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Chief Justice Stuart Rabner Details Impact of Judicial Vacancy Crisis to State Bar Association

Chief Justice Stuart Rabner today delivered his annual state of the judiciary address to the New Jersey State Bar Association in Atlantic City, where he continued to warn about the long-range impact of the judicial vacancy crisis and the potential for halting civil and matrimonial trials in additional counties.

There are currently 64 vacancies out of 433 trial court judgeships, with 20 more expected by the end of the year. Chief Justice Rabner said that number needs to be reduced to between 25 and 30 for the judiciary to effectively serve the public.

“People come to the court system to seek justice, and we must do better as a state to give them the attention that they deserve. Make no mistake about it, this problem will not simply go away,” Chief Justice Rabner told the audience at the bar association’s annual meeting and convention.

One way to measure the impact of vacancies is by how long a seat has remained unfilled, he said.

If a seat is left vacant for a few months, the impact is relatively modest, Chief Justice Rabner said, but if a judgeship is not filled for several years, that one vacancy can lead to delays in more than 1,000 cases.

For the past 2½ years, vacancy totals throughout the judiciary have averaged 60 or more nearly every month, he said.

In February, Chief Justice Rabner took the unprecedented step of halting civil and matrimonial trials in six counties comprising two vicinages because of the high number of vacancies there.

He said the Judiciary could lift the moratorium in those vicinages if the high rate of vacancies is reduced, but “we may soon be left with no choice other than to halt civil and matrimonial trials in other counties in our state, something we very much hope to avoid.”

Chief Justice Rabner also updated the audience on other important Judiciary initiatives. Among the highlights:

- A Judiciary program that seeks to link defendants struggling with mental health issues to appropriate resources and services has started in four pilot counties, funded with the assistance of a \$2 million state grant.
- Supreme Court Justice Lee Solomon will chair a committee that will examine wellness issues that affect professionals in the law, particularly practitioners of color and marginalized groups, and will analyze resources, gaps, and strategies to address unmet needs of legal professionals with mental health issues, substance use disorders, and other serious problems.
- The Judiciary has reassembled a committee of stakeholders from across the criminal justice community to examine the data regarding Criminal Justice Reform and make recommendations for areas in need of improvement. Chief Justice Rabner said Criminal Justice Reform continues to work as intended, with low rates of recidivism, high rates of court appearances, and a decrease in the jail population.

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