

ORDER

It is ORDERED that the attached Rule 1:18B ("Judicial Financial Reporting") of the Rules Governing the Courts of the State of New Jersey is adopted to be effective immediately.

For the Court
Deborah T. Poritz
Chief Justice

Dated: January 15, 2002

Rule 1:18B --Judicial Financial Reporting

Rule 1:18B-1. Obligation to Report.

(a) General. Every Supreme Court justice, Superior Court judge, and Tax Court judge shall annually submit a financial reporting statement to the Supreme Court. This reporting requirement applies to both sitting judges and retired judges who have been recalled to active judicial service.

(b) Form of Report. The annual judicial financial reporting statement shall be in a form promulgated by the Administrative Director and approved by the Supreme Court. It shall cover the judge, the judge's spouse, and the judge's dependent children residing in the same domicile.

(c) To Whom to Submit Report. The annual judicial financial reporting statements are to be submitted to the Supreme Court in care of the Administrative Director of the Courts.

(d) Date By Which to Submit Report. The annual judicial financial reporting statements for each calendar year must be submitted by April 15 of the following year.

(e) Requests for Extension of Time to Submit Report. A judge may for good cause request a sixty-day extension of the time in which to submit a judicial financial reporting statement. Such requests shall be in writing to the Administrative Director of the Courts.

(f) Failure to Submit Report or to Submit Complete Report. If by April 15 a judge has not submitted either a judicial financial reporting statement for the preceding calendar year or a written request for a sixty-day extension pursuant to the preceding paragraph (e), the Administrative Director shall inform the judge in writing that he or she has not satisfied the requirements of this Rule. If the judge does not submit the required reporting statement within fifteen days of such notice, the Administrative Director shall refer the matter to the Advisory Committee on Judicial Conduct.

Note: Adopted January 15, 2002 to be effective immediately.

Rule 1:18B-2. Advisory Committee on Judicial Financial Reporting

(a) Appointment and Organization. The Supreme Court shall appoint a three-member Advisory Committee on Judicial Financial Reporting to respond to inquiries from judges concerning interpretations of the judicial financial reporting requirements. The members will serve staggered three-year terms, with the term of one member expiring each year on December 31. The Supreme Court will annually designate one of the members to serve as chair of the Advisory Committee. The Administrative Director of the Courts will designate a staff person from the Administrative Office of the Courts to serve as Secretary of the Advisory Committee.

(b) Jurisdiction. The Advisory Committee shall accept inquiries only from a judge or from the Supreme Court.

(c) Form of Inquiry. All inquiries shall be in writing and addressed to the Secretary of the Advisory Committee, who shall transmit them to the Advisory Committee. Inquiries must set out the specific question in detail, including all pertinent facts.

(d) Disposition of Inquiries. Except in the case of routine inquiries that require a response before the full committee can act, the Advisory Committee shall not issue an opinion unless concurred in by a majority thereof. In every matter, the Secretary shall convey the Advisory Committee's response in writing to the judge making the inquiry. In its discretion, the Advisory Committee may also issue a formal opinion for distribution to all judges, with suitable arrangements for its publication. Formal opinions shall not identify the judge making the inquiry.

(e) Inquiries from Supreme Court. The Advisory Committee shall consider and advise the Supreme Court or render opinions on such matters as the Supreme Court may submit to it from time to time. Such opinions shall not be published without the prior approval of the Supreme Court.

(f) Procedures. The Advisory Committee shall promulgate in writing the procedures to be followed in considering and responding to inquiries.

(g) Petitions for Review.

(1) Notice. Within thirty days after a judge has been notified in writing of the Advisory Committee's response to his or her inquiry, or if a formal opinion has been rendered, within twenty days after its publication, the judge may seek review thereof by filing a notice of petition for review with the Clerk of the Supreme Court. The Clerk shall not impose a fee for the filing of the notice.

(2) Record on Petition for Review. If the petition for review is granted, the record on review shall be the formal opinion, if any, or the Advisory Committee's written response to the judge issued pursuant to Rule 1:18B-2(d), the inquiry submitted, and any documents relied on by the Advisory Committee in arriving at its determination.

(3) Form of Petition for Review. A petition for review shall contain a short statement of the matter involved, the question presented, the errors complained of, and the arguments in support of the petitioner's position.

(4) Service and Filing of Petition for Review. Within ten days after filing of the notice of petition for review, four copies of the petition shall be served on the secretary of the Committee and nine copies thereof shall be filed with the Clerk of the Supreme Court.

(5) Final Determination. The final determination of a petition for review may be either by written opinion or by order of the Supreme Court and shall state whether the opinion or other action of the Advisory Committee is affirmed, reversed, or modified, or shall provide for such other final disposition as is appropriate.

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Rule 1:18B-3. Retention and Disclosure of Statements

(a) Retention. The submitted reports shall be maintained by the Administrative Director of the Courts on behalf of the Supreme Court.

(b) Disclosure. The reports shall be available to the public upon request. Requests must be in writing addressed to the Administrative Director of the Courts and must set forth in detail the specific reporting statement sought and the requesting party's name and address. The Administrative Director may promulgate a standard form for such requests, in which case every request must be submitted using that standard form. Absent extraordinary circumstances, the Administrative Director shall provide the requesting party with a copy of the specific reporting statement sought.

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