



NEW JERSEY STATE BAR ASSOCIATION

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August 25, 2016

Hon. Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments: Appellate Division CJR Rules
Hughes Justice Complex; P.O. Box 037
Trenton, New Jersey 08625-0037

Re: Appellate Division Rules to Implement Criminal Justice Reform

Dear Judge Grant:

Thank you for the opportunity to review and comment on the proposed Appellate Division rules to implement Criminal Justice Reform. Once again, the New Jersey State Bar Association appreciates all of the efforts being made by the Court to ensure system reforms are in place by the legislative implementation date.

The NJSBA has reviewed these latest rule proposals from the Appellate Division, and supports their adoption, with one exception. Proposed Rule 2:9-13(c) limits a brief appealing an order for pretrial detention to eight pages. We believe there should be a mechanism to permit defendants to request permission to file overlength briefs, if necessary under the circumstances of a particular case. While we understand the process is an expedited one that requires succinct arguments to be presented, we also believe it is important to allow defendants the opportunity to make full and complete arguments, particularly in light of the potential loss of liberty that is at stake. In some cases, the facts and circumstances may be more complex and require more than eight pages to do so.

Thank you for your courtesies in considering these comments. The NJSBA looks forward to continuing to work with the Court to implement bail reform and new speedy trial requirements to improve our criminal justice system.

Please do not hesitate to contact me if any additional information is necessary.

Sincerely,

Thomas H. Prol, Esq.
President

/sab

cc: Robert B. Hille, Esq., NJSBA President-Elect
Angela C. Scheck, NJSBA Executive Director