

RULES GOVERNING THE COURTS OF THE STATE OF NEW JERSEY
RULE 3:14. PLACE OF TRIAL; FOREIGN JURIES

Rule 3:14-1. Venue

An offense shall be prosecuted in the county in which it was committed, except that

(a) If it is uncertain in which one of 2 or more counties the offense has been committed or if an offense is committed in several counties prosecution may be had in any of such counties.

(b) If a person dies in one county as a result of an offense committed in any other county or counties, the prosecution may be had in any of such counties.

(c) Whenever the body of any person who died as a result of an offense is found in any county, prosecution may be had in such county, regardless of where the offense was committed.

(d) Whenever a person dies within the jurisdiction of this State as a result of an offense committed outside the jurisdiction of this State, or dies outside the jurisdiction of this State as a result of an offense committed within the jurisdiction of this State, the prosecution shall be had in the county in which the death occurred or the offense was committed.

(e) An accessory may be prosecuted as such either in the county in which the offense to which he or she is an accessory is triable or the county in which he or she became such accessory.

(f) Any person charged with receiving stolen property may be prosecuted in any county in which the stolen property is possessed.

(g) Prosecutions for acts of forgery, fraud, theft by deception, or theft by unlawful disposition may be had either in the county in which such offense was committed or in the county in which the offender last resided.

(h) Prosecutions for nonsupport may be had either in the county in which the spouse, statutory partner or any child resided at the time of the nonsupport or in the county in which the spouse or statutory partner resides when the prosecution is begun.

(i) The county of venue for purposes of trial of indictments returned by a State Grand Jury shall be designated by the Assignment Judge appointed to impanel and supervise the State Grand Jury or Grand Juries pursuant to R. 3:6-11(b).

Note: Source-R.R. 3:6-1; paragraph (k) adopted July 17, 1975 to be effective September 8, 1975; paragraph (g) amended July 13, 1994 to be effective September 1, 1994; paragraphs (e) and (f) deleted, former paragraph (g) redesignated as paragraph (e), former paragraph (h) amended and redesignated as paragraph (f), former paragraph (i) amended and redesignated as paragraph (g), former paragraph (j) amended and

redesignated as paragraph (h), and former paragraph (k) redesignated as paragraph (i) July 27, 2015 to be effective September 1, 2015.

Rule 3:14-2. Motion for Change of Venue or Foreign Jury

A motion for change of venue may be made only by a defendant. A motion for trial by a foreign jury may be made by any party. Such motions shall be made to the judge assigned to try the case or to the Assignment Judge of the county in which the indictment was found or the accusation filed on notice to the other party or parties on such proofs as the court directs and shall be granted if the court finds that a fair and impartial trial cannot otherwise be had.

Note: Source-R.R. 3:6-2(a) (b); amended July 22, 1983 to be effective September 12, 1983.

Rule 3:14-3. Foreign Juries; Order and Selection

If a foreign jury is ordered, the order shall specify the number of jurors to be returned and a venire directed to the sheriff of the county from which such jury shall be taken, which shall be returnable to the court in the county in which the matter is to be tried. The jurors shall be selected in the same manner as the general panel of jurors is selected in the county from which they are taken.

Note: Source-R.R. 3:6-2(c).

Rule 3:14-4. Order for Change of Venue; Costs

If a change of venue is ordered, the criminal division manager's office in which the indictment or accusation is pending shall transmit to the criminal division manager's office to which the matter is transferred all papers filed therein or duplicates thereof, and the prosecution shall continue in that county. The costs of trial shall be certified to the Assignment Judge of the county in which the indictment was found or the accusation was filed.

Note: Source-R.R. 3:6-2(d); amended July 13, 1994 to be effective January 1, 1995.