

NOTICE TO THE BAR

CORRECTION TO THE AMENDMENTS TO RULE 3:7-9 **CONTAINED IN THE OMNIBUS RULE AMENDMENT ORDER**

The Supreme Court's July 28, 2017 Omnibus Rule Amendment Order included at page 28 of that order amendments to Rule 3:7-9 ("Form of Post-Indictment or Post-Accusation Warrant and Summons"). There were some errors in the amendments in the second paragraph of the rule. The corrected amendments to Rule 3:7-9, as approved by the Supreme Court, are attached. The adoption date (July 28, 2017) and the effective date (September 1, 2017) of the amendments remain unchanged.



Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director
of the Courts

Dated: August 11, 2017

3:7-9. Form of Post-Indictment or Post-Accusation Warrant and Summons

The post-indictment or post-accusation warrant shall contain the name of the defendant or, if the defendant's name is unknown, any name or description by which the defendant can be identified with reasonable certainty, shall describe the offense charged in the indictment or accusation and shall command that the defendant be arrested and [brought before a judge authorized to set conditions of pretrial release pursuant to R. 3:26-2] remanded to the county jail pending a determination of conditions of pretrial release or a determination regarding pretrial detention if a motion has been filed by the prosecutor. [Conditions of pretrial release shall be fixed by the court and endorsed thereon, and in such case the sheriff or warden may take any monetary bail.]

The post-indictment or post-accusation summons shall be in the same form as the warrant described above except that it shall be directed to the defendant and require the defendant to appear to plead before the court at a stated time and place. The summons shall also state that if the defendant fails to so appear, a bench warrant for defendant's arrest shall issue.

Note: Source-R.R. 3:4-10(a) (b); amended July 13, 1994 to be effective January 1, 1995; amended August 30, 2016 to be effective January 1, 2017; caption and text amended July 28, 2017 to be effective September 1, 2017.