

NOTICE TO THE BAR

Rescinded Directives

In our efforts to maintain current and relevant policies and procedures, the Judiciary continues its review of all Administrative Directives. As has been explained in prior Notices related to this ongoing review of directives, the directives have been categorized for purposes of this review project as follows: (a) Directives Requiring No Revision and remaining in effect as issued; (b) Rescinded Directives; (c) Directives revised with Technical Revisions; (d) Directives Reissued with Substantive Changes; and (e) Directives Pending Revisions (these directives will require further updates, to be developed and issued at a later time).

This Notice advises of a number of Administrative Directives that fall under the second category referenced above, that is, directives that are by this notice being rescinded. The effect of rescission is that the text of these rescinded directives will be removed from the compilation of directives, retaining only the number, date, and subject for historical reference purposes, and a notation that it has been rescinded.

The directives that are rescinded by this Notice, effective immediately, are as follows (including the basis for rescission):

#30-62 – Opinions - Prohibition Against References to Race

This directive related communications between the then Chief Justice, Attorney General and Director of Civil Rights regarding the reference to race in opinions. The substance of court opinions is not an appropriate to be addressed in an administrative directive.

#24-63 – Conflicting Trial Engagements

This directive addressed the conflicting trial engagement policies to be followed in seven specific vicinages. The directive significantly pre-dates court unification. It is being rescinded on that basis.

#33-65 – Martindale-Hubbell - Rating Reports

This directive prohibited judges from providing confidential ratings for Martindale-Hubbell and other publications. This directive is no longer necessary, as the prohibition has been incorporated into the Guidelines for Extrajudicial Activities and has been policy since at least 1966.

#4-68 – Death of Attorney of Record

This directive addressed a new attorney's appearance in a matter upon the death of an attorney of record. This directive is no longer necessary, as this topic is now covered by the Rules of Court.

#9-68 – Court Interpreters – Outside Employment

This directive addressed court interpreters and their outside employment. This directive is no longer necessary, as this topic is covered under the Judiciary's Code of

Professional Conduct for Interpreters, Transliterators, and Translators and the Judiciary Employee of Code of Conduct.

#18A-69 – Legal Services – Eligibility Issue

This directive addressed the then “Legal Services Project” and the eligibility of persons represented by that organization. This outdated directive is no longer necessary.

20-69/22-70 – Assignment of Counsel

This combined directive advised of the assignment of counsel to represent municipal court indigent defendants. The information in this directive is no longer necessary, as it is out of date and incomplete. Topics covered by this directive are now covered by statute and/or by the Rules of Court.

27-69 – Violations Bureau Schedules

This directive covered (1) the Supreme Court policy that court costs should not exceed the amount of the fine and, (2) the protocols involved with changes in local violations bureau schedules. The establishment of local violations bureaus and the requirements for changes to local schedules is governed by R. 7:12-4. Specific information in this Directive pertaining to local schedules will be included in a future updated Statewide Violations Bureau Schedule, which requires approval of the Supreme Court. Judges are advised through training not to exceed the cap on court costs.

#19-70 – Vacations – Supporting Personnel

This directive addressed the creation of vacation time schedules for staff of the courts that were then part of county government. This directive is no longer necessary, as it addressed a pre-unification issue that is now covered by Judiciary policies.

#12-73 – Chancery Motion Days

This directive required prior approval from the Assignment Judge of the vicinage when a Chancery motion was going to be scheduled for a day other than Friday. This directive does not reflect current statewide practice in that approval is not needed.

#6-74/15-75 – Local Practice Rules

This directive addressed some issues that arose during the 1974-1976 time period regarding the promulgation of local practice rules. This directive is no longer necessary, as it pre-dates court unification and has not been applicable since unification.

#1-77 – Committees and Task Forces

This directive addressed the excusal of attorneys where there were conflicts with the scheduling of certain committee meetings and hearings. This directive was pre-unification and is being rescinded on that basis.

#8-79 – Sanctions Imposed on Attorneys

This directive addressed the gathering of information relating to the sanctioning of attorneys. This directive is no longer necessary, as it set out a since discontinued procedure.

#11-82 – Elimination of Street Addresses from Juror Lists

This directive referred to the elimination of street addresses from Juror lists. This directive is no longer necessary as this is a long-standing policy and the juror management system does not produce lists with addresses.

June 28, 1983 – Trial Court Budgets

This directive referred to the court budget discussions with counties, prior to court unification. Courts now are funded through state fund appropriations. The directive is being rescinded as outdated.

#8-83/9-87 – Payments to the New Jersey Lawyers Fund for Client Protection

This combined directive referred to Payments to the New Jersey Lawyers' Fund for Client Protection for attorneys being admitted *pro hac vice*. This directive is no longer necessary, as *pro hac vice* admissions and payments are covered by R. 1:21-2 and Directive #6-02.

October 2, 1989 – Law Clerks Notice of Appointment and Interview Record Form

This unnumbered directive addressed the Law Clerk application process. This directive is no longer necessary as it sets forth a pre-unification process that no longer is used.

March 1990 – Guidelines for Microfilming Sealed Records

This unnumbered directive set forth the guidelines regarding the microfilming of sealed records. This directive does not reflect the current protocol with regard to sealed records retention (as records are no longer microfilmed). This subject is covered by the Rules of Court.

May 25, 1990 – Bar Association Positions

This memorandum, having been listed in the directives compilation, though without an assigned directive number, addressed judges serving on State Bar Association Committees. This directive is no longer necessary as the topic is now covered by the Code of Judicial Conduct.

#9-90 – Vicinage Table of Organization

#7-97 – Structure of Office of Trial Court Administrator – Amending in Part Directive #9-90 (“Vicinage Table of Organization”)

#2-00 – Structure of Office of Trial Court Administrator – Vicinage Table of Organization – Vicinage Information Technology Manager

The three directives, #9-90, #7-97, and #2-00, addressed the establishment of the vicinage management structure and the development of the office of the Trial Court Administrator and the division manager positions. These three directives were intended to guide the implementation of a modern management structure for the courts. Since the vicinage management structure has been in place for many years, there is no continuing need for these directives. The information contained therein will be retained on an archived basis elsewhere.

#9-99 - Procedures to be Followed in Handling Applications for Communications Data Warrants and Communications Information Orders

This directive provided for designated judges in seven "informal vicinages" to handle communications data warrants and communications information orders. This directive is no longer necessary, as the Chief Justice now designates judges in each vicinage to handle these applications. Additionally, the processing of these applications is not appropriate to be addressed in an administrative directive.

#9-12 – Judges Writing Letters of Recommendation for Law Clerks

This directive addressed the situations where it would be appropriate for a judge to write a letter of recommendation for a law clerk. This directive is no longer necessary, as this topic is now covered by the Code of Judicial Conduct.

To obtain copies of any Rescinded Directives, contact the Administrative Office of the Courts at 609-376-3000, or by fax: 609-376-3002, or by mail: AOC, Richard J. Hughes Justice Complex, 7th Floor North, PO Box 037, Trenton, NJ 08625-0986.



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