

#001



NEW JERSEY STATE BAR ASSOCIATION

EVELYN PADIN, PRESIDENT
Law Office of Evelyn Padin
286 First Street
Jersey City, NJ 07302
201-963-8822 • FAX: 201-963-8874
evelyn@lawjcnj.com

February 5, 2020

Honorable Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on Proposed Amendments to Rule 3:4-2
(First Appearance After Filing Complaint)
Hughes Justice Complex, P.O. Box 037
Trenton, NJ 08625-0037

Re: Comments on Proposed Amendments to Rule 3:4-2
(First Appearance After Filing Complaint)

Dear Judge Grant:

The New Jersey State Bar Association (NJSBA) thanks the Court for the opportunity to comment on the proposed amendments to Court Rule 3:4-2 concerning the first appearance of a defendant who is subject to a pretrial detention motion. The association also thanks the members of the Court's Criminal Practice Committee for undertaking an expedited review of the issue and providing its detailed analysis and thoughtful recommendation.

The NJSBA supports the proposal because it will ensure the Court's practices and procedures are consistent with the goals of the statutory changes implemented in connection with bail reform. Namely, this proposal will serve that goal by providing a defendant with important, adequate information as soon after detention as possible. With the availability of video conferences and other technological resources that allow for expedited hearings, it is hoped that the proposed requirement of a prehearing rights advisement will be met with minimal impact on the operation of the justice system, and will go a long way toward protecting a defendant's rights.

For these reasons, the NJSBA urges the Court to adopt the proposed amendments.

Very truly yours,

Evelyn Padin, Esq.
President

/sab

cc: Kimberly A. Yonta, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director