

RESOLUTION #2017 - 01

**RESOLUTION OF THE OCEAN COUNTY MAYORS' ASSOCIATION,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPORTING LEGISLATIVE ACTION REQUIRING THE
STATE PUBLIC DEFENDER'S OFFICE TO REPRESENT
DEFENDANTS IN THE SUPERIOR COURT BAIL HEARINGS
FOR THOSE ELIGIBLE DEFENDANTS CHARGED WITH
DISORDERLY PERSONS OFFENSES OR PETTY DISORDERLY
OFFENSES IN LIEU OF THE MUNICIPAL PUBLIC DEFENDER**

WHEREAS, the Bail Reform Act (BFA) became effective January 1, 2017; and

WHEREAS, the BFA requires bail hearings to be conducted in the Superior Court; and

WHEREAS, bail hearings for Disorderly Persons Offenses and Petty Disorderly Offenses are held in the Superior Court notwithstanding jurisdiction for these offenses being in the Municipal Courts; and

WHEREAS, the State Public Defender who has attorneys routinely appearing in the Superior Court does not represent defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses-even in the Superior Court; and

WHEREAS, the foregoing necessitates Municipal Public Defenders being required to appear in Superior Court at considerable inconvenience and expense to local municipalities; and

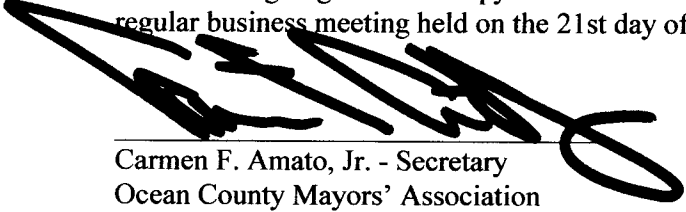
WHEREAS, this results in an unfunded State Mandate;

NOW, THEREFORE, BE IT RESOLVED, the membership of the Ocean County Mayors' Association, County of Ocean, State of New Jersey, as follows:

1. The Ocean County Mayors' Association, County of Ocean, State of New Jersey hereby supports legislative action requiring the State Public Defender's Office to represent defendants in the Superior Court bail hearings for those eligible defendants charged with Disorderly Persons Offenses or Petty Disorderly Offenses in lieu of the Municipal Public Defender.
2. That upon the adoption of this resolution, the Secretary of the Ocean County Mayors' Association is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, the 3rd, 9th, 10th and 30th Legislative Districts representatives, Ocean County Freeholders, all Ocean County Municipal Clerks, and the New Jersey State League of Municipalities.

CERTIFICATION

I, Carmen F. Amato, Jr., Secretary of the Ocean County Mayors' Association, do hereby certify that the foregoing is a true copy of a resolution duly adopted at an Ocean County Mayors' Association regular business meeting held on the 21st day of February, 2017.


Carmen F. Amato, Jr. - Secretary
Ocean County Mayors' Association
Mayor - Township of Berkeley