

# Schedule for Court Year and Judges' Vacations

Directive #1-82                      October 22, 1982  
(Amended by Directive #1-98)  
Issued by:                              Chief Justice Robert N. Wilentz

It is the policy of the Supreme Court that the trial courts of New Jersey shall operate on a yearly schedule that affords the greatest possible efficiency of operation and provides the public with maximum access to the courts.

A study of the schedule of judicial work conducted in 1982 has led to the conclusion that greater court efficiency and accessibility to the public could be attained through maintaining court operations throughout the year to the fullest extent practicable. Therefore, to implement the policy of the Supreme Court, the Judiciary will undertake a court schedule by which trial judges will hold court each business day of the year except for official national and state holidays and the period between Christmas and New Year's Day when only emergency judges will be on duty.

In addition, judges, while maintaining the present court day from 9:00 a.m. to 4:00 p.m., will keep their chambers open and staffed from 8:30 a.m. to 4:30 p.m.

The success of this policy relies on its careful implementation by Assignment Judges and on the cooperation of the Judiciary with affected groups. Because the personnel of offices associated with the courts, attorneys, jurors and the public at large will be affected by the change in schedules resulting from this directive, Assignment Judges are requested to consult with interested groups in implementing this policy.

## JUDICIAL VACATIONS

Judicial vacations will be scheduled by Assignment Judges in accordance with the following guidelines:

- a) Judicial vacations may be taken during any month in periods of no less than five consecutive days, provided that vacation schedules do not interfere with court operations. Assignment Judges may require vacation periods of no less than two weeks in their discretion. Holidays or court recess occurring during a vacation week shall be counted as vacation days.
- b) In all months, save July and August, Assignment Judges may authorize vacations for up to 20% of the vicinage judges, at any one time. This percentage may be varied in future years, based upon experience. The Assignment Judge in his or her discretion may authorize more than 20% of judges to schedule vacations in the five-day period following Easter.
- c) The requests of trial judges for particular vacation periods shall be accommodated whenever possible, provided, of course, that they do not unduly interfere with court operations.

The Assignment Judge in granting vacation requests shall consider that vacations should be spread as evenly as possible over the course of the year, with the exception of July and August.

- d) During July and August, Assignment Judges may authorize vacations for more than 20% of vicinage judges; provided, however, that at all times an adequate number of judges are

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available to conduct sessions, including criminal jury trials. Vicinages which experience heavy influx of court business during the summer should adjust vacation schedules in accordance with demand.

- e) Reasonable adjournments should be granted to accommodate the vacation schedules of all prosecutors, public defenders, private defense counsel and attorneys handling civil matters. Attention should be given to the need to coordinate the vacation schedules of the offices of the institutional litigants, the prosecutor and the public defender with those of the judges. This can be accomplished through discussions with the county prosecutor and regional public defenders before final vacation schedules are fixed so necessary adjustments on all sides can be made.
- f) Vacations may not be scheduled during the New Jersey Judicial College.

### **COURT RECESSES**

- a) Court will be recessed only for state and national holidays, and during the week between Christmas and New Year's Day.
- b) Judges who wish to attend the annual meeting of the New Jersey State Bar Association presently held during the month of May, may do so with approval of the Assignment Judge.

In order to keep the AOC informed as to when judges are on vacation, Assignment Judges should file vicinage vacation schedules with the Administrative Director on a date prescribed.

This directive is effective immediately.

### **EDITOR'S NOTE**

The original directive restricted civil jury trials during the month of August. This restriction does not conform to practice and it therefore has been deleted from this directive.

That portion of the directive dealing with judicial vacations has been used as a set of guidelines, subject to relaxation or modification by the Assignment Judge.

At the meeting of the Chief Justice and Assignment Judges on March 24, 1988, the vacation policies were discussed and it was concluded that the practices in the several vicinages were relatively uniform and that the existing vacation policy should continue. Two minor changes were approved. It was determined that judges who take a vacation for a week containing a legal holiday should not receive an extra vacation day. Requests to take vacations in blocks of less than one full week are to be left to the discretion of individual Assignment Judges.

The first section dealing with the schedule for the court year has been modified by deleting the reference to the implementation of this policy "on an experimental basis." The date of the study leading to the change in schedule has been changed from "over the past year" to "in 1982."

In 1998, the requirement that Assignment Judges notify the Administrative Director of vacation schedules was eliminated by Directive #1-98.

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