

CHAPTER 12

MUNICIPAL COURT

Analysis

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JOINT MUNICIPAL COURT

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ARTICLE 1. JOINT MUNICIPAL COURT

Sec. 12.1-1. ESTABLISHMENT.

A Joint Municipal Court is hereby established pursuant to the provisions of NJSA 2B:12-1, et seq as amended and supplemented consisting of the Township of Pennsville and the Township of Carneys Point, both municipalities located within the County of Salem and State of New Jersey. The Joint Municipal Court is created in accordance with a certain agreement previously entered into by the parties and approved by the Township of Pennsville by Resolution Number 270-2019 on October 17, 2019 which agreement is incorporated herein by reference thereto.

Sec. 12.1-2. NAME.

The name of the Joint Municipal Court shall be the “Carney’s Point – Pennsville Joint Municipal Court”.

Sec. 12.1-3. EFFECTIVE DATE.

This ordinance shall be effective on or about 12 a.m. on January 1, 2020 following due notice provided in Section 12.1-4 hereof. All summonses, warrants, and other matters issuing, rising from or within the jurisdiction of the Township of Pennsville shall be within the jurisdiction of the Carney’s Point – Pennsville Joint Municipal Court including those matters arising prior to such date which have not theretofore been completed.

Sec. 12.1-4. NOTICE.

Written notice of the appeal and abolishment of the Municipal Court of the Township of Pennsville and the establishment of the “Carney’s Point – Pennsville Joint Municipal Court” shall be provided to the administrative office of the courts and the assignment judge of this vicinage, and posted in the municipal buildings of the municipalities in question where public notices are routinely posted.

Sec. 12.1-5 PURPOSE

The purpose of this ordinance is to establish a single Joint Municipal Court to be located in the Township of Carney’s Point, Salem County, New Jersey.

Sec. 12.1-6 APPROVAL

The Township Committee of the Township of Pennsville hereby ratifies the terms and conditions of the shared services agreement entered into as a result of the adoption of Township of Pennsville Resolution Number 270-2019 on October 17, 2019.

Sec. 12.1-7 ESTABLISHMENT

Under and pursuant to the provisions of NJSA 2B:12-1 et seq. a Joint Municipal Court to be known as the “Carney’s Point-Pennsville Joint Municipal Court” is hereby established.

Sec. 12.1-8 OFFICIAL SEAL

The Joint Municipal Court of the Township of Pennsville and the Township of Carney’s Point shall have an official seal bearing the impression of the name of the court.

Sec. 12.1-9 JURISDICTION

The jurisdiction of the Carney’s Point-Pennsville Municipal Court will be co-extensive with the municipal territory of the participating municipalities.

Sec. 12.1-10 APPOINTMENT OF A MUNICIPAL COURT JUDGE AND THE TERM OF SAID APPOINTMENT

In accordance with NJSA 2B:12-4 as amended, the judge of the Carney’s Point-Pennsville Joint Municipal Court shall be appointed by the Governor with the advice and consent of the Senate, and he/she shall have such qualifications as is now or may be required by law and shall serve for a term of 3 years from the date of the appointment until a qualified successor has been appointed and qualified. Compensation of the judge shall be an annual salary and other compensation as is now or hereinafter may be provided by ordinance in accordance with the terms of the aforesaid shared services agreement.

Sec. 12.1-11 MUNICIPAL COURT ADMINISTRATOR

The appointment of a Joint Municipal Court Administrator and such number of Deputy Court Administrators shall be appointed in accordance with the terms of the aforesaid agreement.

Sec. 12.1-12 STAFF

The Carney’s Point-Pennsville Joint Municipal Court Staff shall be appointed in a matter consistent with this ordinance and in accordance with the terms of the aforesaid shared services agreement.

Sec. 12.1-13 PROSECUTOR

Such number of Joint Municipal Court Prosecutors shall be appointed in the manner provided by this ordinance in accordance with the terms of the aforesaid shared services agreement with the Joint Municipal Court Prosecutor/Prosecutors to have such jurisdiction, powers and duties as prescribed by NJSA 2B:25-1 et seq.

Sec. 12.1-14

JOINT MUNICIPAL COURT PUBLIC DEFENDER

- a. Appointment – the Joint Municipal Court Public Defender shall be appointed in a manner consistent with the terms of this ordinance in accordance with the terms of the aforesaid shared services agreement, and he/she shall have such jurisdiction, powers and duties as prescribed by NJSA 2B:24-1 et seq.

- b. Representation – any person applying to the Carney’s Point – Pennsville Joint Municipal Court for representation by a Municipal Court public defender shall, in accordance with the provisions of NJSA 2B:24-17, pay an application fee of not more than \$200 but only in such amount determined by the Carney’s Point-Pennsville Joint Municipal Court Judge which is necessary to pay the cost of Municipal Public Defender services. The Joint Municipal Court Judge may waive the application of such fee in whole or in part if the court determines, in its sole discretion that the application fee represents an unreasonable burden on the person seeking representation. Said determination shall be made in accordance with applicable law and the rules of court.

- c. Alternate method of collection – a payment of the Municipal Public Defender fees is deferred by the Joint Municipal Court judge or if the fee is otherwise unpaid then each of the participating municipalities shall endeavor to collect the fee in a manner authorized by NJSA 40:6A-1 and NJSA 2A:158A-19.