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TO: **Hon. Thomas W. Sumners, Jr.**
 Assignment Judges
 Hon. Mala Sundar
 AOC Directors and Assistant Directors
 Clerks of Court
 Trial Court Administrators

DIRECTIVE #14-23

[Questions may be directed to
the Criminal Practice Division
at (609) 815-2900 ext. 553001]

FROM: **Glenn A. Grant** 

SUBJ: **Guidelines for Judicial Officer Protection Orders**

DATE: **August 21, 2023**

This Directive promulgates the procedures for petitions for and issuance of Judicial Officer Protection Orders, effective immediately. It also promulgates the several forms referred to below.

Overview

These procedures implement the civil process, as set forth in N.J.S.A. 2C:12-14 et seq. and as provided by L.2021, c.327, for a petitioner to obtain an order of protection on behalf of a current or former judicial officer, upon a charge or conviction of a crime directed at or committed against a judicial officer with a nexus to the judicial officer's performance of public duties. As set forth in the statute, a "judicial officer" is any active, formerly active, or retired federal, state, county, or municipal judge, including a judge of the Tax Court and any other court of limited jurisdiction established, altered, or abolished by law, a judge of the Office of Administrative Law, a judge of the Division of Workers' Compensation, and any other judge established by law who serves in the executive branch. The County Prosecutor or designee would be required to participate in the hearing for a final protection order and to handle any violations of a protection order.

Specifically, the protection order would prohibit a respondent from returning to the scene of the alleged crime or contacting the judicial officer, household members, friends, co-workers, or relatives in any way. It would also prohibit the respondent from possessing a firearm or any other weapon enumerated in N.J.S.A. 2C:39-1(r) and would disqualify the respondent from purchasing, possessing, or carrying a handgun, pursuant to N.J.S.A. 2C:58-3(c)(11). As a result, any existing permit to carry a handgun would be revoked pursuant to N.J.S.A. 2C:58-4(f). The statute further provides for the search and seizure of any firearm or weapon at any location where the court has reasonable cause to believe the weapon is located, and for the seizure of any purchaser identification card or permit to purchase a handgun issued to the respondent. A final protection order also could require the respondent to undergo a mental health evaluation and appropriate treatment.

I. Temporary Judicial Officer Protection Orders

a. Filing

A petitioner may file a petition with the Superior Court for emergency *ex parte* relief in the form of a temporary protection order at any time following the charge or conviction of a defendant for any crime directed at or committed against a judicial officer where there is a nexus between the alleged or convicted crime and the judicial officer's public duties. See Attachment 2 (Petition for Temporary Judicial Officer Protection Order – CN 12976). The petitioner may be (1) a law enforcement officer, (2) a formerly active or retired judicial officer or a family or household member of such judicial officer, (3) an active judicial officer or a family or household member of such judicial officer, or (4) an active judicial officer where a law enforcement officer has declined to petition the Superior Court or a family or household member of such judicial officer. As provided in the statute, a "family or household member" is a spouse, domestic partner as defined in N.J.S.A. 26:8A-3, partner in a civil union couple as defined in N.J.S.A. 37:1-29, or former spouse, former domestic partner, or former partner in a civil union couple, or any other person who is a present household member or was at any time a household member; a person with whom the respondent has a child in common, or with whom the respondent anticipates having a child in common if one of the parties is pregnant; or a current or former dating partner.

Petitions shall be filed in the Superior Court with contemporaneous notice to the Assignment Judge, following local emergent application protocols. The Assignment Judge, or designee, shall determine assignment of a judge to hear the petition or the Assignment Judge shall determine whether the case should be transferred to another county. The following docketing number system shall be used for these petitions:

<u>Court Code</u>	<u>JPO</u>	<u>Year</u>	<u>Sequence Number</u>
1214	JPO	2023	0000001

b. Issuance and Form of Relief

The standard for the court to issue a Temporary Judicial Officer Protection Order is upon good cause shown. To issue the order, the court must: (1) consider the petitioner's sworn testimony or the petition by the petitioner; (2) find that there was a nexus between the defendant's alleged or convicted crime and the performance of the judicial officer's public duties; and (3) also find that the respondent poses a threat to the safety or well-being of the judicial officer or a family or household member. See Attachment 3 (Temporary Judicial Officer Protection Order – CN 12977).

If ordered by the court, emergency relief granted in the temporary protection order may forbid the respondent from: (1) returning to the scene of the alleged crime; (2) having any contact with the judicial officer, family or household members or friends, co-workers, or relatives in any way; and (3) possessing any firearm or other weapon enumerated in N.J.S.A. 2C:39-1(r). The statute also authorizes the court to order the search for and seizure of any firearm or other weapon at any location where the court has "reasonable cause to believe the weapon is located," and the seizure of any firearms purchaser identification card or permit to purchase a handgun issued to the respondent. The court shall state with specificity the reasons for and the scope of any search and seizure authorized by the order.

c. Standard for Issuing a Search Warrant in Conjunction with a Temporary Judicial Officer Protection Order

The statutory standard for issuance of a protection order is "good cause shown," and the provision regarding search warrants uses the phrase "reasonable cause" as to the location to be searched. These statutory provisions are identical to those found in the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-28(i) and (j). In State v. Hemenway, 239 N.J. 111 (2019), the Court determined that a "probable cause" standard was required for search warrants issued pursuant to the Prevention of Domestic Violence Act to ensure compliance with constitutional requirements.

Accordingly, a search warrant for any firearms and or other weapons as defined in N.J.S.A. 2C:39-1(r) that the respondent may possess or own can only be issued in conjunction with a temporary protection order when the court finds that probable cause exists to believe that the respondent (1) was charged with or convicted of a crime directed at or committed against a judicial officer and there is a nexus between the alleged crime

charged or the crime for which the respondent was convicted and the performance of the judicial officer's public duties; (2) the respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer; (3) the respondent owns or possesses firearms or other weapons as defined in N.J.S.A. 2C:39-1(r); and (4) such firearms or other weapons are presently at a specifically described location.

d. Service and Duration of a Temporary Judicial Officer Protection Order

A Temporary Judicial Officer Protection Order granting emergency relief, together with the petition, shall be immediately served on the respondent and forwarded to the appropriate law enforcement agencies for the municipalities in which the victim and the respondent reside. Additionally, notices shall be immediately forwarded to any law enforcement agencies for the municipalities in which the victim is employed, if different from where they reside.

The temporary order shall remain in effect until further order of the court. The temporary order will include the date for the hearing for a final protection order, which must be scheduled to be held within 10 days after the petition is filed. The hearing for a final order shall be held where the pending criminal charges or conviction are venued, unless good cause is shown for the hearing to be held elsewhere.

e. Appeals from Denials of Petitions for a Temporary Judicial Officer Protection Order

If the court denies the petition for a temporary protection order, the petitioner may file an appeal to the Appellate Division as of right within 45 days of the entry of that order pursuant to R. 2:2-3(a)(1).

II. Final Judicial Officer Protection Orders

a. Hearing Requirements

A hearing for the final protection order shall be scheduled to be held within 10 days after the petition is filed. The hearing for a final order shall be held in the county where the pending criminal charges or the conviction are venued, unless good cause is shown for the hearing to be held elsewhere. The respondent shall have the right to be present at the hearing. The County Prosecutor or designee and the respondent shall be given an opportunity to provide information to the court to consider whether to issue a final protection order. Additionally, the respondent shall be afforded the right to testify, to

present witnesses, to submit documents, to cross-examine any witnesses who may appear at the hearing, and to present relevant information. The rules governing admissibility of evidence at trial shall not apply to the presentation and consideration of information at the hearing.

At the hearing, the standard for proving the allegations in the petition shall be a preponderance of the evidence, and the petition shall be granted if the court finds (1) there is a nexus between the alleged crime charged or the crime for which the respondent was convicted and the performance of the judicial officer's public duties, and (2) the respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer. Additionally, in determining whether a final order of protection should be granted, the court shall consider but not be limited to the previous history between the judicial officer and the respondent, including any threats, harassment, or physical intimidation; and the existence of immediate danger to person and property.

b. Final Relief

The court shall grant any relief necessary to protect the victim from further harm, including but not limited to: (1) forbidding the respondent from returning to the scene of the alleged crime; (2) prohibiting the respondent from having any contact in any way with the judicial officer, family, household members, friends, co-workers, or relatives; (3) forbidding the respondent from possessing any firearm or other weapon enumerated in N.J.S.A. 2C:39-1(r); (4) in accordance with Guideline I(c) above, ordering the search for and seizure of any firearms or other weapons at any location where the court has reasonable cause to believe the weapon is located; (5) ordering the seizure of any firearms purchaser identification card or permit to purchase a handgun issued to the respondent; and (6) requiring the respondent to undergo a mental health evaluation and appropriate treatment. See Attachment 4 (Final Judicial Officer Protection Order – CN 12978).

c. Appeals from a Final Judicial Officer Protection Order Decision

If the petitioner or the respondent wishes to appeal the decision by the court to grant or deny issuance of the Final Judicial Officer Protection Order, the appeal must be filed within 45 days of the entry of that decision pursuant to R. 2:2-3(a)(1).

d. Termination of a Final Judicial Officer Protection Order

The petitioner, the judicial officer victim, or the respondent may apply for termination of a final protection order at any time following issuance of the order. A petition to terminate a Final Judicial Officer Protection order shall be filed in the vicinage where the final order was entered. See Attachment 5 (Petition for Termination of Judicial Officer Protection Order – CN 12979).

The court, on notice to the petitioner and the respondent, the appropriate law enforcement agency, and the County Prosecutor may terminate the final protection order after a hearing. See Attachment 6 (Order for Termination of Final Judicial Officer Protection Order – CN 12980). In making the determination to terminate a final protection order, the court shall consider whether the factors that were originally assessed in granting the final order are still present and whether there has been a material change in circumstances such that the Final Judicial Officer Protection Order is no longer required to ensure the victim's safety.

III. Violation of a Judicial Officer Protection Order

A violation by the respondent of a Judicial Officer Protection Order (whether temporary or final) issued pursuant to the act constitutes an offense under N.J.S.A. 2C:29-9(b), and each order shall so state. N.J.S.A. 2C:12-16. The Assignment Judge, or designee, shall determine assignment of a judge to preside over any proceedings resulting from any charges under N.J.S.A. 2C:29-9(b) alleging violation of a Judicial Officer Protection Order, or the Assignment Judge shall determine whether the case should be transferred to another county.

IV. Confidentiality of Records for Judicial Officer Protection Orders

All records related to proceedings for Judicial Officer Protection Orders (whether temporary or final) are confidential and may not be disclosed to anyone other than the respondent and the parties of record participating in the proceedings articulated in this Directive, unless the court finds good cause to release such records. Rule 1:38-3(f)(4). All records relating to these protection orders shall be sealed by the court pursuant to Rule 1:38-11. If records are ordered to be released, the petitioner must be served with a copy of the court's order. If a Judicial Officer Protection Order has been issued and the underlying criminal charges are dismissed, consistent with current policy the records of the criminal case cannot be expunged because of the existence of the order.

Any questions may be directed to the Criminal Practice Division via email at AOC-CrimPrac.mbx@njcourts.gov or by phone at 609-815-2900 ext. 55300.

Note: Attachment 1, "Process and Procedures for Handling Judicial Officer Protection Orders," is a summary version of the provisions of this Directive intended for quick reference. It is not intended as a replacement for the Directive.

Attachments:

1. Process and Procedures for Handling Judicial Officer Protection Orders (Summary Document)
2. Petition for Temporary Judicial Officer Protection Order (CN 12976)
3. Temporary Judicial Officer Protection Order (CN 12977)
4. Final Judicial Officer Protection Order (CN 12978)
5. Petition for Termination of Judicial Officer Protection Order (CN 12979)
6. Order for Termination of Final Judicial Officer Protection Order (CN 12980)

cc. Chief Justice Stuart Rabner
Associate Justices
Criminal Presiding Judges
Municipal Court Presiding Judges
Steven D. Bonville, Chief of Staff
Meryl G. Nadler, Counsel to the Administrative Director
Special Assistants to the Administrative Director
Justin M. Patterson Moles, Chief, Criminal Court Services
Robin Morante, Chief, Court and Judicial Security
Criminal Division Managers and Assistant Division Managers
Municipal Division Managers and Assistant Division Managers
Alyson Honrath, Assistant Chief, Court and Judicial Security
Virginia Spitale, Assistant Chief, Criminal Court Services

Attachment 1

Process and Procedures for Handling Judicial Officer Protection Orders



Summary of Processes and Procedures for Judicial Officer Protection Orders

Filing Procedures, Relief, Violations and Terminations
L. 2021 c.327

Promulgated by Directive #14-23 (08/21/2023)

August 21, 2023

I. Definitions:

(1) A Judicial Officer Protection Order is a type of restraining order available to active, formerly active and retired Judicial Officers that provides legal relief to the petitioner by prohibiting the respondent from returning to the scene of the crime, prohibiting contact with the judicial officer or their family or household members, friends, co-workers, etc., and provides for forbidding possession of (and the seizure of) firearms or other weapons; a final order may require mental health treatment.

(2) “Judicial officer” means any active, formerly active, or retired federal, state, county, or municipal judge, including a judge of the Tax Court and any other court of limited jurisdiction established, altered, or abolished by law, a judge of the Office of Administrative Law, a judge of the Division of Workers’ Compensation, and any other judge established by law who serves in the executive branch.

(3) “Petitioner” means a law enforcement officer, a formerly active or retired judicial officer or a family or household member of such judicial officer, or an active judicial officer on behalf of whom a law enforcement officer has declined to petition the Superior Court pursuant to this section or a family or household member of such judicial officer.

(4) “Family or household member” means a spouse, domestic partner as defined in N.J.S.A. 26:8A-3, partner in a civil union couple as defined in N.J.S.A. 37:1-29, or former spouse, former domestic partner, or former partner in a civil union couple, or any other person who is a present household member or was at any time a household member; a person with whom the respondent has a child in common, or with whom the respondent anticipates having a child in common if one of the parties is pregnant; or a current or former dating partner.

II. Temporary Judicial Officer Protection Orders (TJPOs)

- a. The Petitioner may petition the Superior Court for emergency *ex parte* relief in the form of a Temporary Judicial Officer Protection Order (TJPO) if:

- i. The respondent was charged or convicted with any crime directed at or committed against a judicial officer where there is a nexus between the alleged or convicted crime and the judicial officer's public duties; and
 - ii. the respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer.
- b. Law enforcement or other petitioner should use the form Petition for Temporary Judicial Protection Order (CN 12976) approved by the Administrative Director of the Courts attached to this Directive.
- c. Petitions shall be filed in the Superior Court with contemporaneous notice to the Assignment Judge, following local emergent application protocols.
- d. A TJPO shall be issued upon good cause shown through sworn testimony or the petition and will remain in effect until the judge issues a further order.
- e. Emergency relief granted in the TJPO may include, but is not limited to:
 - i. Forbidding the respondent from returning to the scene of the alleged crime;
 - ii. Prohibiting the respondent from having any contact with the judicial officer, family or household members of the judicial officer, or the judicial officer's friends, co-workers, or relatives in any way; and
 - iii. Forbidding the respondent from possession, and permitting the seizure, of firearms or other weapons enumerated in N.J.S.A. 2C:39-1(r).
- f. A TJPO and the petition shall be immediately served on the respondent and forwarded to the appropriate law enforcement agencies for the municipalities in which the victim and the respondent reside and the municipality in which the victim works.
- g. The temporary order shall remain in effect until further order of the court.

- h. The petitioner may appeal a denial of a TJPO as of right pursuant to Court Rule 2:2-3(a)(1) within 45 days of the entry of the order denying the petition.

III. Final Judicial Officer Protection Order (FJPO)

- a. A hearing for a Final Judicial Officer Protection Order (FJPO) must be scheduled to be held within 10 days after the petition is filed.
- b. The prosecutor and the respondent shall be given an opportunity to provide information to the court to consider whether to issue an FJPO.
- c. The respondent shall be afforded the right to testify, to present witnesses, to submit documents, to cross-examine any witnesses who may appear at the hearing, and to present relevant information.
- d. The standard for proving the allegations in the petition shall be a preponderance of the evidence.
- e. The petitioner or the respondent may appeal the decision to grant or deny an FJPO within 45 days of the entry of that decision pursuant to R. 2:2-3(a)(1).

IV. Final Relief

If appropriate, the court shall provide relief including but not limited to:

- a. Forbidding the respondent from returning to the scene of the alleged crime;
- b. Prohibiting the respondent from having any contact with the judicial officer, family, household members, friends, co-workers, or relatives in any way;
- c. Forbidding the respondent from possessing any firearm or other weapon enumerated in N.J.S.A. 2C:39-1(r);
- d. In accordance with Guideline V below, ordering the search for and seizure of any firearms or other weapons at any location where the court has reasonable cause to believe the weapon is located;
- e. Ordering the seizure of any firearms purchaser identification card or permit to purchase a handgun issued to the respondent;

- f. Requiring the respondent to undergo a mental health evaluation and appropriate treatment.

V. Search Warrant

A search warrant may be issued at the same time as the TJPO or the FJPO. The standard for issuing a search warrant for the seizure of weapons is controlled by State v. Hemenway, 239 N.J. 111 (2019). As such, the court must find that probable cause exists to believe that the respondent: (1) was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted and the performance of the judicial officer's public duties; (2) the respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer; (3) the respondent owns or possesses firearms or other weapons as defined in N.J.S.A. 2C:39-1(r); and (4) such firearms or other weapons are presently at a specifically described location.

VI. Violations of a Judicial Officer Protection Order

Violating a TJPO or an FJPO constitutes a crime or offense under N.J.S.A. 2C:29-9(b). The Assignment Judge shall determine where the case shall be heard.

VII. Termination of a Final Judicial Officer Protection Order

- a. The petitioner, judicial officer victim, or the respondent may apply for a termination of an FJPO. The application to terminate the order must be filed where the final order was entered.
- b. Notice must be provided to the petitioner, respondent, appropriate law enforcement agency, and the County Prosecutor prior to the court terminating the FJPO.
- c. The court shall determine whether the factors that were originally assessed in granting the FJPO are still present, and whether there has been a material change in circumstances no longer requiring the FJPO.

VIII. Confidentiality of Records of Judicial Officer Protection Orders

- a. All records related to these proceedings are confidential and may not be disclosed except by the respondent and the parties participating in the proceedings, unless the court finds good cause to release the records. Judicial Officer Protection Order records are therefore sealed from public access.
- b. Criminal charges or convictions with an active Judicial Officer Protection Order cannot be expunged.

Attachment 2

Petition for Temporary Judicial Officer Protection Order (TJPO)

CN 12976

In the Matter of: _____

SBI Number: _____

County of Charge	Complaint/Indictment	Status of Charge	Sentence (if any)	
Race			Ethnicity	
Height ft in	Weight lbs	Hair Color	Eye Color	
Distinguishing Features (Scars, facial hair, etc.)				
Street Address				
City			State	Zip
Home Phone Number	Alternate Phone Number	Email		
Aliases				
Driver's License Number		State	Expiration Date	
<p>I believe Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer because Respondent:</p> <p><input type="checkbox"/> was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties. Explain.</p> <p><input type="checkbox"/> demonstrated a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer. Explain.</p>				

In the Matter of: _____

SBI Number: _____

☐ has an existing or previous judicial officer protection order issued against them. Explain.

☐ has previously violated a judicial officer protection order issued against them. Explain.

☐ List any other information that may be relevant.

☐ Supporting documentation provided. Explain.

☐ It is unknown if the Respondent possesses any firearms or other weapons as defined in N.J.S.A. 2C:39-1(r).

In the Matter of: _____ SBI Number: _____

- ☐ The Respondent currently possesses the following firearm(s) or other weapons as defined in N.J.S.A. 2C:39-1(r) (to the extent known):

Item	Description	Number	Location
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Does the Respondent possess a:

- | | | | |
|----------------------------------|------------------------------|-----------------------------|----------------------------------|
| a. Firearms Purchaser ID Card? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| b. Permit to Purchase a Handgun? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |
| c. Permit to Carry a Handgun? | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Unknown |

Certification

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

_____	s/ _____
Date	Signature

Relationship to petitioner:	<input type="checkbox"/> Self	<input type="checkbox"/> Law Enforcement Officer
	<input type="checkbox"/> Family	<input type="checkbox"/> Household Member

Attachment 3

Temporary Judicial Officer Protection Order (TJPO)

CN 12977

Temporary Judicial Officer Protection Order

Superior Court of New Jersey

County	Petition Number	Complaint/Indictment Number	
In the Matter of, Respondent		Date of Birth	Sex
		Last Four Digits of Social Security Number	SBI Number
		Height ft in	Weight lbs
		Hair Color	Eye Color
		Race	
		Ethnicity	

Findings

The Petitioner having filed a petition for a Temporary Judicial Officer Protection Order (TJPO), and the court having conducted an *ex parte* hearing and having considered:

- ☐ the certified petition, **AND/OR**
- ☐ the testimony of _____ **AND/OR**
- ☐ any document(s) provided to the court (list exhibits) _____, **AND**

Also having considered whether the Respondent:

- ☐ was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties;
- ☐ demonstrated a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer;
- ☐ has an existing or previous judicial officer protection order issued against them;
- ☐ has previously violated a judicial officer protection order issued against them; or

☐ any other relevant factor(s) (specify)

Therefore, it is hereby ORDERED on this date _____, that:

☐ **The petition for a *Temporary Judicial Officer Protection Order* is GRANTED.**

The court finds good cause that the Respondent was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties; and that the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer.

It is further ORDERED that:

- ☐ The Respondent is prohibited from having any contact with the judicial officer, or the judicial officer's friends, co-workers, or relatives in any way; **AND**
- ☐ The Respondent is forbidden from returning to the scene of the alleged crime; **AND**
- ☐ The Respondent is prohibited from owning, purchasing, possessing, or receiving firearms or other weapons as defined in N.J.S.A. 2C:39-1(r), and from securing or holding a firearms purchaser identification card or permit to purchase a handgun pursuant to N.J.S.A. 2C:58-3, or a permit to carry a handgun pursuant to N.J.S.A. 2C:58-4; **AND**
- ☐ Any firearms purchaser identification card, permit to purchase a handgun, or permit to carry a handgun held by the Respondent is hereby immediately revoked; **AND**
- ☐ The County Prosecutor is to immediately notify the New Jersey State Police that the Respondent is disqualified from owning, purchasing, possessing, or receiving firearms or ammunition pursuant to N.J.S.A. 2C:58-3(c)(11).

A violation of any condition of this Order shall constitute an offense under N.J.S.A. 2C:29-9(b).

OR

☐ **The petition for a *Temporary Judicial Officer Protection Order* is DENIED.**

The court does not find good cause that the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer.

OR

- ☐ **The petition for a Temporary Judicial Officer Protection Order is DISMISSED without prejudice.**

This matter does not meet the requirements for a Judicial Officer Protection Order.

OR

- ☐ **The petition for a Temporary Judicial Officer Protection Order is WITHDRAWN.**

OR

- ☐ **The petition for a Temporary Judicial Officer Protection Order is DISMISSED.**

Additional Reasons Set Forth on the Record and Herein

Search Warrant

- ☐ The Court finds that probable cause exists to believe that the Respondent (1) was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties; (2) the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer; (3) the Respondent owns or possesses firearms or other weapons as defined in N.J.S.A. 2C:39-1(r) as described below; and (4) such firearms or other weapons are presently at the location described below.

To Any Law Enforcement Officer Having Jurisdiction

This order shall serve as a warrant to search for and seize any issued permit to carry a handgun, permit to purchase a handgun and firearms purchaser identification card issued to the Respondent and the following firearm(s) and/or other weapons as defined in N.J.S.A. 2C:39-1(r).

1. **You are hereby commanded** to search for the below described firearms or weapons as defined in N.J.S.A. 2C:39-1(r), and any permit to carry a handgun, permit to purchase a handgun or firearms purchaser identification card and to serve a copy of this Order upon the person at the premises or location described herein:

Item	Description	Number	Location
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. **You are hereby ordered** in the event you seize any of the above described items, to give a receipt for the property so seized to the person from whom they were taken or in whose possession they were found, or in the absence of such person to leave a copy of this Order together with such receipt in or upon said structure from which the property was taken.
3. **You are authorized** to execute this Order immediately or as soon thereafter as is practicable:
- ☐ Anytime ☐ Other _____

4. **You are further ordered**, after the execution of this Order, to promptly provide the Court with a written inventory of the property seized per this Order.

Date/Time s/
Honorable

Court County

**All Law Enforcement Officers will serve and fully enforce this order.
This order shall remain in effect until further order of the court.**

Notice to Appear to Petitioner and Respondent

- ☐ Both the Petitioner and Respondent are ordered to appear for a final hearing on (date) _____ at (time) _____ at the Superior Court, Criminal Part, _____ County, Room _____ located at (address) _____

- ☐ Spoken Language Interpreter Needed. Language: _____

Notice to Respondent

Failure to comply with this order may constitute criminal contempt pursuant to *N.J.S.A. 2C:29-9(b)* and may also constitute violations of other state and federal laws which may result in your arrest and/or criminal prosecution. This may result in a jail sentence.

Only a court can modify any of the terms or conditions of this court order.

Note that the hearing for a final order will be held in your absence if you have been served with this temporary order but do not appear in court at the time and place listed above for the final hearing.

Petitioner's Return of Service

- ☐ Petitioner was given a copy of the Petition/TJPO by:

Print Name

Time and Date

s/

Signature / Badge Number / Department

Respondent's Return of Service

- ☐ I hereby certify that I served the Petition/TJPO by delivering a copy to the Respondent personally:

Print Name

Time and Date

s/

Signature / Badge Number / Department

- ☐ I hereby certify that I served the Petition/TJPO by use of substituted service as follows:

Print Name

Time and Date

s/

Signature / Badge Number / Department

- ☐ Respondent could not be served (explain)

Print Name

Time and Date

s/

Signature / Badge Number / Department

Attachment 4

Final Judicial Officer Protection Order (FJPO)

CN 12978

Final Judicial Officer Protection Order

Superior Court of New Jersey

County	Petition Number	Complaint/Indictment Number	
In the Matter of, Respondent		Date of Birth	Sex
		Last Four Digits of Social Security Number	SBI Number
		Height ft in	Weight lbs
		Hair Color	Eye Color
		Race	
		Ethnicity	

Findings

The Petitioner having filed a petition for a Judicial Officer Protection Order, and the court having entered a Temporary Judicial Officer Protection Order on _____, and after conducting a hearing and having considered:

- ☐ the certified petition, **AND/OR**
- ☐ the testimony of _____, **AND/OR**
- ☐ any document(s) provided to the court (list exhibits) _____,
- AND**

Also having considered whether the Respondent:

- ☐ was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties;
- ☐ demonstrated a threat to the safety of well-being of the judicial officer or a family or household member of the judicial officer;
- ☐ has an existing or previous judicial officer protection order issued against them;
- ☐ has previously violated a judicial officer protection order issued against them; or

☐ any other relevant factor(s) (specify) _____

Therefore, it is hereby ORDERED on this date _____, that:

☐ **The petition for a Final Judicial Officer Protection Order is GRANTED.**

The court finds by a preponderance of the evidence that the Respondent was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties; and that the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer.

It is further ORDERED that:

- ☐ The Respondent is prohibited from having any contact with the judicial officer, or the judicial officer's friends, co-workers, or relatives in any way; **AND**
- ☐ The Respondent is forbidden from returning to the scene of the alleged crime; **AND**
- ☐ The Respondent is prohibited from owning, purchasing, possessing, or receiving firearms or other weapons as defined in N.J.S.A. 2C:39-1(r), and from securing or holding a firearms purchaser identification card or permit to purchase a handgun pursuant to N.J.S.A. 2C:58-3, or a permit to carry a handgun pursuant to N.J.S.A. 2C:58-4; **AND**
- ☐ Any firearms purchaser identification card, permit to purchase a handgun, or permit to carry a handgun held by the Respondent is hereby immediately revoked; **AND**
- ☐ The County Prosecutor is to immediately notify the New Jersey State Police that the Respondent is disqualified from owning, purchasing, possessing, or receiving firearms and/or ammunition pursuant to *N.J.S.A. 2C:58-3(c)(11)*; **AND**
- ☐ The Respondent is ordered to undergo a mental health evaluation and appropriate treatment.
- ☐ Respondent has been advised of the right to file an appeal of this Final Order before the Appellate Division.

A violation of any condition of this Order shall constitute an offense under N.J.S.A. 2C:29-9(b).

OR

☐ **The Petition for a Final Judicial Officer Protection Order is DENIED.**

☐ The court does not find by a preponderance of the evidence that the Respondent was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which

the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties; and/or

☐ The court does not find by a preponderance of the evidence that the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer.

☐ Petitioner has been advised of the right to file an appeal of this denied Final Order before the Appellate Division.

OR

☐ **The Petition for a Final Judicial Officer Protection Order is WITHDRAWN.**

OR

☐ **The Petition for a Final Judicial Officer Protection Order is DISMISSED..**

Additional Reasons Set Forth on the Record and Herein

Search Warrant

- ☐ The Court finds that probable cause exists to believe that the Respondent (1) was charged with or convicted of any crime directed at or committed against a judicial officer and there is a nexus between the alleged crime charged or the crime for which the respondent was convicted, as the case may be, and the performance of the judicial officer's public duties; (2) the Respondent poses a threat to the safety or well-being of the judicial officer or a family or household member of the judicial officer; (3) the Respondent owns or possesses firearms or other weapons as defined in N.J.S.A. 2C:39-1(r) as described below; and (4) such firearms or other weapons are presently at the location described below.

To Any Law Enforcement Officer Having Jurisdiction

This order shall serve as a warrant to search for and seize any issued permit to carry a handgun, permit to purchase a handgun and firearms purchaser identification card issued to the Respondent and the following firearm(s) or other weapons as defined in N.J.S.A. 2C:39-1(r).

1. **You are hereby commanded** to search for the below described firearms or other weapons as defined in N.J.S.A. 2C:39-1(r), and any permit to carry a handgun, permit to purchase a handgun or firearms purchaser identification card and to serve a copy of this Order upon the person at the premises or location described herein:

Item	Description	Number	Location
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. **You are hereby ordered** in the event you seize any of the above described items, to give a receipt for the property so seized to the person from whom they were taken or in whose possession they were found, or in the absence of such person to leave a copy of this Order together with such receipt in or upon said structure from which the property was taken.
3. **You are authorized** to execute this Order immediately or as soon thereafter as is practicable:

☐ Anytime ☐ Other _____

4. You are further ordered, after the execution of this Order, to promptly provide the Court with a written inventory of the property seized per this Order.

Date/Time s/
Honorable

Court County

All Law Enforcement Officers will serve and fully enforce this order.

This order shall remain in effect until further order of the court.

Notice to Respondent

Failure to comply with this order may constitute criminal contempt pursuant to *N.J.S.A. 2C:29-9(b)* and may also constitute violations of other state and federal laws which may result in your arrest and/or criminal prosecution. This may result in a jail sentence.

Only a court can modify any of the terms or conditions of this court order.

You have the right to file an appeal of this final Order before the Appellate Division.

Petitioner's Return of Service

- ☐ Petitioner was given a copy of the Petition/TJPO by:

Print Name

Time and Date

s/

Signature / Badge Number / Department

Respondent's Return of Service

- ☐ I hereby certify that I served the Petition/TJPO by delivering a copy to the Respondent personally:

Print Name

Time and Date

s/

Signature / Badge Number / Department

- ☐ I hereby certify that I served the Petition/TJPO by use of substituted service as follows:

Print Name

Time and Date

s/

Signature / Badge Number / Department

- ☐ Respondent could not be served (explain)

Print Name

Time and Date

s/

Signature / Badge Number / Department

Attachment 5

Petition for Termination of Final
Judicial Officer Protection Order

CN 12979

In the Matter of,

_____,
Respondent

SBI Number _____

Date of Birth _____

Superior Court of New Jersey
County _____

Petition Number _____

Complaint/Indictment

Number _____

**Petition for Termination of
Final Judicial Officer
Protection Order**

I _____ am the (select one)

☐ Petitioner ☐ Respondent. I ask the court for a hearing to terminate the Judicial Officer Protection Order issued against Respondent for Judicial Officer

_____.

Select one or more (if you were the **Respondent** to the above-captioned matter):

- ☐ I no longer pose a threat to the safety or well-being of the Judicial Officer or a family or household member of the Judicial Officer.
- ☐ The criminal charge(s) against me were dismissed.
- ☐ The criminal charge(s) against me resulted in a conviction to one or more criminal or disorderly persons offense(s) in connection with this matter.

Select (if you were the **Petitioner** to the above-captioned matter)

- ☐ Respondent no longer poses a threat to the safety or well-being of the Judicial Officer or a family or household member of the Judicial Officer.

Reasons set forth below:

Certification

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date

s/

Signature of Petitioner/Respondent

Attachment 6

Order for Termination of Final Judicial Officer Protection Order

CN 12980

Order Termination of Final Judicial Officer Protection Order

Superior Court of New Jersey

County	Petition Number	Complaint/Indictment Number	
In the Matter of, Respondent		Date of Birth	Sex
		Last Four Digits of Social Security Number	SBI Number
		Height ft in	Weight lbs
		Hair Color	Eye Color
		Race	
		Ethnicity	

Findings

This Matter having been opened to the court by the ☐ Petitioner ☐ Respondent for the Termination of the Final Judicial Officer Protection Order that was entered on _____, for Judicial Officer _____ and after a review of such order and conducting a hearing on _____, the court having considered the certified petition, **AND/OR** the testimony of _____ **AND/OR** any document(s) provided to the court specifically, (list exhibits) _____ **AND**

The court finding that the Respondent:

☐ no longer poses / ☐ continues to pose a threat to the safety or well-being of the Judicial Officer or a family or household member of the Judicial Officer.

For the additional reasons set forth on the record as follows:

It is hereby ORDERED on this date _____, that:

The Petition for Termination of the Final Judicial Officer Protection Order Is

☐ **GRANTED** / ☐ **DENIED** / ☐ **WITHDRAWN** / ☐ **DISMISSED.**

The parties have been advised of the right to file an appeal of this order before the Appellate Division.

_____/s _____
Date Honorable

All Law Enforcement Officers will serve and fully enforce this order.

Petitioner's Return of Service

☐ Petitioner was given a copy of the _____ by:

Print Name

Time and Date

s/

Signature / Badge Number / Department

Respondent's Return of Service

☐ I hereby certify that I served the _____ by
delivering a copy to the Respondent personally:

Print Name

Time and Date

s/

Signature / Badge Number / Department

☐ I hereby certify that I served the _____ by use of
substituted service as follows:

Print Name

Time and Date

s/

Signature / Badge Number / Department

☐ Respondent could not be served (explain)

Print Name

Time and Date

s/

Signature / Badge Number / Department