

SUPREME COURT OF NEW JERSEY

The New Jersey Supreme Court is committed to overseeing and implementing reforms to support juvenile rehabilitation, including eliminating court-imposed penalties that prevent individuals with juvenile adjudications from reintegrating in and contributing to society.

Consistent with the repeal of N.J.S.A. 2A:4A-43(b)(8) effective July 1, 2020, courts no longer are imposing discretionary fines as part of juvenile adjudications. However, as of today, more than \$140,000 in fines remain outstanding that were imposed on juveniles before July 1, 2020. The young people who owe those fines – including disproportionate numbers of youth of color – overwhelmingly lack the capacity to make necessary payments, and the fines serve only to prolong involvement with the juvenile and criminal justice systems.

At the same time, adults with juvenile histories are burdened by open failure to appear warrants issued more than five years ago for non-violent 4th degree or lesser juvenile charges. Based on the passage of time, those warrants no longer serve their intended purpose under N.J.S.A. 2A:4A-34(c)(1) and 34(c)(2), yet they continue to create barriers to employment, housing, education, and social services.

Accordingly, consistent with other ongoing efforts to enhance equity and improved outcomes for juveniles with court involvement, it is ORDERED that:

1. Effective immediately, all outstanding discretionary juvenile fines are vacated. Vicinage Assignment Judges or their designees shall take appropriate steps, including entry of orders in individual cases, to implement and memorialize the provisions of this Order.
2. Vicinage Assignment Judges or their designees are authorized and directed to issue orders vacating all open juvenile warrants for failure to appear issued more than five years prior to the date of this Order for non-violent 4th degree or lesser offenses. Orders vacating warrants for failure to appear entered in individual cases shall be served on the County Prosecutor for purposes of reviewing the underlying case. Further, Assignment Judges are authorized and directed to issue orders on an annual basis to vacate all open juvenile warrants for failure to appear that are more than five-years-old as of that date for non-violent 4th degree or lesser offenses, providing copies of those orders to the County Prosecutor for purposes of reviewing the underlying case.

For the Court,

A handwritten signature in blue ink, appearing to read "Shane Palmer", is written over the text "For the Court,".

Chief Justice

Date: October 20, 2020