

# 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## Rescinded Directives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purposes of this review project as follows: (a) Directives Requiring No Revision and remaining in effect as issued; (b) Rescinded Directives; (c) Directives Revised with Technical Revisions; (d) Directives Reissued with Substantive Changes; and (e) Directives Pending Revisions (these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Directives that fall under the second category referenced above, that is, directives that are by this notice being rescinded. The effect of rescission is that the text of these rescinded directives will be removed from the compilation of directives, retaining only the number, date, and subject for historical reference purposes, and a notation that it has been rescinded.

The directives that are rescinded by this Notice, effective immediately, are as follows (including the basis for rescission):

### ***#2-10 – Implementation of L.2009, c.317, Authorizing Municipal Courts to Provide Payment Alternatives***

This Directive set forth procedures for the establishment of time-payment plans and post-default sentencing alternatives, all of which required the defendant to first complete a Financial Questionnaire to Establish Indigency – Municipal Courts (Financial Questionnaire) for subsequent review and discussion with the municipal court judge during a court session. This Directive is no longer necessary as updated procedures have been established in Directive #12-21 – *Municipal Courts – Time Payment Plans and Payment Alternatives*, to provide greater convenience to court users, standardize policies statewide, and limit the open court discussion of a defendant's finances to only when necessary.

### ***#01-16 – Policy for Violations of Probation for Juvenile Offenders***

This Directive is no longer necessary in that it describes case management protocols for use by Probation Officers and staff, as opposed to the general public. The information has been reissued internally for administrative purposes.

### ***#07-08 – Probation – Adult Violation of Probation (VOP) Guidelines and Procedures***

This Directive is no longer necessary in that it describes case management protocols that are for use by Probation Officers and staff, as opposed to the general public. The information has been reissued internally for administrative purposes. The Prosecutor's Role in Violation of Probation (VOP) Proceedings is set forth in Directive #04-06.

**#08-89 – Special Appellate Division Panel for Emergent Environmental Appeals-Directive; Order**

This Directive created a special environmental panel to review certain emergent matters and detailed the procedure. The Directive is out of date, as the special environmental panel no longer exists, and emergent applications have been required to be filed directly with the Appellate Clerk's office since 2013.

**#69-62 – Family -Adoption Records and Opinions**

This Directive raised a concern, that records in all adoption appeals were not impounded and anonymity of the parties was not protected in appellate opinions. The Directive is no longer necessary, as the Appellate Clerk's office has administratively remedied the issue.

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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