

Hawkins: Court hiring should be done by towns

By Chris Sykes
Staff Writer

Last week elected officials, municipal employees and others from across New Jersey traveled to Atlantic City for the annual League of Municipalities conference, and Mayor Eldridge Hawkins Jr. was among them.

On Nov. 17, Hawkins released a statement related to one of the many issues that were discussed at the LOM event. He said that the New Jersey State Supreme Court was attempting to control the hiring of municipal court administrators as part of "an unprecedented power grab" and he is leading the League of Municipalities to oppose the court measure.

"In the past, appointments of municipal court administrators have always been within the sole discretion of the municipal governing body," Hawkins said. "The new rule attempts to override the role of local mayors, local governing bodies, local voters and taxpayers. It shows a complete disregard for civil service rules and regulations and violates the concept of separation of powers."

Hawkins went on to say that neither the U.S. Constitution nor the New Jersey Constitution gives the judicial branch of government the power to intervene in the municipal hiring process. That's why he said that the state Supreme Court action is an unprecedented power grab.

"The salaries of local court administrators and other municipal court costs are paid for by local taxpayers," Hawkins said. "If the state judiciary wants to hire and fire employees in our court system, then local taxpayers and municipalities should not have to foot the bill."

The mayor's position is being backed by the LOM. On Nov. 17 that organization passed a resolution calling for a change in the recent state Supreme Court rule

governing the hiring process for municipal court administrators in New Jersey. Hawkins sponsored the resolution, along with Mayor Daniel J. Reiman of Carteret, and Mayor Wayne Smith of Irvington.

The resolution calls the court's move unconstitutional, and also calls for the state Supreme Court to reconsider and amend its action. It also calls upon the New Jersey state Legislature to either clarify that the appointments of municipal court administrators are within the sole discretion of the municipality, or direct the Judiciary to fund the Municipality Courts through their budget.

"I am thankful for the co-sponsors of the league's resolution, Mayor Daniel J. Reiman of Carteret and Mayor Wayne Smith of Irvington, as they joined with me in rallying the N.J. League of Municipalities and mayors throughout the state on this important issue."

Earlier this year, on Sept. 13, the New Jersey state Supreme Court adopted amendments to the Rules of Court, specifically R.1:34-3, which deals with the hiring process for municipal court administrators. It altered the process by giving the local state assignment judge the discretion to review resumes of the candidates for municipal court administrator.

Under the new rule, a panel consisting of the municipal court judge, the municipal division manager for the state courts, a municipal court administrator from another town in the area, and two representatives from the municipality who are not members of the police department would interview the candidates. Then, the assignment judge could choose to interview the final candidate and would have the authority to approve or reject the selected candidate.

Hawkins, Smith, Reiman and others said the new rules are unacceptable.

