



**CRIMINAL
JUSTICE
REFORM**

NEW JERSEY JUDICIARY

REPORT TO THE GOVERNOR
AND LEGISLATURE

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Submitted by:

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Criminal Justice Reform Annual Report to the Governor and Legislature

2016

Introduction

On January 1, 2017, New Jersey's criminal justice system will undergo a momentous transformation when the "Criminal Justice Reform Law," L. 2014, c. 31, and the amendment to Article I of the New Jersey Constitution take effect. The sweeping changes of Criminal Justice Reform will shift our state from a resource-driven system that based pretrial release decisions on a defendant's ability to post monetary bail to a system in which pretrial release decisions are based on a scientific assessment of the risk that a defendant will commit another offense or fail to appear in court. Under the new system, the categories of pretrial release are hierarchical. Courts will impose the least restrictive release conditions that are necessary to reasonably assure a defendant's appearance in court and to protect the community. Defendants who pose a low risk will be released until trial with few or no conditions; moderate-risk defendants will be released until trial with non-monetary monitoring conditions; and upon motion of the prosecutor high risk defendants will be kept in jail until trial. In rare circumstances when no combination of non-monetary conditions is sufficient, the court may issue monetary bail after a thorough evaluation of the hierarchy of release conditions. Speedy indictment and speedy trial protections will be assured for those detained pretrial. Overall, this fundamental and historic shift will promote greater justice for defendants and enhanced community safety for all of the citizens of New Jersey.

This transformation began in 2012, when Governor Chris Christie called for a constitutional amendment to allow for pretrial detention. In the summer of 2013, Chief Justice Stuart Rabner established and chaired a Special Committee of the Supreme Court - the Joint Committee on Criminal Justice - comprised of members from all three branches of state government including, the Attorney General, Public Defender, private attorneys, judges, court administrators, and representatives of the Legislature and the Governor's Office, to examine New Jersey's criminal justice system. The committee studied, among other things, the issues of bail and speedy trial in New Jersey and recommended significant changes to our criminal justice system. The results of this cross-branch collaboration, set forth in the committee's March 2014 report, represented one of the most comprehensive set of proposed reforms to the state's criminal justice system since the adoption of the 1947 constitution.

In the summer of 2014, building upon the Joint Committee's report, the Legislature passed and the Governor signed S-946 into law as L. 2014, c. 31. Sections 1 through 11 and section 20 of the new Criminal Justice Reform law contain provisions regarding pretrial release and pretrial detention. Sections 12 through 19 of the law authorized the Supreme Court to increase court fees to assist in the funding of a Pretrial Services Program, the development and maintenance of a digital e-Courts system and funding for Legal Services of New Jersey. This pioneering legislation enacted a majority of the recommendations from the Joint Committee's report, as well as related procedural and operational changes to the criminal justice system in our state. In addition, in November 2014, New Jersey voters approved a constitutional amendment to permit the detention of high-risk defendants before trial.

This report details the Judiciary's multi-pronged approach to implementing these reforms in New Jersey. This initiative requires not only the commitment of the Judiciary's workforce but the collaboration from all of our criminal justice partners. New Jersey has been a national leader in

developing collaborative partnerships among its branches of government. Our court system's long-standing technological partnership with executive branch agencies for data system exchanges is one of the reasons this initiative is possible. Yet, the collaboration extends to more than information exchanges. Even prior to this change, as evidenced by the Joint Committee on Criminal Justice, we have continually engaged in ongoing dialogues and conversations with all segments of the criminal justice system to improve operations and efficiencies. This extraordinary undertaking would not be possible without the ongoing collaboration of all three branches of New Jersey government and other criminal justice partners and stakeholders.

Pretrial Services Program Development and Implementation Creating the Criminal Justice Reform Working Group and Advisory Committee

The implementation of L. 2014, c. 31, the Criminal Justice Reform Law, requires a tremendous amount of work by many different divisions within the Judiciary, and could not happen without the cooperation of our stakeholders in the other branches and all levels of government. To spearhead this effort, the Hon. Glenn A. Grant, J.A.D., Acting Administrative Director of the Courts, created the Criminal Justice Reform Working Group, which consists of judges and Judiciary staff from throughout the state and has met approximately every two weeks since the latter part of 2015. Meetings track new developments in the implementation process, reviews of case processing and monitoring recommendations, discussions of statewide internal and external outreach efforts, reports on fee collections and expenditures for Criminal Justice Reform, status reports from the pilot vicinages, and updates regarding upcoming vicinage presentations and training events.

As a subset of the Working Group, Judge Grant also created the Criminal Justice Reform Advisory Committee, comprised of a smaller group of judges and key managers. The Advisory Committee is charged with making practical recommendations regarding case processing from arrest to the court's release decision, pertaining to the use of technology to ease case processing, procedures to govern certain court events and factual scenarios, and the responsibilities of pretrial services staff. The Committee has made more than 70 recommendations.

Learning From Other Jurisdictions

In an effort to continue to learn from the experiences of other jurisdictions, court executives traveled to Colorado and Pennsylvania in 2016.

In February and March, court executives attended the National Institute of Corrections (NIC) Conference in Colorado. NIC is an agency within the U.S. Department of Justice, Federal Bureau of Prisons statutorily tasked with providing training, technical assistance, information services, and policy and program development assistance to federal, state and local criminal justice stakeholders. The conference in Colorado was a week-long training program designed for new pretrial services court executives from around the nation and provided education on how to manage and implement an optimal program.

In October, a small delegation of Judiciary staff traveled to Pittsburgh to observe that city's pretrial services program, including its automated systems and monitoring practices. In January 2007, the

Allegheny County Pretrial Services Department (“ACPTS”) was created and became operational. At the time of our visit, ACPTS was transitioning from their own validated risk assessment to the Public Safety Assessment (“PSA”) tool that New Jersey is using. Court staff walked through the ACPTS process from a defendant’s commitment in jail to court proceedings and learned about monitoring, including issues related to conditions of release, staffing needs, and processing and protocol requirements for pretrial services caseloads.

Updating our Court Rules

Numerous Court Rule revisions were required to implement the various aspects of Criminal Justice Reform. Rule amendments proposed by the Criminal and Municipal Court Practice Committees were published for public comment. The proposals reflected the transformation to the justice system by providing operational and procedural guidance for attorneys, judges and court users to follow. The rule revisions include a full delineation of the automated procedures by which criminal and municipal complaints are filed in court, as well as procedures for streamlining and accelerating case processing.

The new and revised Court Rules were implemented in two phases. The first phase implemented several recommendations of the Joint Committee on Criminal Justice aimed at improving the way that cases are handled pre-indictment and post-indictment. They were published for public comment and subsequently adopted by the Supreme Court effective September 1, 2016.

The second phase of rule revisions become effective January 1, 2017. Those new and revised Rules track the new statute and provide that a defendant charged on complaint-warrant for a 1st, 2nd, 3rd, or 4th degree crime or a disorderly persons offense will no longer be able to post bail after arrest, but will instead be taken to the county jail for a risk assessment. The Rules also provide the hierarchy of pretrial release and the procedures to address violations of release conditions. Certain defendants, upon motion of the prosecutor, may be subject to a pretrial detention hearing. If the judge makes certain findings and orders detention, the defendant will remain in county jail prior to trial.

Finally, the new and revised Rules also reflect the new statutory speedy trial time limits applicable to defendants who are detained: a grand jury indictment must be returned or unsealed within 90 days; a trial must start within 180 days after indictment; and an overall limit of two years is placed on the time from detention to trial. These time periods may be extended by the judge as set forth in the statute. Defendants detained pretrial when charged on a complaint-warrant for a disorderly persons offense may not be held in jail longer than six months. When the maximum allowable time in custody pretrial is reached, the Rules in comity with the law provide that the defendant shall be released, although the case will continue to resolution.

Developing the Risk Assessment Instrument

The risk assessment instrument is objective, standardized, and based upon empirical data. In partnership with the Laura and John Arnold Foundation, a national leader in Criminal Justice Reform, the risk assessment instrument has been validated by using data from over 500,000 cases from localities in the Northeast, Southwest, Midwest and two states with similar demographics to

New Jersey. The Foundation conducted a retrospective study of the performance of the instrument in New Jersey. The instrument has both a risk measurement component and risk management component that will assist the court in making objective and informed pretrial release decisions.

The risk measurement component, called the Public Safety Assessment (“PSA”), portion of the instrument gathers objective criminal history data that has strong predictive value in relation to a defendant’s risk to engage in new criminal activity or violence, or failure to appear in court. The risk factors measured by the PSA are race and gender neutral and do not require an interview of the defendant. They include (1) whether the defendant had pending charges at the time of the alleged offense; (2) whether the defendant has prior convictions; (3) whether the defendant has prior violent convictions; (4) whether the defendant has prior sentences to incarceration; (5) whether the defendant has prior pretrial failure(s) to appear; (6) the defendant’s age at the time of arrest; and (7) the current charge. The data regarding these risk factors is drawn from the databases of the statewide Judiciary case management systems, the New Jersey State Police and national criminal history systems and is used to “score” a defendant.

The risk management component, called the Decision Making Framework (“DMF”), portion of the instrument objectively categorizes defendants into risk levels based upon the objective non-discriminatory factors considered and calculated by both the PSA and the severity of the current charge(s). It provides the groundwork for determining the least restrictive means by which a defendant’s risks can be managed. The DMF presents a framework for whether a defendant should be released on recognizance, released on conditions or if release is not recommended pretrial.

The Risk Assessment Instrument is a tool that provides objective data to guide the Pretrial Services Program in recommending, and the judge in reaching, a pretrial release decision. The instrument does not, however, replace judicial discretion. In determining the conditions of release that should apply to each defendant, judges will also take into account case-specific information presented by the parties.

The PSA and DMF have been tested by the pilot vicinages for several months. This testing has resulted in substantial improvement to the PSA, changes to the DMF to most accurately reflect risk, and identification and resolution of technological challenges.

Preparing Through Pilot/Test Programs

In order to test the technological enhancements made to case processing and data collection systems, as well as the accuracy of the automated risk assessment tool, the Judiciary created pilot programs in three vicinages in the spring of 2016. Those vicinages include four separate counties: Passaic, Morris, Sussex and Camden, which differ not only geographically, but also demographically and in the volume of criminal and violent criminal activity. The Passaic test program began on May 23; the Morris/Sussex test program began on July 11; and the Camden test program began on August 8.

The test vicinages were permitted to hire pretrial services managers and limited staff. Staff then tested the automated PSA in cases involving eligible defendants as defined by the statute - i.e., those in which the defendant had been arrested on a complaint-warrant - by comparing the PSA results against results that had been computed manually. This process allowed the pilot program vicinages to spot any potential issues with the automated risk assessment tool as well as any

concerns about the related staffing levels and training curriculum. Results have been strong. The tool is working well, and thus far, only minor adjustments related to information processing have been necessary.

Developing Pretrial Monitoring

The criminal justice system must consider various decision points pertaining to Criminal Justice Reform from arrest through resolution of the criminal case. The PSA will measure a pretrial defendant's risk while in the community awaiting disposition of his or her case, and procedures and protocols have been developed collaboratively with representatives throughout the criminal justice system to manage this risk.

It is of the utmost importance that these procedures and protocols recognize that pretrial monitoring is separate and distinct from post-adjudication probation supervision. In that regard, the Pretrial Monitoring Subcommittee of the Criminal Justice Reform Working Group convened for several months to identify the significant decision points in pretrial monitoring and make recommendations. The subcommittee developed in excess of 75 recommendations that provide guidance regarding the new processes, rules, technology, staffing, equipment and facilities for the pretrial monitoring function. The approved recommendations have been incorporated into the pretrial services standard operating procedure manual.

Hiring and Training Pretrial Services Staff

The Judiciary estimates that approximately 277 Judiciary staff will be needed statewide to successfully implement Criminal Justice Reform. Staff will be phased in over time based on caseload needs. The initial plan to hire the first third of the staff needed - 111 vicinage staff members - by October 1, 2016 was achieved and the remaining 166 vicinage staff members will be phased in after implementation on January 1, 2017. Staffing may be adjusted after implementation as needed.

To support Criminal Justice Reform, seven staff members were hired in the criminal and municipal divisions centrally at the AOC. The Supreme Court Clerk's Office and the Appellate Division will also hire approximately nine staff members to handle Criminal Justice Reform and speedy trial matters.

Pretrial services staff at the AOC and vicinages have received significant training. They have attended a seven-day core curriculum training. They have been fully trained on the use of the risk assessment tool and all of the underlying systems. Staff have also attended regional and local vicinage training and watched informational videos and webinars. A final two-day conference was held in December. Additionally, judges and staff at the superior and municipal court levels have received ongoing training on the technology, rules, legal and operational aspects of Criminal Justice Reform and their respective roles in the process.

Critical Information Technology Development and Improvements

The successful implementation of bail reform and speedy trial hinges in no small part on the complete digital transformation of the criminal justice process in New Jersey. The financial and operational challenges created by this transformative change have, by necessity, required the development of a comprehensive technological approach to address both case processing and

defendant monitoring. Automation involves a complicated system redesign to allow the necessary new applications to connect with the Judiciary's older legacy systems, federal systems and state executive branch systems.

Building Essential Systems Interface

Major changes were made to our computer systems in preparation for Criminal Justice Reform. One of the most significant of these is to the eCDR system to include the Live Scan fingerprint interface with the Computerized Criminal History ("CCH") system. Financed through a grant, a joint project to accomplish this was launched by the AOC and the New Jersey State Police ("NJSP").

Live Scan is an inkless electronic fingerprinting system. It has been in use in New Jersey for almost a decade. The Live Scan system was initially funded by an Attorney General grant to law enforcement at all levels. Municipalities have funded the needed upgrades and maintenance on the devices.

eCDR is a web-based application built and maintained by the Judiciary and used by law enforcement. The application allows a police officer to create a printable warrant /summons, record the probable cause determination, and send the data to the case management system. Law enforcement officers use the Judiciary eCDR system to complete 99 percent of all summonses and warrants. As part of the Criminal Justice Reform Project, the Judiciary completed a rewrite of the eCDR application.

The new application, Unified Complaint Entry ("UCE"), created an interface with the NJSP computerized criminal history system that sent a copy of the fingerprint arrest record to the Judiciary. This interface pre-fills 51 data fields with information from the fingerprint arrest record and allows the Judiciary to pass back the completed complaint information linking the complaint with the State Bureau of Investigation ("SBI") number. This step allows for the immediate identification of the defendant and eliminates future gaps in the defendant's criminal history.

The UCE also incorporates the various Court Rule changes that have been adopted by the Supreme Court. For example, all stakeholders in the process, from police to prosecutors and judges can now access the complaint record electronically via the Internet or WiFi connection to review and electronically sign the complaint. The new eCDR is also being modified to standardize and automate several critical documents including the Jail Commitment Form and the Affidavit of Probable Cause. Automating these documents will allow key stakeholders affected by the new process flow to access their forms electronically through the New Jersey's eCourts application in real time in order to complete their tasks in a timely and efficient manner.

In addition, a new electronic case jacket has been added to eCourts. UCE saves an image of each filed criminal complaint in New Jersey in an electronic case jacket. This case jacket will hold the various documents generated under the new criminal justice reform process including all complaints, public safety assessment reports, motions to detain and release/detention orders. This image will be available to appropriate criminal justice partners, eliminating the need for the transfer and storage of paper copies.

The Judiciary's training team conducted more than 150 classes across the state for more than 8,000 police, sheriffs, prosecutors, judges, and court and jail staff. The UCE was rolled out statewide in August 2016 to all 504 municipal courts and all law enforcement agencies.

Automating the Risk Assessment Tool

The risk assessment tool is an automated application that leverages the information passed in the eCDR process to match defendants against 40 million Judiciary party records. The case information for those party records is captured and algorithmically analyzed to score a defendant's risk. The data is provided as a report and saved in the electronic case jacket. This application was built in March 2016 and has been tested and validated by the pilot vicinages.

The tool also alerts court staff that a defendant has been accepted into a county jail, provides a countdown timer to ensure all parties are notified that the 48-hour window for a pretrial release decision has begun and captures the release recommendation from pretrial services staff and the judge's order.

To further streamline the release decision process the Judiciary enhanced the existing eCourts application to allow prosecutors to file a pretrial detention motion. This enhancement places the document in an electronic case jacket and provides immediate notification to parties.

Statewide Statute Charging Table

Historically, the criminal courts, family courts and municipal courts, as well as the state and local law enforcement agencies each used a separate process and point of reference for charging and processing crimes and offenses. While there were some consistencies, there were also many variations. The PSA tool will cull information from all three divisions - criminal, family and municipal - as well as law enforcement systems to provide an accurate picture of the defendant's past criminal and court history. One master statute charging table was needed to insure that all of the different systems could communicate efficiently and accurately.

With help from the statewide Criminal Justice Information Systems Group, which reviews federal funds provided to the state for technological projects related to criminal justice improvements administered through the Attorney General's Office, the Judiciary was able to create a single statewide statute charging table that interfaces with all of our criminal justice partners and their information technology systems. Judiciary attorneys spent many hours researching approximately 7,000 different charges. The end result is one master statute table that is now used by all three trial court divisions, prosecutors and police to help promote statewide consistency and accuracy in the initial charging decisions made by law enforcement officers.

Live Scan

Individuals arrested for statutorily fingerprintable offenses will be Live Scanned to identify prior criminal activity. Individuals arrested for offenses for which fingerprinting is not authorized cannot be Live Scanned. However, police officers can still access criminal histories for these individuals. The fingerprints are electronically transmitted to law enforcement for defendant identification,

which occurs in seconds. Once the defendant is identified a copy of the record is sent to the Judiciary to begin gathering of case data associated with the running of a risk assessment.

Summons/Warrant Decision

The decision on whether to issue a warrant, as opposed to a summons, against a defendant for an initial charge has always been a critical decision point in our system. Under Criminal Justice Reform, the decision becomes even more significant as all eligible defendants arrested on a complaint warrant are automatically transported to the county jail and will remain there for up to 48 hours. Defendants issued a summons are not transported to the county jail and are simply directed to appear in court as ordered.

After the arrested defendant is live scanned and the scanned fingerprints are sent to the UCE, the law enforcement officer can select the fingerprint record to build the complaint. Information obtained from Live Scan will initiate a preliminary automated risk assessment. This interface accomplishes a number of critical requirements. It positively identifies the defendant with the assigned SBI number so that a PSA can be run to appropriately assess the individual's risk. It ensures data quality and accuracy across the State Police and AOC systems. It reduces errors and delays as the Live Scan data feeds the complaint data. The Judiciary will make the preliminary results of the PSA available for consideration at that summons/warrant decision. This will provide the decision maker with unprecedented information on which to make this crucial decision. The Judiciary will provide that capability to law enforcement through its UCE complaint charging system.

The preliminary risk assessment will incorporate current charges and criminal history to identify the individual as either a high risk or low risk offender. Individual risk will be based on three risk indicators: the likelihood of failure to appear, the likelihood of committing new criminal activity and the likelihood of committing new violent criminal activity. The results of the assessment, the affidavit of probable cause, the Preliminary Law Enforcement Incident Report, and evidence regarding the individual's criminal history not contained in the risk assessment (e.g., juvenile records, Domestic Violence Registry results, out of state criminal history) will be provided to the judicial officer tasked with reviewing the case. The judicial officer will then issue a complaint-warrant or complaint-summons based on a review of all available information.

Developing the Pretrial Monitoring and Speedy Trial Applications

Once a judge decides to release or detain a defendant, the risk assessment case management system transports relevant data to the Pretrial Services Program (PSP) Application. This application was finished in September 2016 and completes case management functions including intake, contact information, notification, conditions of release, status for compliance and eventual discharge from monitoring.

If a defendant is detained, the speedy trial module, finished in September 2016, will track the detention decision date, excludable time granted through statutory and judicial decisions and provide reporting capabilities to assist pretrial services staff in monitoring active detention caseloads.

Pretrial Services Program (PSP) Application

Through newly established interfaces with UCE and the County Corrections Information System (“CCIS”), the web-based PSP Application provides pretrial services staff with immediate access to newly issued complaints, notifications of commitment to jail and reports on the 48-hour timer. Staff can review risk assessments, complete interviews with defendants and enter release recommendations that will be immediately available to the judge. The judge is able to review risk assessments, release recommendations and approve final release/detention orders. Testing of the PSP Application in the three pilot vicinages has yielded successful results; testing will continue to ensure proper functionality.

Pretrial Monitoring Application

When an approved order for release is entered into the PSP Application, the defendant’s information and monitoring conditions are sent to the web-based Pretrial Monitoring Application. The application allows staff to update the defendant’s contact information, review the defendant’s compliance with monitoring conditions, displays all of the defendant’s scheduled hearings/appointments and provides the ability to document other information in case notes.

The application will guide staff through an interview via phone and office visits to ensure that all expected information is gathered. The application interfaces with municipal, criminal and family systems to collect court hearing information and send out reminders to the defendant via text messages, email or phone calls. The application also receives automated notification from the municipal, criminal and family systems when a defendant is rearrested or fails to appear for a hearing. The application will record all of the monitoring activity, such as a completed interview and case notes, in the defendant’s monitoring history. The base application is in production and being tested by the pilot vicinages. Additional functionality is under development and testing.

Speedy Trial Application

When an order for pretrial detention is completed in the PSP Application, the defendant’s case must be processed by the applicable speedy trial deadline. The Speedy Trial Application will use information from various systems to calculate and display the deadline in the application and the case jacket for court staff and attorneys to view and appropriately prioritize cases. The application also provides staff the ability to add excludable time that is permitted by a judge and produces an order reflecting the excludable time details.

Expanding eCourts

Criminal Justice Reform Law authorizes the judiciary to use monies collected from filing fees in part to develop and maintain a digital e-Court system. Several technology upgrades have been made across the entire court system.

Criminal Filings

Effective December 15, 2016, electronic filings in criminal matters, with certain limited exceptions were made mandatory by order of the Supreme Court. As of December 16, approximately 114,698 filings have been made, and an additional 160,617 archived case files have been backloaded. In the current eCourts filing application, a new motion type was added for filing a pretrial detention motion. When a prosecutor files a motion, he or she will be given the option to upload their

documents as is the current process or have the system generate the documents after the prosecutor provides the needed information. Once the motion result is determined, the judge's order will also be stored in the system. Enhancements to eCourts Criminal Filing are in development and testing.

Family Filings

Copies of Family Division divorce and dissolution files are frequently requested and retrieved from archive for post-judgment motions or litigant copy requests. The focus of this project was to provide judges and court staff with easy access to files that have been archived. Through the Superior Court Clerk's Office, thousands of paper records have been converted to images so they can be accessed by judges and court staff in an electronic case file. The implementation of this application has eliminated significant delays in accessing older records from the Superior Court Clerk's Office records warehouse. Between April 2016 and November 2016, approximately 130,000 archived case files were backloaded.

Civil Filings

The existing Judiciary Electronic Filing and Imaging System ("JEFIS"), which was implemented in 1995 and decommissioned on October 28, 2016, was replaced. Attorneys electronically file all documents from complaint through judgment processing. Both attorneys and the court may access electronic case files and automated notifications. In eCourts Foreclosure, electronic case file access was provided to County Clerks and Sheriffs so that judgments of foreclosure can be easily verified.

- In Special Civil cases with a demand amount of less than \$15,000, implementation was complete in September 2016, and approximately 96,000 filings were made between September and November.
- In Foreclosure, implementation was complete in September 2016, and approximately 53,000 filings were made between September and November.

In March 2017, work will begin on eCourts Special Civil for cases with a demand amount of less than \$3,000 and eCourts Civil Law. The Special Civil project will focus on providing an electronic case file and centralized processing of court generated notices to enable simultaneous access by judges and court staff, eliminate paper files and expedite the printing of notices sent to self-represented litigants. The Civil Law project will include attorney electronic filing of all documents from complaint through judgment processing, access to electronic case files and automated notifications between attorneys of record and the court.

Tax Filings

Mandatory eFiling has been implemented in the Tax Court. As of December 23, there have been 201,100 total electronic filings, including 22,563 new complaints. Non attorneys, such as Municipal Assessors, Municipal Clerks and County Board of Taxation now have access to the Tax Court case jacket and receive notifications electronically when a new case or a judgment is created. This electronic notification process will alleviate the burden on attorneys and court staff of having to manually notify these entities.

Constructing a Virtual Courtroom

A virtual courtroom allows the participants - judge, prosecutor, defense attorney, defendant, court staff and interpreter, if necessary - to conduct a court hearing using video conferencing software. Virtual Courtrooms are in use, to some extent, in every vicinage in New Jersey.

It is anticipated that the use of virtual courtrooms will be greatly expanded with the demands of Criminal Justice Reform. This technology will reduce the need and the cost of opening a courthouse on weekends and holidays. However, because each vicinage has different needs in terms of the number of defendants and physical benefits and limitations of each courthouse and jail, each vicinage will optimize its use of virtual courtrooms differently. For example, some counties have a courtroom in the jail while others do not.

Ideally, participants will be able to join the virtual courtroom for a preliminary hearing from any location and from almost any device, including personal computers and mobile devices. The virtual courtroom will record the audio for the court record and will make the first appearance available to the public via a live broadcast accessible from the Judiciary's website.

Communication and Outreach

A comprehensive outreach plan to inform and advise judges, Judiciary staff, prosecutors, public defenders, the bar, wardens, sheriffs, counties, municipalities, our other criminal justice partners, the other branches of government, and the public has been underway since mid-2015. This plan includes training classes, webinars, videos and the distribution of published materials. The Judiciary's web page - njcourts.com - includes a criminal justice reform information center and the Judiciary's YouTube page includes a video series, *Criminal Justice Reform Perspectives*, that features interviews with various stakeholders impacted by the reform.

Much of this outreach effort has been accomplished through public forums organized by the ombudsman and minority concerns committees in each vicinage. In 2016, kickoff events with stakeholders from every level of local, county and state government were held in each of our 15 vicinages. Chief Justice Rabner, Administrative Director Grant, along with other members of the Judiciary have met with and provided information and education on the Criminal Justice Reform efforts to many groups, including the Attorney General's Office, the County and Statewide Jail Wardens Associations, various Municipal Court Administrators Associations, the County Prosecutors Association, the Association of Criminal Defense Attorneys, the New Jersey Association of Counties, and the League of Municipalities. Judges and staff have received numerous presentations and literature. These educational opportunities will continue through January 1.

Fee Increase Implementation and Funding

Sections 12 through 19 of the Criminal Justice Reform Law authorized the Supreme Court to "revise or supplement filing fees and other statutory fees payable to the court" by Court Rule. The law specifically provides that monies raised by the filing fee increases must be used to fund a statewide Pretrial Services Program, develop and maintain a digital e-Courts system, and assist Legal Services of New Jersey (LSNJ) financially. The authority to increase court fees took effect on August 11, 2014, and expired on March 1, 2015.

In accordance with the statutory time frames, the Supreme Court publicly announced, proposed new and increased filing fees, accepted written public comment on the proposed fees, and held a public hearing on the topic. On October 31, 2014, the Supreme Court adopted new Rule 1:43 and amended Rule 8:12 (Tax Court fees), which created several new court fees and revised certain existing fees. In accordance with the new law, no single fee was increased by more than \$50. The new Court Rules took effect on November 17, 2014.

L. 2014, c. 31 anticipated that the fee increases would generate at least \$42.1 million: \$22 million to the Judiciary for the development, maintenance and administration of a Pretrial Services Program; \$10 million to the Judiciary for the digital e-Courts system; and \$10.1 million to the Department of Treasury for distribution to LSNJ.

Revenues

From November 2014 through November 2016, the Judiciary collected \$87.2 million. Of that money, \$44.5 million was earmarked for the Pretrial Services Program and \$20.2 million was allocated for eCourts. A discretionary balance of \$2 million can be used in either program. A total of \$20.4 million has been sent to Treasury for distribution to LSNJ.

Fiscal year 2017 collections are running 7.6 percent behind fiscal year 2016 collections. Since the Judiciary has hired 111 vicinage staff as of October 1, 2016, expenses will increase, and with the anticipated second phase of hiring 165 more vicinage staff expenses could exceed collections in upcoming years.

Expenses

A total of \$13.3 million has been encumbered or expended to date for pretrial services, leaving a balance of \$31.2 million. For eCourts, \$10.8 million has been encumbered or expended to date, leaving a balance of \$9.5 million with available discretionary funding of \$2 million. A total of \$4.5 million has been encumbered or expended for software to date.

Conclusion

Criminal Justice Reform represents an historic shift in the way New Jersey will administer criminal justice. It alters current criminal justice practices from the time of arrest to case disposition. This shift is the culmination of the extensive efforts of the three branches of government in collaboration with many other partners. Over the last two years, key participants and stakeholders in the criminal justice system have analyzed myriad issues raised by these reforms. New automated systems have been designed to measure identified risk levels, increase case processing efficiency, and meet speedy indictment and speedy trial deadlines. Though much work has been accomplished, much more remains to be done before and after January 1, 2017. The Judiciary looks forward to continuing to collaborate with all involved parties to ensure a smooth transformation and a fairer system of justice in New Jersey.



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