



Message from President Prol on filing fees

We have heard from many of you regarding the implementation of the filing fees related to the recently adopted [criminal justice reform](#) legislation.

We understand this is important to everyone who practices before the state courts, and we need your help.

The NJSBA recognizes that the increased filing fees are intended to serve as a secure funding source for criminal justice reform, e-Courts and Legal Services of New Jersey. We will not discount the important and necessary role each of those plays in building a better and more vibrant justice system. However, we maintain that these increases must be implemented with the greatest uniformity and transparency. In particular, we continue to speak out about how those fees have an improper and unfair impact on the legal profession and our clients.

I want you to know that for the past two years we have repeatedly raised these issues with the Court and AOC, both in writing and at in-person meetings. We have objected to several fee increases, especially those fees that are imposed on attorneys directly and, thus, operate akin to a tax on the practice of law. We have also asked the Court to provide a financial analysis of the revenue being raised from the fee increases, as well as the start-up and ongoing costs associated with criminal justice reform and e-Courts.

The NJSBA has specifically questioned the fee increases for substitution of attorney, answers to a counterclaim, certified documents with the seal of the Court and motions in limine. (Read our Oct. 14, 2014 letter [here](#), our Oct. 22,

2015 letter [here](#), and our Sept. 30, 2016 letter [here](#). In addition to those letters the NJSBA held meetings with the Court or AOC on these issues in March 2015 and 2016 and August 2016).

The AOC has responded to some of the concerns we raised. In a Sept. 12, 2016 letter, the AOC addressed a handful of specific fees, namely for substitution of attorney, certified sealed documents, answers to a counterclaims and motions in limine. You can read the letter from Acting Administrative Director of the Courts Judge Glenn A. Grant [here](#).

You can help us. So that we can share the individual experiences members have had with the application of the filing fee increases, we are gathering first-person accounts and details that the Court says it needs – and, indeed, has requested - before it can evaluate the need for any changes.

Please provide us with specific examples of your experiences and concerns about the increased fees and their implementation.

Have you experienced fees being implemented differently from courthouse to courthouse?

What fees are most burdensome and why?

Have the increased fees resulted in increased costs to your clients?

Are there any other fees you believe the NJSBA should be discussing with the AOC?

Email president@njsba.com to provide your input

We will continue to explore all options available to arrive at an acceptable resolution to these concerns. We will keep you advised of our progress.

Sincerely,
Thomas H. Prol
President, NJSBA