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TO: **Assignment Judges**
 Municipal Court Presiding Judges
 Municipal Court Judges
 Trial Court Administrators
 Municipal Division Managers
 Municipal Court Directors and Administrators

<u>Supplement to</u> <u>Directive #09-11</u>

FROM: **Michael J. Blee, J.A.D., Acting Administrative Director**

SUBJECT: **Municipal Courts – Revised Plea Colloquy for**
 Defendants Charged with Certain Offenses

DATE: **July 2, 2025**

This supplement to [Directive #09-11](#) revises the language of the plea colloquy for Municipal Court judges to use to inform defendants prior to a guilty plea to certain offenses to ensure that defendants are aware of the potential immigration consequences of a guilty plea. The revised language below replaces the colloquy language set forth in the directive and is to be used for any Municipal Court defendants who are pleading guilty to any of the following: all disorderly or petty disorderly persons offenses; driving while intoxicated (N.J.S.A. 39:4-50; N.J.S.A. 39:4-50.14; N.J.S.A. 39:3-10.13; N.J.S.A. 12:7-46); or operating a motor vehicle while in possession of a CDS (N.J.S.A. 39:4-49.1). All other provisions of Directive #09-11 remain in effect.

Revised Plea Colloquy Language

Before accepting a guilty plea to any of the above-listed offenses, the Municipal Court Judge shall engage in the following colloquy with the defendant:

Before accepting your plea, I must advise you that if you are not a citizen of the United States, this guilty plea may have serious immigration consequences. Please answer the following questions regardless of your immigration status.

(1) If you are not a citizen of the United States, pleading guilty to this offense could result in your removal or deportation from the United States, denial of naturalization, denial of re-entry, or exclusion from admission – now or in the future – even if you are lawfully present or have lived in the United States for many years. Do you understand that? [Yes No]

(2) Do you understand that you have the right to seek advice from an attorney about the effect your guilty plea could have on your immigration status? [Yes No]

(3) Have you discussed with an attorney whether and how your citizenship or immigration status could be affected by your plea, conviction, or sentence?

If yes, proceed to (5)

If no, proceed to (4)

(4) Would you like the opportunity to do so? [Yes No]

(5) Having been advised of any possible immigration consequences of a guilty plea, and your right to get legal advice about those consequences, do you still wish to plead guilty? [Yes No]

Questions regarding may be directed to the Administrative Office of the Courts, Municipal Court Services Division, by phone at 609-815-2900, ext. 54850 or via email at MunicipalCtSvs.Mbx@njcourts.gov.

cc: Chief Justice Stuart Rabner
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