bank authorized to do business in the State of New Jersey.
2. The name of the bank account, all checks drawn on the account and all deposit tickets must include the words "Special Civil Part Officer \_\_\_\_\_."
3. This account must be separate from any other business or personal accounts that the SCPO may maintain. The SCPO must not co-mingle any personal or other business funds with the funds contained in the account.
4. The SCPO shall not request nor accept an ATM card associated with their account.
5. Fees earned by the SCPO will be held in their account until disbursed to the SCPO.
6. Deposits must consist of the exact amount of collections and/or replenishments of bank service fees.
7. The SCPO must replenish any bank service fees charged to the account by the bank within 60 days of occurrence.

##### **B. Reconciliation of Account Holding Trust Funds**

The bank reconciliation process serves to reconcile the cash receipts and disbursements journals and cash book balance recorded in the accounting system of the SCPO with the records of the bank as indicated on the monthly bank statement.

The bank reconciliation must include the preparation of an Outstanding Check list that indicates all checks that have been issued and not cashed by the bank as of the last date of the bank statement. The Outstanding Check list must contain the following:

Check Date  
Check Number  
Venue/Docket Number  
Payee  
Amount

The amounts and dates of deposits in transit, if any, must be listed individually on the bank reconciliation.

Each month the SCPO must submit a copy of their bank statement for their account holding trust funds, the associated bank reconciliation, an outstanding check list, a cash receipt report (last page of report that shows total monthly receipts is acceptable), a check register and an analysis of the adjusted bank balance documenting pending liabilities associated to these funds. Additionally, any errors or discrepancies must be explained and this complete submission must be forwarded to the Finance Division Manager by the 20<sup>th</sup> day of the month subsequent to the bank reconciliation date. See Attachment A to this Appendix for examples of the three schedules required to be submitted monthly. If errors or deficiencies remain unaddressed or bank service fees remain unreimbursed after 60 days of occurrence, the Finance Division Manager will advise the Trial Court Administrator and Civil Division Manager. The Assignment Judge or designee will determine if additional work will be assigned to the SCPO while the errors or deficiencies remain unaddressed.

### **C. Outstanding Checks**

The SCPO shall review the Outstanding Check list monthly to determine if any check has remained outstanding for more than three months. The SCPO shall contact the payees of such checks and additional disbursements shall not be made to them until the verification of their address has been made by the SCPO.

## **II. Accounting System**

The SCPO must maintain a computerized Accounting System for recording and processing financial transactions pertaining to executions that are managed by the SCPO.

The following two options regarding an Officer's computer shall be available to the Officer. The computer utilized shall either be used solely for the purpose of processing transactions related to the executions the Officer is managing or, in the alternative, be equipped with two hard drives, one of which shall be used solely for the purpose of processing transactions related to the executions the Officer is managing. No personal or non-business related data shall reside on either a business-only computer or a business-only hard drive. The AOC or the Trial Court Administrator may, at any time, require that the business-only hard drive or the hard drive of the business-only computer be temporarily surrendered so that an image of the drive can be made. In the event the business-only computer or the business-only hard drive houses personal or non-business related data and an image of the hard drive must be made by AOC and/or vicinage personnel, the Officer's expectation of privacy is relinquished..

The Accounting System used may be developed by the SCPO and, as such, the system must contain the basic components needed for the recording of and reporting on financial transactions, calculating the amount that is due to the judgment creditor and calculating the amount due in fees to the Officer.



### **III. Financial Reporting**

The SCPO must maintain the following financial reports:

#### **A. Cash Receipts Journal**

A recording and summation of all collections received/bank deposits.

#### **B. Cash Disbursement Journal**

A recording and summation of all disbursements.

#### **C. Individual Subsidiary Ledgers**

An individual record in the Accounting System on which every execution issued to the SCPO is documented, the collections and disbursements pertaining to the execution are documented and the remaining balances to be collected are maintained.

- 1) The ledger must contain the name of the judgment-debtor, the title of the case and court, the docket number, the nature of the execution, the date the execution was issued, the name and address of the garnishee, if any, as well as the name and address of the attorney or person to whom remittances are to be made and remarks.
- 2) The ledger must indicate the amount collected and due to the judgment creditor, the fees which the SCPO has earned and the total amount due from the judgment debtor.
- 3) The ledgers must be maintained in alphabetical order or numerically and indexed.

#### **D. Accounts Receivable**

A listing of all open executions with the amount remaining to be collected.

#### **E. Accounts Payable**

A listing of all collections received, deposited, posted and due to be disbursed on executions and the related fees due to the SCPO.

#### **F. Collections Not Disbursed**

A listing of all collections received and deposited but not yet posted to the execution.

#### **G. Check Register**

A listing of all checks disbursed by the SCPO.

### **IV. Collections and Disbursements**

#### **A. Collections: Judgment Debtor**

1. The judgment debtor shall make all checks payable to the SCPO whose name appears on the execution and shall be advised to include the name of the case and the docket number on the face of the check.
2. Collections on executions must be deposited into the officer's account holding trust funds within five business days of receipt of the collection by the SCPO.
3. Collections on executions must be deposited into the established account holding trust funds only.
4. Copies of deposit slips and any supporting documentation (Check Advice, etc.) must be maintained and available for audit review.

#### **B. Manual Receipts**

The SCPO must issue a manual receipt any time currency is received.

The SCPO must maintain a manual receipt book with original and duplicate pre- numbered receipts. The manual receipt must contain all information pertaining to the receipt of the currency, that is, the amount of the currency received, the date the payment was received, the name of the party making the payment, the title of the case and docket number.

Voided receipts must be retained and available for audit review.

#### **C. Disbursements: Judgment Creditor or Their Attorney**

1. Disbursements must be paid by check to the judgment creditor or their attorney.
2. Checks shall be issued in sequential order; any deviation from sequential order must be documented.
3. Disbursements must be made at least monthly; disbursements may be made more frequently than monthly at the discretion of the SCPO or as ordered by the court.
4. Disbursements must be made by the 15th day of the month following the month of deposit.
5. Documentation of voided checks must be retained and available for review.
6. Cash withdrawals from the officer's account holding trust funds are prohibited without prior approval from the Finance Division Manager.

#### **D. Disbursements: SCPO Commission**

A SCPO's commission (also known as "dollarage") is earned when monies are **collected, applied to the execution and deposited** into their account holding trust funds.

Advances on unearned dollarage are strictly prohibited.

SCPO dollarage must be disbursed by electronic transfer or check from the officer's account holding trust funds to the SCPO at least monthly. Dollarage checks must be cashed or deposited within 30 days from date of issuance.

## **V. Escheatment**

The SCPO shall escheat unclaimed and undeliverable funds annually to the State of New Jersey Treasury, Unclaimed Property Section, in accordance with the requirements of *N.J.S.A. 46:30B-1 et seq.* The escheat process shall be performed by November 1 of each year for the period ending the prior June 30. By November 15th of each year, the SCPO shall report in writing to the Trial Court Administrator or designee to confirm compliance with this escheatment requirement.

The SCPO must maintain a record of the information regarding ownership of funds that have been escheated for 10 years following the escheatment.

There are two types of funds to be considered for escheatment:

### **A. Escheatment of Outstanding Checks**

The SCPO shall determine if there are outstanding checks that are eligible to be escheated by reviewing the Outstanding Check List from the June 30 bank reconciliation. Checks that have remained outstanding, or not cashed, for one year or longer from the date of issue are eligible for escheat. For example, as of June 30, 2025, checks issued from July 1, 2022 through June 30, 2024 that are outstanding on June 30, 2025 shall be escheated by November 1, 2025.

After identifying the eligible checks that shall be escheated, the SCPO shall prepare a list of the eligible checks along with the names and addresses of the payees/owners of the eligible checks and amounts. The list, along with a check drawn on the officer's account holding trust funds for the total amount of the eligible checks to be escheated, must be forwarded to the State of New Jersey, Treasury, Unclaimed Property by November 1.

When the monies are escheated, the eligible checks shall be removed from the SCPO's Outstanding Check List for the month in which the escheat has occurred.

### **B. Escheatment of Unclaimed/Unidentified Collections**

The SCPO shall determine if there are funds that have been collected that cannot be identified and disbursed due to the lack of payee information, etc. that are eligible to be escheated.

## **VI. Financial Examination**

An *Agreed-Upon Procedures Engagement*, performed in accordance with *Attestation Standards* established by the American Institute of Certified Public Accountants, is to be conducted to examine the financial records of the SCPO.

### **A. Accounting Firm Designation**

The firm selected must have the certified public accountant designation and be in good standing with the New Jersey State Board of Accountancy.

### **B. Accounting Firm Selection**

The firm selected must not be engaged in performing any other accounting work for the SCPO, whether of a personal nature or in relation to the financial records of the SCPO. The accounting firm selected is

precluded from preparing the Officer's monthly reconciliations that are required to be submitted to the Vicinage's Finance Division Manager.

**C. Accounting Firm Approval**

Before engaging the firm to conduct the financial examination, the SCPO shall submit the firm's name and qualifications to the Trial Court Administrator. The Trial Court Administrator, in conjunction with the Vicinage Finance Division Manager, shall review the name(s) submitted and advise the SCPO of the approval of the accounting firm or advise the SCPO that the accounting firm is not approved.

**D. Frequency of Financial Examination**

Financial examinations shall be conducted on an annual basis for the period of July 1 through June 30. In addition, upon the cessation of an Officer's appointment for any reason, the Officer shall be responsible for the cost of providing a concluding financial examination report. This report shall cover the period from the last day of their previous examination period through the date of the cessation of their appointment. A draft report is required by the end of the third month following cessation and the final report is required 30 days thereafter, unless otherwise provided by a court order.

**E. Cost of the Financial Examination**

The cost of each financial examination is the responsibility of the SCPO. The SCPO is responsible for entering into an agreement with the accounting firm to perform the examination and for prompt payment of the firm's fee.

**F. Accounting Firm's Work Papers**

The accounting firm's working papers that are relative to the financial examination shall be made available to the Internal Audit Unit of the Administrative Office of the Courts and/or Vicinage Finance Manager upon request.

**G. The Financial Exam Method and Form**

1. The accounting firm must agree to conduct the examination pursuant to attestation standards established by the American Institute of Certified Public Accountants and agree to perform the 7 procedures incorporated in the "Sample – Agreed Upon Procedures Report". See Attachment B of Appendix G.
2. The financial examination procedures apply to all executions issued to the Officer by the Civil Part and the Special Civil Part of the Superior Court, Law Division.
3. The accounting firm is permitted to make inquiry into any execution assigned to the SCPO, whether issued out of the Civil Part, Special Civil Part of that Vicinage, or out of another Vicinage.
4. The accounting firm must utilize the Central Writ Register and the list of Civil Part writs assigned to the Officer, obtained from the Civil Division Manager or designee, to verify that all executions assigned to the SCPO are included in the financial examination and are recorded in the SCPO's Accounting System.

5. The accounting firm shall have access to any other books and records of the SCPO to the extent required for the financial examination.
6. The accounting firm may communicate directly with a representative sample of judgment debtors and judgment creditors to verify payments made or received or to confirm the balance to be collected on the executions.
7. A minimum sample of 50 “Letters of Verification” that confirm the balance remaining to be collected on an execution shall be mailed by the accounting firm to a representative number of judgment debtors, judgment creditors, and garnishees. See Attachment B of this Appendix, “Letter of Verification.”

#### **H. Financial Examination Report Content**

1. The financial examination report shall include a list of procedures performed and results obtained that will indicate if the SCPO has met the requirements of this Directive.
2. The financial examination shall include the month end bank reconciliation and supporting outstanding check list for the examination period.
3. The financial examination report shall include a listing of monthly cash receipts and disbursements for the examination period and the amount of fees earned by the SCPO each month during the examination period.
4. The financial examination report shall include a listing of all pending disbursements.

Refer to Attachment B to this Appendix, “Sample - Agreed Upon Procedures Report” for an example of the required report contents.

#### **I. Financial Examination Report Submission**

A draft of the accounting firm’s financial examination report must be provided to the Vicinage Finance Division Manager and the Chief of Internal Audit by September 30. The Chief of Internal Audit shall provide any comments concerning the report to the Vicinage Finance Division Manager prior to October 31st. Deficiencies in the form of the draft report, and/or the information contained therein, shall be communicated by the Vicinage Finance Division Manager to the SCPO and the accounting firm by November 5th.

The final financial examination report shall be provided to the SCPO, the Trial Court Administrator, the Civil Division Manager, the Vicinage Finance Division Manager, and the Chief of Internal Audit by November 15th.

Acceptance of the financial examination report by the Trial Court Administrator, in conjunction with the Vicinage Finance Division Manager and by the Chief of Internal Audit, is contingent upon the report being in compliance with the procedures set forth.

#### **J. Officer’s Statement on the Issued Report**

Upon the issuance of the financial examination report, each SCPO shall submit in writing to the Trial

Court Administrator, or designee, and the Vicinage Finance Division Manager, a statement which details their agreement or disagreement with the results of the Agreed Upon-Procedures examination as presented in the report.

This statement shall be submitted even if no exceptions are indicated by the accounting firm and is due no later than five business days subsequent to the issuance of the final financial examination report.

**K. Officer's Corrective Action Plan**

If exceptions are indicated in the financial examination report, the SCPO shall submit to the Trial Court Administrator, or designee, and the Vicinage Finance Division Manager, a written plan which will indicate how the Officer intends to address and eliminate the conditions causing the aforementioned exceptions. This plan shall be submitted in conjunction with the Officer's statement no later than five business days subsequent to the issuance of the final financial examination report.

**L. Vicinage Letter of Acceptance**

Subsequent to the receipt, review and acceptance of an Officer's financial examination report, the Officer's statement and corrective action plan (if any) by the vicinage, the Trial Court Administrator, or designee, shall provide to the Chief of Internal Audit a letter indicating the vicinage's review and acceptance of these documents.

Said letter shall be submitted no later than December 15th.

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**ATTACHMENT A (1 of 3) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**  
**Sample - Monthly Bank Reconciliation**

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**COUNTY COURT OFFICER - JOHN DOE**  
**SPECIAL CIVIL PART SUPERIOR COURT OF NEW JERSEY**  
**Outstanding Check List @ June 30, 2025**

		<u>Schedule A</u>
BANK BALANCE 2025		\$44,816.40
DEPOSITS IN TRANSIT		\$3,652.34 \$5,545.62
NSF IN TRANSIT		(\$200)
OUTSTANDING CHECKS		(\$11,285.52)
FUNDS DUE FROM COURT OFFICER		
New Check Charges Pending Reimbursement	\$37.50	
June 2025 NSF Check Fee Pending Reimbursement	<u>\$15.00</u>	
Total Funds Pending Reimbursement by Ct. Officer		\$52.50
MISCELLANEOUS ADJUSTMENTS		
June 28, 2025 - Deposit for \$443.67 Bank posting \$443.37	\$0.30	
May 2025 - Ck#257 for \$53.00 Bank cleared for \$57.00	<u>\$4.00</u>	
Total Pending Miscellaneous Adjustments		<u>\$4.30</u>
ADJUSTED BANK BALANCE 2025 PENDING DISBURSEMENT AT MONTH'S END		<u>\$42,785.64</u>

**ATTACHMENT A (2 of 3) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample - Monthly Outstanding Check List**

<b>COUNTY COURT OFFICER - JOHN DOE</b> <b>SPECIAL CIVIL PART SUPERIOR COURT OF NEW JERSEY</b> <b>Outstanding Check List @ June 30, 2025</b>			
<i>Schedule B</i>			
<u>CHECK DATE</u>	<u>CHECK #####</u>	<u>PAYEE</u>	<u>AMOUNT</u>
4/13/2024	17339	XXXXX XXXXX	\$135.82
5/13/2024	17459	XXXXX XXXXX	\$195.62
9/15/2024	17915	XXXXX XXXXX	\$257.98
10/15/2024	18036	XXXXX XXXXX	\$661.55
12/15/2024	18995	XXXXX XXXXX	\$75.00
5/15/2025	19205	XXXXX XXXXX	\$103.00
6/15/2025	19295	XXXXX XXXXX	\$175.31
6/15/2025	19336	XXXXX XXXXX	\$106.35
6/15/2025	19338	XXXXX XXXXX	\$74.89
6/15/2025	19351	XXXXX XXXXX	\$5,000.00
6/15/2025	19352	XXXXX XXXXX	\$4,500.00
<b>Total Outstanding Checks @ June 30, 2025</b>			<b>\$11,285.52</b>



**ATTACHMENT A (3 of 3) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**  
**Sample - Monthly Analysis of Adjusted Book Balance**

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**COUNTY COURT OFFICER - JOHN DOE**  
**SPECIAL CIVIL PART SUPERIOR COURT OF NEW JERSEY**  
**Outstanding Check List @ June 30, 2025**  
**Analysis of Adjusted Book Balance as of June 30, 2025**

**Schedule C**

**CURRENT MONTH RECEIPTS PENDING DISBURSEMENT AT MONTH'S END**

Total Receipts Collected During June 2025	\$45,770.76
Less: Current Month's Receipts Disbursed in Current Month	(\$250.00)
Less: Current Months Dollarage Disbursed in Current Month	<u>(\$3,200.00)</u>
<b>Total Current Month Receipts Pending Disbursement at Month's End</b>	<b>\$42,320.76</b>

**FUNDS PLACED IN "HOLD" STATUS PENDING RELEASE**

December 2024 Receipt DC-011458-21 Placed in "HOLD" Status	\$61.69
May 2025 Receipt DC-000155-18 Placed in "HOLD" Status	<u>\$145.19</u>
<b>Total Funds Placed in "HOLD" Status Pending Disbursement</b>	<b>\$206.88</b>

**MISCELLANEOUS FUNDS PENDING DISBURSEMENT**

June 20, 2025 - System Deposit \$3,400 Bank Deposit \$3,408 Amount Pending Investigation	\$8.00
May 2025 Dollarage Due to Ct Officer	<u>\$250.00</u>

<b>Total Miscellaneous Funds Pending Disbursement</b>	<b><u>\$258.00</u></b>
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**TOTAL PENDING FUND**

**DISBURSEMENTS AT MONTH END**

\$42,785.64

ATTACHMENT B (1 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25

Sample – Agreed Upon Procedures Report – Opinion - Page 1

**NOTE: Due to the timing of the promulgation of this Directive the independent accountant's Report on Agreed-Upon Procedures set forth below will not take effect until the year ending June 30, 2026.**

**The Report on Agreed-Upon Procedures for the fiscal year ending June 30, 2025 will be prepared in accordance with Directive #01-15.**

Independent Accountant's Report  
on Agreed-Upon Procedures

To (Court Officer's Name)  
SCPO and

We have performed the procedures enumerated below, on the accounting records of (Court Officer's Name), SCPO, prepared in accordance with Directive #05-25, promulgated by the Administrative Director of the Courts, State of New Jersey and for the year ended June 30, 20xx. Court Officer (Court Officer's Name) is responsible for both the accounting records and for compliance with the requirements of Directive #05-25.

Court Officer (Court Officer's Name) has agreed to and acknowledged that the procedures performed are appropriate to meet the attendant purpose of assisting users in determining whether the Court Officer has complied with the specified requirements of Directive #05-25. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated findings are as followed:

- 1. Procedure Performed:** We verified the clerical accuracy of and agreed all amounts presented on the attached schedules to accounting records and/or supporting documentation. (Bank Statements, etc.)

**Finding:** Schedules are clerically accurate. All amounts have been agreed to accounting records and/or supporting documentation.

**ATTACHMENT B (2 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample – Agreed Upon Procedures Report – Opinion - Page 2**

**2. Procedure Performed:** We verified the Court Officer is in compliance with the bonding requirements set forth in Directive #05-25 .

**Finding:** The Court Officer's bond, in effect on June 30, xxxx was in the amount of \$xxx,xxx, which is in excess of three times the average monthly gross receipts for 11 months of \$xxx,xxx.

**3. Procedure Performed:** We verified that all funds collected by the Court Officer are deposited at least weekly into a non-interest bearing account holding trust funds.

**Finding:** Funds were deposited without exception into a non-interest bearing account holding trust funds. However, no funds were deposited during weeks of xx/xx/xx, xx/xx/xx, & xx/xx/xx.

**4. Procedure Performed:** We traced all deposits from the Court Officer's cash receipts journal to bank statements and from bank statement to the cash receipts journal.

**Finding:** All deposits were traced without exception.

**5. Procedure Performed:** We traced all disbursements reflected on the bank statement to the Court Officer's accounting system.

**Finding:** All disbursements were traced without exception.

**7. Procedure Performed:** We randomly selected one deposit per month and verified the posting accuracy to the cash receipts journal by tracing each posting back to its source document (POB, Check Advice, etc.)

**Finding:** All postings were verified as accurate.

**ATTACHMENT B (3 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample -Agreed Upon Procedures Report- Opinion - Page 3**

We were engaged by Court Officer (Court Officer's Name) to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on Court Officer (Court Officer's Name) accounting records. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of Court Officer (Court Officer's Name) and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of (Court Officer's Name) SCPO, Management Vicinage X, and the Administrative Office of the Courts, State of New Jersey, and is not intended to be, and should not be, used by anyone other than these specified parties.

Signature

Date

**ATTACHMENT B (4 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample – Agreed Upon Procedures Report – Schedule A**

**\_\_\_\_\_ COUNTY COURT OFFICER - JOHN DOE  
SPECIAL CIVIL PART SUPERIOR COURT OF NEW JERSEY  
Bank Reconciliation @ June 30, 2025**

**Schedule A**

<b>Bank Balance 2025</b>		<b>\$44,816.40</b>
<b>Deposits in Transit</b>		<b>\$3,652.34</b>
		<b>\$5,545.62</b>
<b>NSF in Transit</b>		<b>(\$200)</b>
<b>Outstanding Checks</b>		<b>(\$11,285.52)</b>
<b>Funds Due from Ct Officer</b>		
<b>New Check Charges Pending Reimbursement</b>	<b>\$37.50</b>	
<b>June 2025 NSF Fee Pending Reimbursement</b>	<b><u>\$15.00</u></b>	
<b>Total Funds Pending Reimbursement by Ct. Officer</b>		<b>\$52.50</b>
<b>Miscellaneous Adjustments</b>		
<b>June 28, 2025 Deposit for \$443.67 Bank Posting \$443.37</b>		<b>\$0.30</b>
<b>May 2025 Ck#257 for \$53.00 Bank Cleared for \$57.00</b>		<b>\$4.00</b>
<b>Verified – Pending Bank Correction \$4.30</b>		
<b>Total Pending Miscellaneous Adjustments</b>		
<b>Adjusted Bank Balance At Month's End</b>		<b>\$42,785.64</b>

**ATTACHMENT B (5 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample – Agreed Upon Procedures Report – Schedule B**

<b>COUNTY COURT OFFICER - JOHN DOE</b> <b>SPECIAL CIVIL PART SUPERIOR COURT OF NEW JERSEY</b> <b>Outstanding Check List @ June 30, 2025</b>			
<i>Schedule B</i>			
<b>CHECK DATE</b>	<b>CHECK #####</b>	<b>PAYEE</b>	<b>AMOUNT</b>
4/13/2024	17339	XXXXX XXXXX	\$135.82
5/13/2024	17459	XXXXX XXXXX	\$195.62
9/15/2024	17915	XXXXX XXXXX	\$257.98
10/15/2024	18036	XXXXX XXXXX	\$661.55
12/15/2024	18995	XXXXX XXXXX	\$75.00
5/15/2025	19205	XXXXX XXXXX	\$103.00
6/15/2025	19295	XXXXX XXXXX	\$175.31
6/15/2025	19336	XXXXX XXXXX	\$106.35
6/15/2025	19338	XXXXX XXXXX	\$74.89
6/15/2025	19351	XXXXX XXXXX	\$5,000.00
6/15/2025	19352	XXXXX XXXXX	\$4,500.00
Total Outstanding (Checks @ June 30, 2025			\$11,285.52

**ATTACHMENT B (6 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**  
**Sample - Agreed Upon Procedures Report - Schedule C**

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\_\_\_\_\_ COUNTY - COURT OFFICER JOHN DOE SPECIAL CIVIL PART SUPERIOR COURT  
OF NEW JERSEY

Analysis of Adjusted Book Balance as of June 30, 2025

**Schedule C**

**CURRENT MONTH RECEIPTS PENDING DISBURSEMENT AT MONTH'S END**

Total Receipts Collected During June 2025	\$45,770.76
Less: Current Month's Receipts Disbursed in Current Month	(\$250.00)
Less: Current Months Dollarage Disbursed in Current Month	<u>(\$3,200.00)</u>
 Total Current Month Receipts Pending Disbursement at Month's End	 \$42,320.76

**FUNDS PLACED IN "HOLD" STATUS PENDING RELEASE**

December 2024 Receipt DC-011458-21 Placed in "HOLD" Status	\$61.69
May 2025 Receipt DC-000155-18 Placed in "HOLD" Status	<u>\$145.19</u>
 Total Funds Placed in "HOLD" Status Pending Disbursement	 \$206.88

**MISCELLANEOUS FUNDS PENDING DISBURSEMENT**

June 20, 2025 - System Deposit \$3,400 Bank Deposit \$3,408 Amount Pending Investigation	\$8.00
 May 2025 Dollarage Due to Ct Officer	<u>\$250.00</u>
 Total Miscellaneous Funds Pending Disbursement	 \$258.00

**TOTAL PENDING BANK ACCOUNT BALANCE  
DISBURSEMENTS AT MONTH END**

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\$42,785.64

**ATTACHMENT B (7 of 7) to APPENDIX G to ADMINISTRATIVE DIRECTIVE #05-25**

**Sample- Agreed Upon Procedures Report – Schedule D**

**COUNTY COURT OFFICER - JOHN  
DOE  
SPECIAL CIVIL PART SUPERIOR COURT OF  
NEW JERSEY**

*Cash Summary Statement as of June 30, 2025*

**Schedule D**

**CASH RECEIPTS:**

	<u>Total Cash Receipts Collected</u>	<u>Fees Earned</u>	<u>Trust Funds Collected</u>
July 2024	\$33,678.00	\$3,199.41	\$30,478.59
August 2024	\$42,689.22	\$4,055.48	\$38,633.74
September 2024	\$37,598.33	\$3,571.84	\$34,026.49
October 2024	\$38,945.32	\$3,699.81	\$35,245.51
November 2024	\$41,987.56	\$3,988.82	\$37,998.74
December 2024	\$37,589.66	\$3,571.02	\$34,018.64
January 2025	\$42,785.64	\$4,064.64	\$38,721.00
February 2025	\$37,598.33	\$3,571.84	\$34,026.49
March 2025	\$38,945.32	\$3,699.81	\$35,245.51
April 2025	\$41,987.56	\$3,988.82	\$37,998.74
May 2025	\$37,589.66	\$3,571.02	\$34,018.64
June 2025	\$42,785.64	\$4,064.64	\$38,721.00
<b>Total Cash Receipts</b>	<b>\$474,180.24</b>	<b>\$45,047.12</b>	<b>\$429,133.12</b>

**CASH DISBURSEMENT:**

	<u>Total Cash Disbursements</u>	<u>Fees Disbursed</u>	<u>Trust Funds Disbursed</u>
July 2024	\$37,111.32	\$3,825.44	\$33,285.88
August 2024	\$33,678.00	\$3,199.41	\$30,478.59
September 2024	\$42,689.22	\$4,055.48	\$38,633.74
October 2024	\$37,598.33	\$3,571.84	\$34,026.49
November 2024	\$38,945.32	\$3,699.81	\$35,245.51
December 2024	\$41,987.56	\$3,988.82	\$37,998.74
January 2025	\$37,589.66	\$3,571.02	\$34,018.64
February 2025	\$42,785.64	\$4,064.64	\$38,721.00
March 2025	\$37,598.33	\$3,571.84	\$34,026.49
April 2025	\$38,945.32	\$3,699.81	\$35,245.51
May 2025	\$41,987.56	\$3,988.82	\$37,998.74
June 2025	\$37,589.66	\$3,571.02	\$34,018.64
<b>Total Cash Disbursements</b>	<b>\$468,505.92</b>	<b>\$44,807.93</b>	<b>\$423,697.99</b>



**SUMMARY OF CASH BALANCES**

Trust funds Book Balance - June, 30, 2024	\$31,180.92
Plus: Cash Receipts Collected	\$474,180.24
Less: Cash Disbursed	(\$468,505.92)
Adjustment for Void/Reissues           \$490.00	
Adjustment for Excess Dollarage Taken and Reimbursed	\$87.35
Net Miscellaneous Adjustment	\$0.00
Adjustment for 2024 Escheatment	<u>\$5,133.05</u>
Account Book Balance - June 30, 2025	\$42,785.64

**Administrative Directive #05-25**

**APPENDIX H**

# APPENDIX H to ADMINISTRATIVE DIRECTIVE #05-25



## New Jersey Judiciary Civil Practice Division

### Special Civil Part Officer Performance Survey

It is the goal of the \_\_\_\_\_ County, Law Division, Special Civil Part, of the Superior Court of New Jersey to have our Special Civil Part Officers provide the best possible service to the public and the legal community. In the interest of maintaining the highest level of professionalism and quality in the services performed by our Special Civil Part Officers, we ask that you take a few minutes to complete this survey. This survey is also being provided to you in compliance with Administrative Directive #05-25. The Special Civil Part Officers Advisory Committee will review and consider the comments that you have provided.

1. Please identify the court officer you are commenting upon:

2. How would you describe the type and quality of services the court officer(s) provided (check one)

	Exceptional	Satisfactory	Unsatisfactory	Comments
Personal Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Wage Collection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Writ Enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Phone Inquiry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Responsiveness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Paperwork	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Eviction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Courtesy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

3. Were your collected funds, if any, disbursed to you in a timely manner? ☐ Yes ☐ No  
Additional Comments:

\_\_\_\_\_

4. Additional Comments about Court Officer Overall Performance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Optional* - Name and/or Law Firm, Address, Telephone Number, type of firm, number of cases affected, docket numbers, etc.

PLEASE RETURN COMPLETED SURVEY TO:  
Special Civil Part Court Officers Advisory Committee  
c/o \_\_\_\_\_, Assistant Civil Division Manager  
\_\_\_\_\_ County Special Civil Part  
Any Street, Anytown, N.J. 00000

**Administrative Directive #05-25**

**APPENDIX I**

## **APPENDIX I TO ADMINISTRATIVE DIRECTIVE #05-25**

### **Special Civil Part Court Officer Contingency Plan Agreement**

This form is to be completed and signed by the Special Civil Part Officer (SCPO) and their selected Special Assistant Officer (SAO) who will be responsible to assume control and wind down the Officer's business upon the Officer's discontinuation of appointment caused by death, immediate or incapacity. By doing so, the Officer and SAO agree to abide by Directive #05-25 and any subsequent supplements thereto. The SCPO and SAO have read and fully understand the contents of Directive #05-25, attached to this Agreement, and by signing hereunder acknowledge and agree to the following:

1. The SAO, if newly appointed, must satisfy within 30 days hereof the qualification requirements set forth under Directive #05-25, Sections II.A and B., submitting and signing the authorization forms contained within Directive #05-25.
2. The SAO must immediately procure their own bond or rider to an existing bond for the identical amount of the SCPO's bond at the time the SCPO's appointment is discontinued due to their death, immediate retirement, or incapacity.
3. Upon the aforesaid SCPO's discontinuation of appointment, no new vicinage work will be assigned. All deposits, disbursements, earning of dollarage shall be suspended pending the SAO's procurement of a Bond or rider in satisfaction hereof and Directive #05-25, Section V.E.
4. The Contingency Plan and Agreement(s) entered into between the SCPO and their selected SAO shall be enforceable between the SCPO and SAO; the Judiciary and Vicinage are not party to any aforesaid agreement(s); and the undersigned hereby hold the Judiciary and Vicinage harmless from any breach thereof.
5. The SCPO and SAO agree to be jointly and severally liable for any costs, if any, incurred by the Judiciary and Vicinage that are not otherwise covered by any dollarage earned by the Vicinage if the Vicinage determines in its discretion that it must take over the administration and closure of the SCPO's business caused by the failure of the SAO to satisfactorily perform and/or otherwise comply with Directive #05-25 and any supplements thereto. The Judiciary shall first seek compensation from the Officer's and/or SAO's bond, as the case may be.
6. The SAO agrees to provide no less than 60 days' notice to the Vicinage of their intent to no longer serve as SAO, and any dollarage earned thereafter, if any, shall be forfeited by the SCPO and SAO.
7. The SAO shall have their "Action Plan" in place in accord with Directive #05-25 that meets with the Civil Presiding Judge's satisfaction within 30 days of the date upon which the SAO's bond is satisfactorily procured.
8. While the SCPO remains appointed, the SCPO is permitted to subsequently change their selection of SAO as they deem appropriate in accord with the requirements of Directive #05-25.

9. The Contingency Plan and Agreement(s) entered into by the SCPO and their selected SAO shall be deemed voided when an Officer's appointment is discontinued by the vicinage/Judiciary due to SCPO malfeasance.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Special Civil Part Officer

Dated: \_\_\_\_\_

\_\_\_\_\_  
Special Assistant Officer

**Administrative Directive #05-25**

**APPENDIX J**

COUNTY SUPERIOR COURT
**SPECIAL CIVIL PART OFFICERS - BIENNIAL SITE VISIT CHECKLIST**

Prepared by:

Title:

Officer name:

Office location:

Date of biennial site visit:

Other office personnel:

Accounting system:

Accounting firm:

**Procedure:**

A site visit was conducted on the above-referenced date to the Office of the Special Civil Part Officer (SCPO) named above, to evaluate the Officer's compliance with Directive #05-25 as issued by the Administrative Director of the Courts on September 30, 2025, with particular emphasis on Section VIII. This review should not be construed as an exhaustive list of all the requirements of Directive #05-25. Lettered sections below correspond to the applicable sections of the Directive.

**C. Communication**

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer's business office have a computer and the ability to send and receive a fax?					
What operating system is being used?					

**D. Identification on Correspondence and Checks**

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer's correspondence contain their name, their title, their business mailing address, their business phone number and their business fax number?					

**E. Record Retention & Location**

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer retain post-judgment-related correspondence for seven years from the return date of the execution?					
Does the Officer retain all other service-related correspondence for two years from the return date?					
Does the Officer retain documents pertaining to any assigned execution for 20 years from the date of the assignment?					
Does the Officer retain bank records/ ledgers for seven years from disbursing of funds?					
Has the Officer maintained records of information regarding ownership of funds that have been escheated for 10 years following the escheatment?					
Where are the Officer's records maintained? Indicate the identity and location of any off-site records.					
How does the Officer track active and inactive (returned) records?					
How often is the tracking system for inactive (returned) records purged/ updated?					



	YES	NO	N/A	COMMENTS	DIVISION
How are paper records and/or assets levied being safeguarded against unauthorized access, theft, and fire and water damage?					
How does the Officer destroy records that are past the retention date?					
Is there a document destruction policy/ shredder on site?					

#### F. Disaster Recovery / Contingency Planning

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer have a plan to regularly back up their computer's hard drive and electronically stored data that is accessible off site, in a cloud-based system?					
Is a copy of the Officer's COOP kept on site in the Officer's business office?					
What is the date of the Officer's COOP kept on site in the Officer's business office?					

#### I. Internal Controls

##### Safeguard the monies entrusted to the care of the Special Civil Part Officer

	YES	NO	N/A	COMMENTS	DIVISION
What is the process for incoming mail?					
Is a restrictive endorsement placed on each incoming check upon receipt from the mail?					
Are all checks being kept secure during business hours?					
How is cash handled/controlled?					
Are duplicate pre-numbered manual receipts issued for cash payments?					
How are financial instruments safeguarded prior to deposit into the Officer's Bank Account?					
Is there a fireproof and waterproof safe being utilized to secure all funds received?					
Is the safe secured to the floor?					
How many employees have the safe combination or key to the safe?					
Is the safe in the public's view?					
Are there any unidentifiable checks located in the safe?					
How often are check disbursements prepared? (no cash payments permitted, or checks payable to cash)					
How are paper records and/or assets levied, including bank records, ledgers, pre-numbered manual receipts, bank supplies, and Officer's Bank Account checkbook being safeguarded against unauthorized access, theft, and fire and water damage?					
If keys are required for access to records and/or assets levied, are there duplicate keys and if so, where are the duplicate keys located?					
Are collections deposited into the non-interest bearing bank account within 5 business days of receipt?					

	YES	NO	N/A	COMMENTS	DIVISION
Are office personnel that handle financial functions trained properly?					
Is there adequate segregation of duties for the disbursement, the preparation, the approval and the recording of checks?					
<b>Establish Internal Controls for the Accounting System</b>					
	YES	NO	N/A	COMMENTS	DIVISION
What computerized accounting system does the Officer utilize?					
Are there any personal or non-business related transactions/ data in the computerized accounting system?					
Does the computerized accounting system used contain the basic components needed for the recording of and reporting of financial transactions, calculating the amount due to the creditor and the amount due in fees to the Officer?					
<b>Develop and Maintain a Back-Up Method for the Accounting System</b>					
	YES	NO	N/A	COMMENTS	DIVISION
Is the computerized accounting system password protected?					
How is the computerized accounting system backed up, and is it backed up daily?					
Is the backup stored off-site, in a cloud-based system?					
Is the computerized accounting system protected by an anti-virus/ anti-spyware software, and if so, what product is used and how often does the system run scans?					
Is the computerized accounting system protected by a dedicated surge protector?					
Is the computerized accounting system connected to a Wifi network, and if so, how is it secured and what encryption is being used?					
<b>Develop and Maintain a Disaster Recovery Plan for the Accounting System and Related Financial Data</b>					
	YES	NO	N/A	COMMENTS	DIVISION
What is the disaster recovery plan for the computerized accounting system and related financial data?					
<b>J. Writ Register Requirements for Officers Serving Post-Judgment Process</b>					
	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer maintain a Writ Register for all executions?					
Does the Writ Register contain all information required by Directive #05-25, including remarks regarding dates of attempted and actual service, verification of debtor's employment (if any) and any other relevant information provided by the garnishee, notice of bankruptcy (if any), and all accrued interest requests (if any)?					

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer report collections on all Special Civil Part judgments in eCourts monthly?					
Does the Officer return their writs to the court prior to closing them out in their accounting system?					
Does the Officer return writs using eCourts?					

**11/26/18 Supplement: Special Civil Part Officer Contingency Plan**

	YES	NO	N/A	COMMENTS	DIVISION
Does the Officer have a copy of their Special Assistant Officer (SAO) designation on site?					
Has the Officer shared all pertinent information with the SAO to allow for a seamless transition, including passwords, computer programming technologies, records retention, Continuity of Operations Plan (COOP), bank account signatory authority, and staff and business office/access information?					

**Overall Comments/ Other Observations:**