

NOTICE TO THE BAR

CRIMINAL – IMPACTS OF AMENDMENTS TO N.J.S.A. 2A:162-16 RELATED TO PRETRIAL DETENTION FOR AN OFFENSE INVOLVING A FIREARM

The Supreme Court in the attached January 21, 2026 Order has relaxed Rule 3:4-2 (“First Appearance After Filing Complaint; Prehearing Rights Advisement”) and Rule 7:4-1 (“Right To Pretrial Release”) of the Rules Governing the Courts of the State of New Jersey to conform with L. 2025, c. 256, which amended the Criminal Justice Reform Act (CJRA), N.J.S.A. 2A:162-15 et seq., effective January 12, 2026.

Where the eligible defendant is charged with a crime or offense involving the use or possession of a firearm, the prosecutor may request that the 48-hour release decision be extended. The extension may not exceed the time that is reasonably necessary to conduct a firearms ballistic analysis and provide that to the court. In no event shall the extension exceed seven days.

Questions about this notice should be directed to the AOC's Criminal Practice Division at (609) 815-2900 x55300.



Michael J. Blee, J.A.D.
Administrative Director of the Courts

Dated: January 22, 2026

SUPREME COURT OF NEW JERSEY

IT IS ORDERED, pursuant to N.J. Const. Art. VI, sec. 2, par. 3, that, effective immediately and until further order, the provisions of Rule 3:4-2 (“First Appearance After Filing Complaint; Prehearing Rights Advisement”) and Rule 7:4-1 (“Right To Pretrial Release”) of the Rules Governing the Courts of the State of New Jersey are relaxed and supplemented as follows:

When the eligible defendant is charged with a crime or offense involving the use or possession of a firearm, the prosecutor may request that the 48-hour release decision be extended. The extension may not exceed the time that is reasonably necessary to conduct a firearms ballistic analysis and provide that to the court. In no event shall the extension exceed seven days.

This rule relaxation is adopted to conform with L. 2025, c. 256, which amended the Criminal Justice Reform Act (CJRA), N.J.S.A. 2A:162-15 et seq., effective January 12, 2026.

This rule relaxation shall remain in effect pending the adoption of appropriate conforming rule amendments.

For the Court,



Chief Justice

Dated: January 21, 2026