

Municipal Court Consolidation Plan



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I. Introduction

Reductions in state aid and increased operating expenses are leading many New Jersey municipalities to consider shared services. One growing area of shared services involves the consolidation of municipal courts.

According to experts, consolidation of municipal court operations has the potential to save costs by:

- reducing the number of court facilities;
- reducing staff size;
- sharing court security measures;
- expanding management's scope of control; and
- consolidating administrative oversight.

As referenced in this report, about one in five New Jersey municipal courts is currently part of a joint or shared services arrangement. Additionally, 18 of the state's 21 counties have at least one merged municipal court; this includes two examples where the merger involves courts from different counties. Each and every day, municipal leaders are considering whether court consolidation makes sense for their towns.

The purpose of this report is to define the two different types of consolidated courts – joint and shared – and to identify some of the prominent issues surrounding each. This report also provides a blueprint for municipalities considering the establishment of a joint or shared court. Further, Appendix D provides a checklist that should be followed to effectuate a consolidation.

Finally, the report stresses the importance of involving all relevant parties in consolidation discussions as early as possible, particularly the Assignment Judge, who has general authority over all court operations in a county. Input by the Municipal Presiding Judge, municipal division manager, municipal court judge and the court administrator will also be invaluable to municipal leaders, who need to assess whether a consolidated court best serves the needs of the public.

II. Options for Consolidating Municipal Court Operations

There are several options municipalities can consider when forming a consolidated municipal court. The options are outlined in the following sections.

Shared Municipal Courts

Shared municipal courts are individual courts that share space, staff and supplies. The courts keep their unique identity and court name. Each court, for example, is required to retain its own set of bank accounts and ticket books, as well as manage its own caseload. Although cases are heard in a central location, they remain within the jurisdiction of the originating court. Further, each municipal court maintains its own unique court code and each employee must maintain individual computer access codes for each municipal court, thus preserving each court's unique identity.

Judges who sit in a shared municipal court are appointed by the local governing body. The municipalities participating in a shared court arrangement have the flexibility either to appoint the same judge or their own judge. The municipalities have the same flexibility when appointing administrators (see Appendix A for additional information on N.J.S.A. 2B:12-1).

Joint Municipal Courts

In contrast to a shared court, municipal courts that consolidate to form a joint court lose their individual identity. They become one court encompassing a larger geographic area, the size of which is determined by the number of participating municipalities. Joint courts use only one court code and one set of bank accounts. In most instances, the joint court takes on a new, unique court name. Complaints issued by participating police departments are not separated, but rather combined when filed in a joint court.

Another important distinction between joint and shared courts involves the judicial appointment process. Judges in shared courts are appointed by the governing body. In joint courts, they are appointed by the Governor, with the advice and consent of the Senate (N.J.S.A. 2B:12-4b). Assignment Judges, in consultation with each of the participating towns, have historically made temporary appointments of municipal court judges to serve joint courts, pending a Governor's appointment.

Municipal Court Consolidation Across Counties

N.J.S.A. 2B:12-1b and 2B:12-1c provide the statutory authority for two or more municipalities to establish a joint or shared municipal court. Neither statute places limits on territorial locations of the newly formed court; nor do they preclude non-contiguous municipalities, or municipalities from different counties or vicinages, from forming a joint or shared municipal court. N.J.S.A. 2B:12-1b reads as follows:

Two or more municipalities, by ordinance, may enter into an agreement establishing a single joint municipal court and providing for its administration. A copy of the agreement shall be filed with the Administrative Director of the Courts.

Note: N.J.S.A. 2B:12-1c provides the authority to establish shared municipal courts and contains similar language.

Under these statutes, the decision to form a joint or shared municipal court rests with the municipalities involved. This pertains to courts within the same vicinage, as well as those from different vicinages.

III. The Role and Authority of the Assignment Judge

The Rules of Court, however, place direct oversight responsibility for the efficient administration of all municipal courts with the Judiciary. Pursuant to Rule 1:33-4(a), the Assignment Judge “shall be the chief judicial officer within the vicinage and shall have plenary responsibility for the administration of all courts therein, subject to the direction of the Chief Justice and the rules of the Supreme Court.” The same rule further states that:

The Assignment Judge shall be the authorized representative of the Chief Justice for the efficient and economic management of all courts within the vicinage. The responsibilities of the Assignment Judge also shall include all such matters affecting county and municipal governments, including but not limited to budgets, personnel and facilities. R. 1:33-4(b).

Thus, while municipalities clearly have the authority to enter into an agreement to form a joint or shared municipal court, the decision to allow that newly formed court to hear cases rests with the judiciary; most notably, the Assignment Judge, subject to the direction of the Chief Justice. Therefore, an Assignment Judge can exercise his or her authority in this area if, for example, a plan to form a court lacks sufficient facilities or adequate staff, or if the municipalities are not within a reasonable proximity to each other.

IV. Practical Limitations of Joint and Shared Courts

There are some very practical realities municipal leaders should consider when deciding on a joint or shared court, because those realities will have a direct bearing on the administrative challenges a consolidated court will face.

From a day-to-day court operations perspective, joint courts are easier to manage. They have only one set of bank accounts and court reports, and cases are maintained in a single file system. Court staff do not need to maintain separate access codes, and there is no need to worry about entering ticket information into the wrong court, depositing money into the wrong account, or using another court’s forms. In shared courts, staff must always be conscious of those considerations.

The major operational advantage shared courts have over joint courts involves the ease with which they are able to terminate the shared relationship. History has shown that

court mergers oftentimes are of limited duration. While some agreements have been in place for decades, others end after only a year or so. In fact, several such relationships have terminated during the past year. The separation of shared courts is a much simpler process because monies and cases are not combined. Each court can simply take its cases and files and move to a new location. Conversely, the natural combining of cases in joint courts makes the separation problematic. Direct assistance by the office of the Assignment Judge is required, as is oftentimes assistance from the Administrative Office of the Courts.

Shared courts make the most sense when the agreement is likely of limited duration (less than 5 years) and/or when only a limited number of courts are involved (i.e. preferably two or three). In instances where more than three courts are merging and where the agreement is believed to be for an extended duration, a joint court should be established.

V. Financial Issues and Considerations

The Administrative Office of the Courts (AOC) has promulgated standardized financial procedures to process and track all monies received in the state's municipal courts. All monies are received and distributed electronically by the Judiciary's computer system – the Automated Traffic System/Automated Complaint System (ATS/ACS). These financial procedures are designed to accommodate all courts, including joint and shared courts.

The financial procedures for shared courts are identical to the procedures approved for stand-alone courts. Money collected on cases filed in court A gets deposited into court A's account; money on cases filed in court B gets deposited into court B's account. When disbursed by the court at the end of the month, the appropriate monies are forwarded to the Chief Financial Officer (CFO) in the appropriate town.

The handling of monies in joint municipal courts is somewhat different, since there is only one set of financial accounts (bail and regular) and all cases and collected monies are combined. To account for this, the ATS/ACS system has been enhanced to subtotal fine monies based on the municipality where the offense occurred. Thus, at the end of each month, the court administrator is able to identify what monies are to be turned over to which municipality. Municipalities can use this information to satisfy the financial requirements set forth in the shared services agreement.

VI. Steps for Establishing a Shared or Joint Municipal Court

The specifics on how to accomplish consolidation must be worked out locally. In reality, there is no "one way" or "best way" to accomplish this. The only certainty is that establishing a joint or shared court requires commitment, solid information and strong communication on the part of all involved parties; namely, municipalities, vicinage

management, the judge(s), and court staff.

The Four Stages for Establishing a Joint or Shared Court

There are generally four stages involved in establishing a joint or shared municipal court – the *exploratory stage*, the *detail stage*, the *agreement stage* and the *implementation stage*. Specifics of each stage are discussed below.

1. Exploratory Stage

The exploratory stage begins when each of the governing bodies begins to consider the pros and cons associated with a merger. Towns should begin to formulate ideas regarding the structure and location of the newly formed court.

Below are some of the primary issues that each municipality should consider:

- Is forming a joint or shared court the direction in which the municipality wants to go?
- Would a joint or shared court better serve the municipality's needs? This includes consideration of the importance of choosing one's own judge.
- General staffing issues – i.e., who would be the judge(s) and administrator(s); would there be possible demotions and/or the termination of staff; are there union and civil service issues to consider; tenure rights issues; etc.
- Identify the court facility best suited to house the merged court. This involves assessing the strengths and weaknesses of each location and identifying whether any existing facilities can properly house the new expanded court.
- The amount of cost savings (or other reasons) needed to justify the decision. Please refer to Appendix B for additional information.

It is suggested that during this stage, each municipality direct its municipal attorney to begin reviewing the legal issues surrounding shared services. Municipalities should also consider reaching out to neighboring towns that have formed joint and/or shared courts to solicit their input. Reviewing existing shared services agreements is helpful.

The Assignment Judge (or designee) should be contacted regarding a possible merger. The Assignment Judge's office can assist by providing caseload trend analysis, input for staffing levels, feedback regarding the ability of a particular facility to handle the combined operations, as well as direction regarding the number of court sessions needed to handle the combined volume. This input can be extremely valuable to municipal leaders at this early stage, particularly if the Assignment Judge suggests something contrary to the general direction being considered by the municipalities.

It is also recommended that each municipality consider, at this time, starting a dialogue regarding a possible consolidation with its judge and court administrator. Better than anyone, they understand the intricacies of the court and the relative impact the merger

can have on court operations. Specifically, they can provide information relative to the proposed merger's impact on staffing and facilities, and can begin to consider implementation issues should a formal agreement be signed. Finally, at this stage, the municipality should consider consulting with the chief of police, who can provide information about how the merger will impact court security, as well as police overtime and travel costs.

2. Detail Stage

During the detail stage, municipalities should begin negotiations about issues identified during stage 1. Formal discussions are needed to discuss court revenues and payments. The most significant issues the municipalities will need to decide during the detail stage are as follows:

- Should the merged court be a joint or shared court?
- What will be the location of the court facility, and are renovations required?
- If a shared court, who will be the judge(s)?
- Who will be the court administrator(s) and staff?
- Will the merger lead to staff terminations, demotions or even promotions?
- Will there be any salary level changes because of modifications of title, the assumption of additional responsibilities, or the reduction/increase in work hours?
- Who pays for what, and how will operating costs be paid?
- How will any required facility renovations be funded?
- Have the concerns or issues raised by the Assignment Judge been satisfied?
- Who will be appointed as prosecutor(s) and public defender(s)?
- What will the direct impact of the merger be on the public?

As part of this process, it is strongly recommended that each municipality conduct a cost-benefit analysis to determine whether the proposed financial agreement(s) makes sense. Municipalities should be sure to include both direct and indirect costs in this analysis, including information on possible revenue and caseload fluctuations. Please refer to Appendix B for additional information.

Finally, during this process, municipalities should continue to solicit input about significant issues raised by the Assignment Judge, as well as the municipal court judge and administrator. Failure to identify and address these concerns could have a long-term, detrimental impact on the court's operations.

3. Agreement Stage

The agreement stage is when shared service agreements are drafted, including the ordinance or resolution to establish the joint or shared court. This is generally done by the municipal attorneys.

This stage is straightforward. Municipalities should coordinate with the Assignment

Judge, the municipal court judges, and especially the court administrators to decide on a realistic implementation date. This is important given the significant logistical issues involved. Too short a time frame can jeopardize the ability of the court to effectuate the merger and could result in reduced services to the public. It is also strongly recommended that the municipalities provide the Assignment Judge with a copy of the draft agreement for review **prior** to it being acted on by the governing bodies.

4. Implementation Stage

The final stage in the process is the Implementation Stage. Most of the responsibility for implementing the agreement rests with the judge(s), court administrator(s) and office staff who will actually consolidate the various offices. This process should begin as soon as the agreements have been signed (if not before), with enough lead time to ensure there is no disruption in service to the public. A minimum of 6-8 weeks of lead time for simple mergers is essential for a smooth implementation. More time may be needed for complex mergers, particularly those requiring facility modifications. Finally, significant hands-on and technical assistance are available to the involved courts through both the Assignment Judge's office and the Administrative Office of the Courts.

The primary role of each municipality is to implement all facility and personnel issues necessitated by the agreement and to assist the court in moving files and equipment to the centralized facility. Changes to the municipality's phone system, building signage, the municipality's Internet site, and other items may also be needed. Moreover, sufficient start-up monies will be needed to enable the court to purchase new forms and stationery and to pay for any overtime costs necessary to help with the transition.

Finally, for joint courts, a formal request must be sent to the Governor's office regarding the appointment of the judge. In the absence of a Governor's appointment, the municipalities can consult with the Assignment Judge about the appointment of a temporary judge.

VII. Conclusion

The steps for establishing a joint court or shared court require strong input from all involved parties, including municipal leaders, the vicinage Assignment Judge, the municipal court judge, and court administrator. The consolidation process requires that a detailed analysis be done to help determine whether the consolidation makes sense for each of the involved municipalities. The Judiciary is prepared to provide input and support to municipal leaders to ensure that any planned court consolidation best serves the needs of our citizens.

Appendix A

Authority to Establish a Municipal Court

N.J.S.A. 2B:12-1c allows for the establishment of shared municipal courts. It provides that,

[t]wo or more municipalities, by ordinance or resolution, may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts, and agree to appoint judges and administrators without establishing a joint municipal court. Where municipal courts share facilities in this manner, the identities of the individual courts shall continue to be expressed in the captions of orders and process.

Legislation passed in spring 2008 modified the appointment process. Specifically, P.L. 2008, c.2, signed into law on March 26, 2008, allows municipalities, in shared municipal courts, to appoint different judges and administrators to oversee court operations. Prior to this legislative change, municipalities in a shared court arrangement were required to appoint the same judge and administrator.

N.J.S.A. 2B:12-1b provides for the establishment of a joint municipal court, which differs significantly from a shared court. The legislation permits “[t]wo or more municipalities, by ordinance [to] . . . enter into an agreement establishing a single joint municipal court and providing for its administration.”

Appendix B

Cost Savings Considerations

The following is a list of direct and indirect costs associated with the operation of a municipal court. To determine whether a consolidated municipal court will save costs, an analysis needs to be done comparing the cumulative costs of operating the present, separate courts versus the anticipated expenses of a merged court.

Although every merger is unique, the primary costs associated with operating a municipal court include:

- Judge(s) salary (plus benefits)
- Total staff salaries (plus benefits)
- Equipment costs (including future equipment replacement costs)
- Other regularly budgeted court items, including supplies and costs for interpreters, training, emergency support staff, and acting judges, among other items
- Police travel and overtime costs (involving court sessions and related court operations)
- Court security costs
- Administrative oversight of the court's budget, staffing and physical plant needs
- General physical plant issues – i.e. costs to build, upgrade or maintain the facility(s)
- Additional physical plant issues tied to the court's use of a facility (i.e., electric, heat, phone/fax, general wear and tear, etc.)
- Postage and printing costs
- Payments to the prosecutor and public defender

Note: the amount of money any one municipality will save is tied directly to the financial stipulations written into the shared services agreement.

Appendix C

Status Report - Shared and Joint Municipal Courts

There are 530 municipal courts in New Jersey. Of these, 104 have formally entered into a joint or shared services agreement, consistent with the provisions of Title 2B. Thus, about one in five municipalities is part of a shared or joint court arrangement. Specific detail about New Jersey's shared and joint municipal courts follows.

Shared Municipal Courts

As of July 2010, there were 83 shared municipal courts in New Jersey, representing about 16 percent of all courts. With some exceptions, these courts are low volume courts, with typical annual caseloads of less than a few thousand. Most shared agreements involve only two courts. In fact, of the 39 different shared court arrangements, only nine involve more than two courts. Additionally, two-thirds (14) of New Jersey's 21 counties have at least one shared court. Most of the State's shared courts (60%), however, are located in only four counties (Monmouth, Burlington, Hunterdon and Warren). The attached table provides a detailed breakdown of the location of each shared court.

Joint Municipal Courts

There are currently 21 joint municipal courts in the state, comprising 59 different municipalities. Approximately four percent of all municipal courts are joint courts, while about ten percent of the State's 566 municipalities are part of a joint court arrangement. Nine different counties have at least one joint court, while no county has more than four. Thirteen of the state's 21 joint courts have only two involved municipalities, while three have five or more (North Hunterdon Joint, Joint Municipal Court of Dover, and Frankford Joint). As with shared municipal courts, joint courts generally have lighter caseloads (a few thousand cases or less). The attached table provides a detailed breakdown of all joint courts.

Note: This information is based on July 2010 data.

Appendix D

Joint / Shared Court Checklist

A checklist of items to be considered during the formation of either a joint or shared court is outlined below. The purpose of this appendix is to outline many of the steps involved in forming either a joint or shared court, particularly from the perspective of court staff, vicinage staff and staff from the Administrative Office of the Courts. For convenience and ease of reference, the joint and shared court sections are separated.

Stages Involved in Establishing a Joint Municipal Court

THE EXPLORATORY STAGE – Joint Court

- The Assignment Judge, Presiding Judge, and Division Manager should meet with municipal stakeholders.
- Municipal leaders should be advised regarding the role of the Assignment Judge, the Municipal Division, the Municipal Court Services Division, and the respective municipal court judge and staff regarding the establishment of a joint court.
- Highlight the requirements for the detail, agreement and implementation stages relative to the formation of a joint municipal court.

THE DETAILS STAGE – Joint Court

Facilities: The municipality must provide suitable courtrooms, chambers, offices, equipment, and supplies for the court, its administrator's office and violation's bureau. N.J.S.A. 2B:12-15.

- Identify whether renovations will be needed to the host facility:
 - Court office – adequate space for additional staff, files, etc.
 - Courtroom – space and availability to accommodate more/larger court calendars
 - Municipal facilities – Is there adequate:
 - storage

- wait areas
 - parking
 - access
- Does the facility comply with ADA requirements?
- Courtrooms, chambers and court office must be in a public building. Only the Administrative Director can approve another appropriate location. R. 1:31-1.
 - Court sessions/hours/office hours are to be set by the judge or Presiding Judge, subject to the approval of the Administrative Director. R. 1:30-4.
 - Mass transit

Personnel:

- Gubernatorial appointment of the judge(s) is made with the advice and consent of Senate. N.J.S.A. 2B:12-4b.
- The court administrator, prosecutor and public defender appointments are to be determined jointly by the respective municipalities.
- As municipalities consider the selection of the court administrator, the appointing authorities should be advised to review any pertinent civil service regulations.
- Municipal leaders must consider who will fill the position of the court administrator, as well as other positions in the new court.
- Appropriate staffing level for new court:
 - Will there be appropriate staff to handle the increased caseload and any additional court sessions?
 - Division may use weighted caseload analysis for advisory purposes

Security:

- What is the status of the host site relative to the Judiciary's Schedule of Protection? See AOC Directive #15-06.
- Will additional security measures be necessary due to the increased number of court sessions and court users?
- How will prisoners appear in court (e.g., transported, videoconferencing)?

THE AGREEMENT STAGE – Joint Court

Legal Issues:

- Assignment Judge(s) may review and approve agreements.
- Ordinances establishing the new court must be passed by the respective governing bodies. The name of the joint court must be specified in the ordinances.
- During this stage, the formal agreement is drafted and signed by the municipalities.
- A copy of the formal agreement is to be filed with the Administrative Director. N.J.S.A. 2B:12-1b.

THE IMPLEMENTATION STAGE – Joint Court

Responsibilities of Vicinage Municipal Division: The Municipal Division is to facilitate the exchange of information between Municipal Court Services, AOC and the respective courts. As a result, the Division should ensure that the respective municipal courts perform the following duties:

- Forward a copy of the joint court agreement to Municipal Court Services after it is reviewed and approved by the Assignment Judge.
- Email the following information to JUATS (at least 1 month before change to be completed):
 - Start date for joint court
 - Name of court of record
 - Municipality name and court code(s) joining court of record
 - Updates to court record, including:
 - Name of court (if applicable)
 - Address and phone number(s)
 - Office hours
 - Judge, prosecutor and court administrator names

- Journal/time payment printer remote numbers
- Updates to receipt and warrant printers
- Additions and changes for user ID's
- Address and phone number change for police (if applicable)
- Complete ACH authorization form for bank account changes (if applicable, this should be done approximately 1 month prior to the merger's effective date).
 - A copy of a voided check for any new accounts and the ACH authorization form are to be faxed or mailed to Municipal Court Services.
- Email JUATS to request new/relocation and/or removal of equipment (Note: this should occur approximately 7 weeks before the merger's effective date).
- Notify law enforcement of court code changes for eCDR and eTRO.

Responsibilities of Municipal Court Services:

- Court record updates for ATS/ACS:
 - Court name (if applicable)
 - Names -- i.e., judge, court administrator, prosecutor
 - Court address, phone number, court hours
 - Court screen name
 - Change joint court indicator to "Y" for court of record
 - Update all municipalities joining court of record
 - Police address and phone
- Printer updates:
 - ATS -- update remote on ATS court screen for journals and time payment orders
 - ACS -- update remote on ACS court screen for journals and time payment orders

- Update receipt printer -- if additional receipt printers are added, create a new profile for the new receipt printers
- Update warrant printer information
- User ID's:
 - Create newly requested ID's and update security on existing ID's
 - Create additional ID's for new receipt printers
 - Update required police department ID's for court of record
- Notifications:
 - All in-house AOC staff
 - State Police
 - Motor Vehicle Commission (MVC)
- Bank account updates:
 - Notify AOC Fiscal Unit of bank account changes and dates to be completed
 - Notify Elavon of general account changes for NJMCDirect.com
- Technical Assistance:
 - Send TP51 to Technical Assistance Unit for new/relocation and/or removal of equipment.

Operational Issues for Municipal Court Administrator:

- Provide notice to internal and external customers. This includes:
 - Updating respective municipality websites, contacting the media (if appropriate), modifying municipal signs, advising the N.J. Lawyers Diary, etc., regarding the closure of existing facility(s) and the establishment of the new court

- Providing customers with the location, court hours, directions, telephone/fax numbers, etc. of the new court
- Placing a message on the former court phone line(s) advertising the new location and contact information
- Contacting external agencies with correct contact information (e.g., local and State Police, Weights and Measures, N.J. Transit, County Prosecutor's Office, etc.)
- Protect the integrity of all court records. This includes:
 - Relocating all tickets, complaints, financial records, docket books and manual receipts to host facility
 - Relocating archived materials to secure storage facility (preferably at the host site)
 - Reviewing retention schedules
- Review with staff and law enforcement, as appropriate, the procedures for collecting bail, issuing citizen complaints, and filing tickets and complaints
- Execute, as appropriate, new authorizations for court administrator and deputies.
- Coordinate with the Municipal Division to offer training for new team members in areas such as management/leadership, team building, communication skills, emotional intelligence, and management of financial accounts.
- Review and modify, as needed, all Judiciary forms and stationery. This includes all in-house forms, as well as:
 - The Special Form of Complaint and Summons, receipt books, etc.
 - The ordering of new ticket books and/or the purchase of stickers for existing books.
- Bank related issues, including:
 - Opening new accounts (bail and general)
 - Maintaining old accounts until directed otherwise by Municipal Court Services and/or Municipal Division

- Adding or deleting signatures for writing checks
- Updating the credit card machine
- Financial Issues:
 - Municipal Division should confirm all accounts are reconciled
 - Host municipality may conduct an independent audit of the merging court(s) prior to the merger effective date
 - The judge, court administrator and all others who handle money must be bonded
 - Run one journal and complete one deposit within 48 hours
 - One monthly cash book and disbursement
 - Operate one change fund (for each person handling money)

Note: The establishment of a joint court necessitates ongoing review and communication between the Division Manager's office and the new court. Each Assignment Judge should determine what level of review is appropriate in his/her vicinage. For example, in one vicinage, the Assignment Judge has directed the Division Manager's office to complete quarterly visitation reports for a limited duration, to ensure the ongoing integrity and efficiency of the court.

Stages Involved in Establishing a Shared Court

THE EXPLORATORY STAGE – Shared Court

- The Assignment Judge, Presiding Judge, and Division Manager should meet with municipal stakeholders.
 - In the event of a cross-county shared court (involving different vicinages), stakeholders from both locales (Assignment Judges, Presiding Judges, Division Managers and respective municipal stakeholders) must be involved.
- Municipal leaders should be advised regarding the role of the Assignment Judge, the Municipal Division, the Municipal Court Services Division and respective municipal court judges and staff regarding the establishment of a shared court.

- Highlight the requirements for the detail, agreement and implementation stages relative to the formation of a shared court.

THE DETAILS STAGE – Shared Courts

Facilities: The municipality must provide suitable courtrooms, chambers, offices, equipment, and supplies for the court, its administrator’s office and violation’s bureau. N.J.S.A. 2B:12-15.

- Identify whether renovations will be needed to the host facility:
 - Court office – is there space for additional staff, files, etc., if courts share space?
 - Courtroom – space and availability to accommodate more/larger court calendars
 - Municipal facilities – is there adequate:
 - storage (if courts share space)
 - wait areas
 - parking
 - access
 - Does the facility comply with ADA requirements?
- Courtrooms, chambers and court office must be in a public building. Only the Administrative Director may approve another appropriate place. R. 1:31-1.
- Court sessions/hours/office hours are to be set by the judge or Presiding Judge, subject to the approval of the Administrative Director. R. 1:30-4.
- Mass transit

Personnel: In a shared court, municipalities may agree to appoint the same judge or may appoint separate judges. N.J.S.A. 2B:12-1c.

- In mayor-council form of government, the judge(s) shall be appointed by the mayor with the advice and consent of the governing body. N.J.S.A. 2B:12-4b. In all other types of municipalities, the judge shall be appointed by the governing body of the municipality. N.J.S.A. 2B:12-4b.

- Municipal leaders should review the impact on current judicial appointment(s) in the event they seek to jointly appoint only one judge.
- Appointment of the court administrator, prosecutor and public defender are to be determined by the respective municipalities. Because the courts are separate legal entities, they may choose to employ the same personnel or select different individuals to fill these roles.
 - If municipalities are considering the selection of one court administrator, they should be advised to review all pertinent civil service regulations.
- Appropriate staffing level for new court:
 - Will there be appropriate staff to handle the increased caseload and any additional court sessions?
 - Division may use weighted caseload analysis for advisory purposes.

Security:

- What is the status of the host site relative to the Judiciary's Schedule of Protection? See AOC Directive #15-06.
- Will additional security measures be necessary due to the increased number of court sessions and court users?
- How will prisoners appear in court (e.g., transported, videoconferencing)?

THE AGREEMENT STAGE – Shared Courts

Legal Issues:

- Either an ordinance or a resolution is necessary to establish a shared court.
 - An agreement is reached and drafted by the involved municipalities
 - Assignment Judges may review and approve the agreement. (Note: If a cross vicinage shared court is being established, both Assignment Judges should review the agreement.)

THE IMPLEMENTATION STAGE – Shared Courts

Coordination with the Administrative Office of the Courts (Municipal Court Services

Division). The Municipal Division should facilitate the exchange of information between Municipal Court Services and the respective courts. As a result, the Division should ensure that the respective municipal courts perform the following duties:

- Email the following information to JUATS (at least 1 month before the merger's effective date):
 - Start date for shared court
 - Updates to court record:
 - Name of court (if applicable)
 - Address and phone
 - Office hours
 - Judge, prosecutor and court administrator names
 - Journal/time payment printer remote numbers
 - Updates to receipt and warrant printers
 - Additions and changes for user ID's
 - Address and phone number change for police (if applicable)
- Complete ACH authorization form for bank account changes (if applicable, this should be done approximately 1 month prior to the merger's effective date)
 - A copy of a voided check for new accounts and the ACH authorization form are to be faxed or mailed to Municipal Court Services.
- Email JUATS to request new/relocation and/or removal of equipment (Note: this should occur approximately 7 weeks before the merger's effective date).

Responsibilities of Municipal Court Services:

- Court record updates for ATS/ACS:
 - Court name (if applicable)
 - Names – i.e. judge, court administrator, prosecutor
 - Court address, phone number, court hours
 - Court screen name

- Police address and phone
- Printer updates:
 - ATS -- update remote on ATS court screen for journals and time payment orders
 - ACS -- update remote on ACS court screen for journals and time payment orders
 - Update receipt printer -- if additional receipt printers are added, create a new profile for new receipt printers
 - Update warrant printer
- User ID's:
 - Create additional ID's and update security on existing ID's
 - Create additional ID's for new receipt printers
- Notifications:
 - All in-house AOC staff
 - State Police
 - MVC
- Bank account Updates:
 - Notify AOC Fiscal Unit of bank account changes and dates to be completed
 - Notify Elavon of general account changes for NJMCdirect.com
- Technical Assistance:
 - Send TP51 to Technical Assistance Unit for new/relocation and/or removal of equipment

Operational Issues for Municipal Court Administrator:

- Provide notice to internal and external customers. This includes:

- Updating respective municipality websites, contacting the media (if appropriate), modifying municipal signs, advising the N.J. Lawyers Diary, etc., regarding the closure of existing facility(s) and the relocation of the shared courts
- Providing customers with the location, court hours, directions, telephone/fax numbers, etc. of all involved courts
- Placing a recorded message on court former phone lines providing customers with the new court location and contact information
- Contacting external agencies with updated contact information (e.g. local and State Police, Weights and Measures, N.J. Transit, County Prosecutor's Office, etc.)
- Protect the integrity of all court records. If sharing court office, this includes:
 - Relocating all tickets, complaints, financial records, docket books, and manual receipts to host facility
 - Relocating archived materials to secure storage facility (preferably at the host site)
 - Reviewing retention schedules.
- Review with staff and law enforcement, as appropriate, the procedures for collecting bail, issuing citizen complaints, and filing tickets and complaints
- Execute, as appropriate, new authorizations for court administrator and deputies
- Coordinate with the Municipal Division to offer training for team members in areas such as management/leadership, team building, communication skills, emotional intelligence, and management of financial accounts.
- Forms/Stationary -- shared courts are separate entities. Therefore, each court should maintain, as necessary, separate forms and stationery.
- Bank related issues, including adding or deleting signatures for writing checks
- Financial Issues:
 - Municipal Division should confirm all accounts reconciled

- Each municipality is to continue to conduct independent audits of financial accounts.
- The judge, court administrator and others who handle money must be bonded.
- Run separate journals and complete separate deposits for all involved courts (within 48 hours)
- All courts must maintain separate monthly cash books and disburse monies consistent with approved Judiciary financial procedures.
- Two change funds (minimum)

**JOINT MUNICIPAL COURTS
AS OF JULY 2010**

Court Code	County	Name of Joint Municipal Court	Involved Municipalities
0105	Atlantic	Buena Vista Regional	Buena Vista and Weymouth Townships.
0416	Camden	Haddon Twp/Audubon Park	Haddon Twp. and Audubon Park Boro.
0411	Camden	Collingswood Municipal Court	Collingswood and Woodlynne Boroughs
0426	Camden	Oaklyn/Mt Ephraim Joint	Oaklyn and Mt. Ephraim Boroughs
0605	Cumberland	Fairfield/Downe Joint	Fairfield and Downe Townships
0612	Cumberland	Stow Creek Municipal Court	Stow Creek and Shiloh Townships
0821	Gloucester	Westville National Park	Westville and National Park Boroughs
0824	Gloucester	Woolwich Joint	Woolwich Twp. and Swedesboro Boro.
1002	Hunterdon	Bethlehem/Bloomsbury Joint	Bethlehem Twp. and Boonsbury Boro.
1020	Hunterdon	Joint Court of Delaware Valley	Alexandria Twp., Holland Twp. and Frenchtown Boro
1006	Hunterdon	North Hunterdon Joint	Glen Gardner Boro., High Bridge Boro., Lebanon Twp., Clinton Twp. and Franklin Twp.
1008	Hunterdon	Joint Court of East Amwell/Delaware	East Amwell and Delaware Townships
1409	Morris	Joint Municipal Court of Dover	Dover Town, Mine Hill Twp., Wharton Boro, Mount Arlington Boro and Rockaway Boro.
1715	Salem	Mid-Salem County Joint	Woodstown Borough, Mannington Township, Elmer Borough and Quinton Township
1709	Salem	Pilesgrove Joint	Pilesgrove, Upper Pittsgrove and Alloway Townships
1713	Salem	Carneys Pt Joint	Carneys Point and Oldmans Townships
1704	Salem	Lower Alloways Creek/Elsinboro Joint	Lower Alloways Creek and Elsinboro Townships
1905	Sussex	Frankford Joint	Frankford Twp., Lafayette Twp., Branchville Boro., Sandyston Twp., Walpack Twp. and Montague Twp.
1908	Sussex	Green Joint	Green Twp., Fredon Twp., Andover Boro. and Hampton Twp.
1924	Sussex	Wantage Twp. & Sussex Boro.	Wantage Twp. and Sussex Boro.
2111	Warren	North Warren at Hope	Hope, Liberty and Blairstown Townships

SHARED MUNICIPAL COURTS JULY 2010

Shared Code	Court Code	County	Municipal Court
0201	0201	Bergen	Allendale Borough
0201	0228	Bergen	Ho-Ho-Kus Borough
0240	0240	Bergen	Northvale Borough
0240	0255	Bergen	Rockleigh Borough
0301	0301	Burlington	Bass River Township
0301	0337	Burlington	Washington Township
0303	0303	Burlington	Bordentown City
0303	0304	Burlington	Bordentown Township
0308	0308	Burlington	Cinnaminson Township
0308	0332	Burlington	Riverton Borough
0327	0307	Burlington	Chesterfield Township
0327	0327	Burlington	North Hanover Township
0327	0340	Burlington	Wrightstown Township
0338	0311	Burlington	Eastampton Township
0338	0316	Burlington	Hainesport Township
0338	0338	Burlington	Westampton Township
0502	0502	Cape May	Cape May City
0502	0503	Cape May	Cape May Point Borough
0511	0504	Cape May	Dennis Township
0511	0511	Cape May	Upper Township
0511	0106	Atlantic	Corbin City
0513	0514	Cape May	Wildwood City
0513	0513	Cape May	West Wildwood Borough
0607	0607	Cumberland	Hopewell Township (note: shared arrangement with Stow Creek joint court)
0607	0606	Cumberland	Greenwich Township (note: shared arrangement with Stow Creek joint court)
0707	0707	Essex	Essex Fells Borough
0707	0715	Essex	North Caldwell Township

Shared Code	Court Code	County	Municipality
0804	0804	Gloucester	Elk Township
0804	0813	Gloucester	Newfield Borough
0808	0808	Gloucester	Harrison Township
0808	0816	Gloucester	South Harrison Township
1002	1018	Hunterdon	Lebanon Borough (note: shared arrangement with Bethlehem/Bloomsbury Joint Court)
1008	1023	Hunterdon	Stockton Borough (note: shared arrangement with Joint Court of East Amwell/Delaware)
1016	1016	Hunterdon	Kingwood Township
1016	1030	Hunterdon	Borough of Milford
1021	1013	Hunterdon	Hampton Borough
1021	1021	Hunterdon	Raritan Township
1027	1025	Hunterdon	Union Township
1027	1027	Hunterdon	Clinton Township
1202	1218	Middlesex	Plainsboro Township
1202	1202	Middlesex	Cranbury Township
1307	1307	Monmouth	Belmar Borough
1307	1347	Monmouth	Lake Como Borough
1309	1309	Monmouth	Brielle Borough
1309	1327	Monmouth	Manasquan Borough
1332	1332	Monmouth	Millstone Township
1332	1341	Monmouth	Roosevelt Borough
1337	1324	Monmouth	Loch Arbour Village
1337	1337	Monmouth	Ocean Township
1337	1353	Monmouth	West Long Branch Borough
1338	1338	Monmouth	Oceanport Borough
1338	1343	Monmouth	Sea Bright Borough
1340	1340	Monmouth	Red Bank Borough
1340	1346	Monmouth	Shrewsbury Township

Shared Code	Court Code	County	Municipality
1348	1348	Monmouth	Spring Lake Borough
1348	1349	Monmouth	Spring Lake Heights Borough
1352	1344	Monmouth	Sea Girt Borough
1352	1352	Monmouth	Wall Township
1408	1408	Morris	Denville Township
1408	1425	Morris	Mountain Lakes Borough
1418	1418	Morris	Mendham Borough
1418	1419	Morris	Mendham Township
1438	1438	Morris	Washington Township
1438	1004	Hunterdon	Califon Borough
1516	1516	Ocean	Little Egg Harbor Township
1516	1508	Ocean	Eagleswood Township
1524	1524	Ocean	Point Pleasant Borough
1524	1525	Ocean	Point Pleasant Beach Borough
1808	1808	Somerset	Franklin Township
1808	1812	Somerset	Millstone Borough
2011	2011	Union	New Providence Borough
2011	2001	Union	Berkeley Heights Township
2101	2101	Warren	Allamuchy Township
2101	2112	Warren	Independence Township
2113	2106	Warren	Frelinghuysen Township
2113	2109	Warren	Hardwick Township
2113	2113	Warren	Knowlton Township
2115	2105	Warren	Franklin Township (formerly Central Warren)
2115	2110	Warren	Harmony Township
2115	2115	Warren	Lopatcong Township
2116	2116	Warren	Mansfield Township
2116	2122	Warren	Washington Township
2116	2117	Warren	Oxford Township