

Notice to the Bar

Corrections to Criminal Justice Reform Rule Amendments (August 30, 2016 Omnibus2 Rule Amendment Order)

The Supreme Court by order dated August 30, 2016 adopted a number of Criminal Justice Reform-related rule amendments to be effective January 1, 2017. That order (“Omnibus2 Rule Amendment Order”) was previously published as a notice to the bar. This notice sets out a number of corrections to the rule amendments adopted by that order, as follows:

- (1) Rule 3:2-3(a) – In the new text in the second sentence, delete the underscored “and”.
- (2) Rule 3:2-3(b) – In the fifth paragraph, replace “the phrase: ‘I, Officer _____, certify that I have received telephonic or other approved electronic authorization from _____ (judicial officer’s name), _____ (judicial officer’s title), for the issuance of the Complaint-Warrant (CDR-2)’” with “the required certification and activate the complaint”.
- (3) Rule 3:3-1(a)(1) – Change “a judge, clerk, deputy clerk, authorized municipal court administrator or authorized deputy municipal court administrator (judicial officer)” to “a judicial officer [judge, clerk, deputy clerk, municipal court administrator or deputy municipal court administrator]”.
- (4) Rule 3:3-1(a)(2) – Change “allows” to “allow[s]”.
- (5) Rule 3:3-1(f) – Change each instance of “N.J.S.” to “N.J.S.A.” Also, correct the statutory citation for aggravated arson to “N.J.S.A. 2C:17-1(a)(1)”. Also, change the semicolon after “terrorism (N.J.S.A. 2C:38-2)” to a comma.
- (6) Rule 3:4-2(c)(1) – In the underscored text, change “subsections (a) and (b) below” to “subsections (A) and (B) below”.
- (7) Rule 3:4A(b)(1) – Change both instances of “a continuance or motion” to “a continuance on motion”.
- (8) Rule 3:25-4(b)(1) – Change “R. 3:26-2(d)(1)(A)” to “R. 3:26-2(d)(1)”.
- (9) Rule 3:25-4(i)(3) – In subparagraphs (B) and (C), change each instance of “Court” to “court”.

- (10) Rule 3:25-4(i)(7)(A) – Change both colons to semicolons.
- (11) Rule 3:26-1 – In the underscored language in the source note, change “text of paragraph (a) redesignated” to “text of paragraph (a) amended and redesignated”.
- (12) Rule 3:26-1(a)(1) – In the first sentence, change “ensure” to “assure”.
- (13) Rule 3:26-2(b)(1) – Change “pursuant to section 11 of P.L. 2014, c. 31 (c. 2A:162-25),” to “pursuant to N.J.S.A. 2A:162-25,”.
- (14) Rule 3:26-2(c)(2) – Change “Judge” to “judge”.
- (15) Rule 3:26-2(d)(2) – In the last sentence, change “admissibility to evidence” to “admissibility of evidence”.
- (16) Rule 7:2-1(d) – At the end of the first sentence, change “committee it” to “committed it”.
- (17) Rule 7:2-1(e) – In the first sentence the word “judge” should be in brackets.
- (18) Rule 7:2-1 – In the new language in the source note, delete “paragraph (c) amended, and”.
- (19) Rule 7:4-2(a) – Change “R: 3:4-2” to “R. 3:4-2”.
- (20) Rule 7:4-3(a) – In the new language, initial upper case “Complaint-Warrant”; initial lower case “order” and “judge”.
- (21) Rule 7:4-9(c) – Insert a period after “a restraining order or condition of release”.



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