

**NEW JERSEY STATE MUNICIPAL PROSECUTORS ASSOCIATION**  
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Dear members of the Assembly Judiciary Committee:

The New Jersey State Municipal Prosecutors Association stands firm against any notion that fees, fines and penalties assessed in municipal courts be encouraged or expected as supplemental revenue sources for Municipalities. We understand that governing bodies' concerns necessarily include revenue and budget considerations regarding their local courts. But our *sole* aim as Municipal Prosecutors is to promote justice in our courts, without regard to how much money they bring in. That is our mandate, whether the issue before us involves state or local law, criminal, quasi-criminal, or traffic matter.

We are distressed, to say the least, at the reality that the public perceives municipal courts primarily as "revenue generators," or that municipalities might encourage their law enforcement or court personnel to consider fee-generation in our local courts. Given our mandate – to promote justice – we work to avoid even the appearance of behaviors or practices that implicate anything other than the fair and ethical disposition of cases.

Additionally, as prosecutors in what is sometimes referred to as "people's courts," we understand first-hand that most individuals' exposure to our legal system is exclusively in municipal courts. Municipalities should be mindful of the fact that people charged with offenses adjudicated locally form their opinions about our legal system in these courts. It is therefore incumbent on every person responsible for policy-making, funding or administering municipal court operations, do so with the understanding that municipal courts *must* be independent of financial considerations. The Committee should also note the disproportionate impact fines and penalties have on low-income individuals.

The New Jersey State Municipal Prosecutors Association is an affiliate of the League of Municipalities. We appreciate that John Moran solicited these preliminary comments from us. We believe this issue warrants serious attention from the Judiciary Committee, and look forward to fully participating in this conversation when the Committee reconvenes in the fall.

Annette DePalma

President, NJSMPA

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