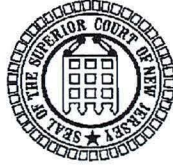


**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION**

**HANY A. MAWLA
JUDGE**



**216 HADDON AVENUE
WESTMONT, NEW JERSEY 08108
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September 30, 2019

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Attention: Comments – Municipal Courts Working Group Report
Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625-0037
Via email Comments.Mailbox@njcourts.gov

Re: Supreme Court Committee on Diversity, Inclusion, and Community Engagement -
Review of the Report of the Supreme Court Working Group on the Municipal Courts

Dear Judge Grant:

The Supreme Court Committee on Diversity, Inclusion, and Community Engagement (“the Committee”) in its advisory role to the Court has prepared the enclosed commentary regarding the July 8, 2019 Report of the Supreme Court Working Group on the Municipal Courts (“the Working Group”) and its recommendations.

“Given New Jersey’s diverse population and [the fact] that the overwhelming majority of municipal court filings are transacted by nineteen municipal courts located in or near urban centers, it is likely that [poor communities] of color and other historically marginalized constituencies, including religious, cultural, [and social non-majority groups] comprise the majority of constituencies served by our municipal courts” (September 24, 2018 letter of the Supreme Court Committee on Minority Concerns). This Committee’s interests in ensuring equal access to the courts are well-reflected in the report and recommendations of the Working Group.

- The Committee supports the seventeen recommendations set forth by the Working Group. These recommendations seek to ensure (1) the Judiciary’s core values of independence, integrity, fairness, and quality service are reflected in every aspect of municipal court operations and (2) the municipal courts, as the first face of the judiciary system for most New Jersey residents, reflect the fundamental principles of procedural fairness that are central to the administration of justice through the courts.
- The three prongs around which the Working Group frames its proposals demonstrate a keen understanding of the central challenges faced by municipal courts and by municipal court litigants.

- Decoupling of sentencing practices from a municipality's need for revenue in the interest of fundamental fairness (Recommendations 1 through 10) is consonant with the overarching principles of criminal justice reform and specific concerns for equity in sentencing.
- Modifying the appointment and reappointment process for Municipal Court judges to enhance judicial independence (Recommendations 11-15) not only addresses the access to justice concerns of municipal court litigants but also recognizes the historic role municipal court judgeships have played in the career paths of many Superior Court judges of color.
- Consolidating and regionalizing Municipal Courts to improve the efficiency of court operations and the delivery of justice (Recommendations 16 and 17) promotes a redistribution of resources that better equips each court to provide consistency in practices across courts and creates greater opportunity to ensure that services that advance access to justice, such as interpreting and translation that are so essential to court users with limited English proficiency, can be more widely and consistently available throughout New Jersey's municipal courts.
- The Committee believes that referral of substantive statutory amendment proposals to the Legislature is the proper means through which to advance equity in the municipal courts in each of these specific areas and achieve municipal court reform. The Committee supports the substantive changes set forth and is prepared to review the particulars of legislative responses to these proposals and, if appropriate, prepare internal commentaries for consideration by the Administrative Office of the Courts.

The report and recommendations of the Working Group evidences the Judiciary's ongoing effort to map a careful and well-thought out path to realizing municipal court reforms. The interbranch approach to these critically important access to justice issues is proving again that New Jersey is a national model for addressing judicial reforms. The Committee appreciates this opportunity to review and comment on these proposals to advance the commitment to bring to fruition meaningful systemic municipal court reform across New Jersey.

Respectfully submitted,



Hany A. Mawla, J.A.D.

Chair, Supreme Court Committee on Diversity, Inclusion, and Community Engagement

cc: Steven D. Bonville, Chief of Staff
 Committee on Diversity, Inclusion, and Community Engagement Executive Board
 Yolande P. Marlow, Ph.D., Committee Staff
 Lisa R. Burke, Committee Staff