

**CITY OF BRIDGETON
ORDINANCE CREATING THE BRIDGETON JOINT MUNICIPAL COURT**

WHEREAS, the City of Bridgeton and the Township of Fairfield have determined it to be in their mutual best interests to provide for joint court facilities, personnel, and resources for use by their respective municipal courts in the City of Bridgeton with Bridgeton as the lead agency; and

WHEREAS, N.J.S.A. 2B:12-1, et seq. authorizes the formation of a Joint Municipal Court provided that an agreement is entered into by all the municipalities and provided that such agreement is approved by and filed with the State of New Jersey Administrative Office of the Courts and the Assignment Judge of the Superior Court of New Jersey, Vicinage 15; and

WHEREAS, said agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L. 2007, c. 63 (C:40A:65-1, et sec.); and this ordinance establishing said Bridgeton Joint Municipal Court sets forth various terms and conditions and otherwise references the attached agreement.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bridgeton that the Bridgeton Joint Municipal Court is hereby established; and

BE IT FURTHER ORDAINED that the Mayor and City Clerk are hereby authorized to execute a Shared Services Agreement in a form substantially consistent with the agreement attached hereto between the City of Bridgeton and the Township of Fairfield to establish the Bridgeton Joint Municipal Court; and

BE IT FURTHER ORDAINED that the Code of the City of Bridgeton be, and is hereby amended to delete Chapter 3, Article VI in its entirety and shall hereafter read as follows:

**ARTICLE VI
Joint Municipal Court**

§3-23. Joint Municipal Court established.

There is hereby established in the City of Bridgeton, pursuant to N.J.S.A. 2B:12-1, as amended and supplemented, a Joint Municipal Court which shall be entitled the "Bridgeton Joint Municipal Court."

§ 3-24. Seal of the Court.

The Joint Municipal Court of the City of Bridgeton shall have a seal which shall bear the impress of the name of the Court.

§ 3-25. Judge of the Joint Municipal Court.

The Judge of the Joint Municipal Court shall be a Gubernatorial appointment with the advice and consent of the Senate of the State of New Jersey pursuant to N.J.S.A. 2B:12-4b. If for any reason the appointed Judge is unable to serve or if a Judge is not appointed as provided in N.J.S.A. 2B:12-4b, an Acting Judge shall be appointed by the Assignment Judge as provided in N.J.S.A. 2B:12-6.

§ 3-26. Functions, powers, duties and jurisdiction.

The Joint Municipal Court shall have, process and exercise all the functions, powers, duties and jurisdiction, both territorial and subject matter, as such matters as conferred upon the court pursuant to N.J.S.A. 2B:12-1 et seq., as amended and supplemented, and by any other acts of the State Legislature.

§ 3-27. Compensation of Judge.

The salary of the Joint Municipal Court Judge shall be an annual salary as established by the City of Bridgeton Salary Ordinance.

§ 3-28. Joint Municipal Court Administrator and personnel.

The Joint Municipal Court Administrator and Deputy Court Administrator shall be appointed pursuant to New Jersey Court Rules 1:34-2. Any other necessary clerical and other assistance as may be required for the Joint Municipal Court shall be provided by the City of Bridgeton. Compensation for the Joint Municipal Court Administrator, Deputy Court Administrator and other Court personnel shall be established by the City Salary Ordinance.

§ 3-29. Prosecutor of the Joint Municipal Court.

The Joint Municipal Court Prosecutor shall be appointed as set forth under provisions of §3-18, Department of Law.

§ 3-30. Public Defender.

- A. Office established. There shall be an Office of the Public Defender operating and providing services in accordance with and consistent with P.L. 1997, c. 256 (N.J.S.A. 2B:24-1 et seq.)
- B. Application fee. An indigent defendant who was charged with an offense of consequence or an offense which could result in incarceration shall be entitled to apply to the Joint Municipal Court for representation by the Public Defender and shall pay a fee to the City in the amount of \$200.
- C. Other court-appointed counsel.

- (1) In the event that the Public Defender is unable to represent an indigent defendant assigned to him by the Joint Municipal Court of the City for representation, the Joint Municipal Court shall appoint other approved counsel to represent such indigent defendant.
 - (2) Upon completion of representation of an assigned indigent defendant, a court-appointed counsel other than the Public Defender shall be entitled to payment by the City of Bridgeton in the amount not to exceed \$200, which amount shall be substantiated by no less than the expenditure of two hours of court-approved counsel's time and upon submission of a voucher in itemized billing detailing expenditures and time expended.
 - (3) In the event that court-approved counsel other than the Public Defender has expended or bills the City less than \$200, and in the event that an application fee in the amount of \$200 has been paid, then the difference shall be remitted to the indigent defendant by the City.
- D. Dedicated fund. Funds collected pursuant to this section shall be deposited in a dedicated fund administered by the Chief Financial Officer of the City. Such funds shall be used exclusively to meet the cost incurred in providing the services of a Public Defender including, when required, expert and lay investigation and testimony.

BE IT FURTHER ORDAINED that this ordinance shall take effect according to law.

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the 7th day of April, 2015.

ATTEST:

Darlene Richmond
City Clerk

Jack Surrency
Council President

APPROVED:

Albert B. Kelly, Mayor