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Via regular mail



Hon. Glenn A. Grant, J.A.D.  
Acting Administrative Director of the Courts  
Comments on Municipal Court Operations,  
Fines, and Fees Report  
Hughes Justice Complex P.O. Box 037  
Trenton, New Jersey 08625-0037

Re: Report of the Supreme Court Committee on Municipal Court Operations, Fines, and Fees

Dear Judge Grant:

I am writing in response to Your Honor's July 17, 2018 Notice to the Bar requesting comment on the Report of the Supreme Court Committee on Municipal Court Operations, Fines, and Fees.

Based on what I have read in the Report, I believe that the Supreme Court Committee has done an excellent, in-depth job researching and addressing many issues that potentially face defendants in our Municipal Court system.

I would like to voice my support for a move to a full-time Municipal Court system with full-time judges, staff, prosecutors, and public defenders. I realize that this is no small task and would require the allocation of many resources. However, I believe that a full-time Municipal Court system would alleviate several issues:

1) Many Municipal Court judges are part-time judges and engage in the private practice of law. Normally, this is not a problem. However, I sympathize with judges, who due to their busy schedules, have difficulty scheduling Municipal Court matters. This problem arises due to the need to handle their private matters as well as the fact that most Municipal Courts are only able to schedule cases at certain days and times. This problem is further compounded when a defendant requests a trial and the schedules of the judges, court staff, prosecutor, State's witnesses, defense counsel, and any defense witnesses all must be balanced. By allowing Municipal Court judges to serve full-time, in courthouses that are open full-time and staffed full-time, all matters could potentially be scheduled more efficiently and the defendants' right to a speedy trial protected.

The Supreme Court Committee Report does an excellent job of discussing financial issues faced by indigent defendants. I would like to add that when a Municipal Court case is rescheduled many times, with the defendant being required to appear each time because there is not enough time in the court session that day to conduct a trial, this can cause financial hardship for even an affluent defendant. Each time the case adjourned and not concluded, it is a potential loss of income to the defendant from missing work. It can also mean that the defendant is responsible for paying additional attorney fees and expert witness fees to appear on multiple court dates. I believe that full-time courts that have the resources to efficiently schedule and resolve cases could address this issue of financial hardship that many defendants may face.

2) Likewise, many Municipal Court prosecutors are part-time. While the prosecution is outside the purview of the Judiciary, I would like to address this briefly. As with judges, if a move to full-time Municipal Courts are made, then prosecutors could serve full-time as well. As it is now, when handling a Municipal Court matter, it can be difficult for defense counsel to reach the prosecutor handling the case. Municipal Court prosecutors usually do not maintain office hours at the Municipal Court when the Court is not in session. Municipal Court prosecutors also usually engage in the private practice of law and are busy with their private matters. When handling a criminal case in Superior Court, it can be easier for defense counsel to communicate with the prosecutor outside of the court session, since the prosecutor is full-time, has a dedicated phone number at the County Prosecutor's Office, and has a dedicated email address. These factors can facilitate the ability for defense counsel and the prosecutor to discuss any issues regarding a case as well as possible resolution and potentially reduce the length of time it takes to bring the case to finality.

3) Lastly, when an indigent defendant is behind on a time-payment or is trying to lift a warrant or license suspension due to an unpaid ticket, it is possible that in some cases the defendant has to wait two weeks to appear before the judge, since many Municipal Courts only meet several times a month. In a full-time Municipal Court system, such hearings can be scheduled more frequently, even potentially on an emergent basis, so that defendants can have an expedited re-hearing on their time-payments and/or potentially restore their licenses sooner.


I am a solo-practice attorney and the majority of my practice is in Municipal Court. I have also served as an alternative public defender. Whether my clients are indigent, working class, or otherwise, financial and time constraints weigh heavily on a defendant's ability to address their matters considering that he or she may have to take time off work to attend multiple court sessions, pay attorney and expert witness fees to appear for trial, and also potentially owe hundreds if not thousands of dollars in fines, fees, surcharges, and insurance increases if convicted.

I am encouraged by the work done so far to improve our Municipal Court system. While no system is perfect, I believe that a full-time Municipal Court system would further balance the interests of all stakeholders, not excluding those of defendants who often are not normally engaged in the legal community and able to raise their concerns as I am able to do today.

In addition to my experience as a Municipal Court practitioner, I have served in various positions of the Municipal Court Section of the New Jersey State Bar Association, where I

currently serve as Vice-Chair. My opinions in this letter are my own. I would be glad to make myself available should Your Honor wish to discuss these issues with me further.

Yours truly,



Jason T. Komminos, Esq.