

PRESIDENT'S PERSPECTIVE

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Now More Than Ever, New Jersey Urgently Needs a Full Bench to Ease Case Backlog



The New Jersey justice system is facing a crisis.

It is one that threatens our system to its very core and the consequences will be felt most acutely by the residents of our great state. The NJSBA urges the governor and Senate to take action now to fulfill the promise of justice for all.

There are currently a significant number of judicial vacancies, compared to prior years, and at a time when the courts are more critical than ever. Simply put: there are too few

need their security deposits back to pay for other bills.

And the picture is equally dire in the criminal courts where nearly 5,000 defendants are being held as they await trial. News reports indicate that roughly half of those people have languished in jail for over six months wherein normally, speedy trial rules require that defendants must be indicted within 90 days and go to trial within 180 days. I have seen it first-hand. One of my clients, who has no criminal record, has been jailed awaiting trial for over a year and her mental health is deteriorating with no plans in sight for any evaluations or proceedings. I know I am not alone in seeing the devastating effect this has had on clients who remain jailed.

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jurists facing enormous pressures to keep up with a deluge of cases from people suffering as a result of the COVID-19 pandemic.

Even as many courthouses operate with few people physically in the buildings, the work of the courts has been vigorous. Since the pandemic struck, our judges have conducted more than 150,000 remote court events involving more than 1.5 million participants, according to Judiciary statistics.

And a flood of additional matters will soon slam the courts in landlord/tenant and criminal matters—cases that speak to the fundamental rights of liberty and housing—when full in-person proceedings resume. The backlog of landlord/tenant cases are expected to top 100,000 statewide once the eviction moratorium is lifted. Normally that docket has around 13,000 cases. These citizens need to have their cases heard—they may be landlords who require the rent money to pay for the mortgage each month and they may be tenants who

to handle the crush of cases that are coming. And to complicate the situation, diverting the necessary judicial energy to address that caseload will almost certainly affect how justice is delivered in all other areas of the court.

A persistent shortage of judges jeopardizes access to the court system, which is an independent and co-equal branch of government.

The repercussions of these vacancies on the citizens of New Jersey, who rely on the court system for the fair and impartial administration of justice to resolve disputes—ranging from foreclosure and contract disputes to divorce, child custody and domestic violence matters, to seeking damages for an injury—should take utmost priority.

A full bench is the only solution. The residents of our state expect and deserve nothing less.

The NJSBA urges the governor and Senate to take prompt action to fill these judicial vacancies. ☺