

NEW JERSEY
2018 New Jersey Revised Statutes
Comprehensive Enforcement Program
Fund Act

(Title 2B – Court Organization and
Civil Code
Chapter 19
Section 2b: 19-1, et seq.)

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2018 New Jersey Revised Statutes

Title 2B - COURT ORGANIZATION AND CIVIL CODE

Chapter 19

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Title 2B - COURT ORGANIZATION AND CIVIL CODE

Chapter 19

Section 2b:19-1 - Short title

Universal Citation: [NJ Rev Stat § 2b:19-1 \(2018\)](#)

Section: 2B:19-1: Short title

1. Sections 1 through 9 of this act shall be known and may be cited as the "Comprehensive Enforcement Program Fund Act."

L.1995,c.9,s.1.

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Chapter 19

Section 2b:19-2 - Findings, declarations.

Universal Citation: [NJ Rev Stat § 2b:19-2 \(2018\)](#)

Section: 2B:19-2: Findings, declarations.

2. The Legislature finds and declares that:

a. The Judiciary routinely enters judgments and court orders setting forth assessments, surcharges, fines and restitution against litigants pursuant to statutory law.

b. The enforcement of court orders is crucial to ensure respect for the rule of law and credibility of the court process.

c. Despite monitoring of judgments and court orders by probation divisions and other segments of the Judiciary responsible for doing so, many orders are not complied with because there is a lack of central coordination, funding, automation, and control.

d. The Judiciary has successfully developed a hearing officer program in child support enforcement and a pilot criminal enforcement court project, which is in the process of being expanded, that have demonstrated significant increases in collections and compliance.

e. The Governor's Management Review Commission has reviewed the collections process in New Jersey and made recommendations supporting the establishment and funding of a Statewide comprehensive enforcement program operated by the Judiciary.

f. Upon passage of this act, the Supreme Court and the Chief Justice will establish a Statewide comprehensive enforcement program which will provide for the enforcement of court orders and oversee collection of court-ordered fines, assessments, surcharges and judgments in the civil, criminal and family divisions, the Tax Court and in municipal court as provided in section 6 of P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program will provide for the collection of certain surcharges administratively imposed by the Division of Motor Vehicles as provided in section 6 of P.L.1995, c.9 (C.2B:19-6). The comprehensive enforcement program will utilize the child support hearing officer model and the pilot project criminal enforcement court model, supported by a Statewide automation system designed to increase collections,

compliance and accountability.

L.1995, c.9, s.2; amended 1997, c.280, s.1; 2001, c.421, s.1.

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Section 2b:19-3 - Comprehensive Enforcement Program Fund

Universal Citation: [NJ Rev Stat § 2b:19-3 \(2018\)](#)

Section: 2B:19-3: Comprehensive Enforcement Program Fund

3. There is established as a separate fund in the General Fund, to be administered by the Administrative Office of the Courts, a "Comprehensive Enforcement Program Fund." This fund shall be the depository for the deductions from collections and the enforced community service fees described in sections 4 and 5 of this act for the purpose of operating the comprehensive enforcement program, the computer system established pursuant to P.L.1992, c.169, enforced community service and any subsequent programs or methodologies employed to enforce collection of court ordered financial obligations.

L.1995,c.9,s.3.

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Section 2b:19-4 - Deduction of collections to fund program

Universal Citation: [NJ Rev Stat § 2b:19-4 \(2018\)](#)

Section: 2B:19-4: Deduction of collections to fund program

4. a. Subject to the approval of the Director of the Division of Budget and Accounting, the Administrative Office of the Courts is authorized to deduct an amount up to 25\% of all moneys collected through the comprehensive enforcement program, except for victim restitution and for Victims of Crime Compensation Board assessments, for deposit in the "Comprehensive Enforcement Program Fund" established pursuant to section 3 of P.L.1995, c.9 (C.2B:19-3) to fund the comprehensive enforcement program, the CAPS computer system, enforced community service, and other programs employed to collect court ordered financial obligations. The Administrative Office of the Courts shall promulgate a schedule for the deduction of collections to be deposited in the "Comprehensive Enforcement Program Fund."

b. (Deleted by amendment, P.L.1997, c.280).

L.1995,c.9,s.4; amended 1997, c.280, s.2.

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Section 2b:19-5 - Labor assistance program established by county; enforced community service program by probation services

Universal Citation: [NJ Rev Stat § 2b:19-5 \(2018\)](#)

Section: 2B:19-5: Labor assistance program established by county; enforced community service program by probation services

5. a. The governing body of each county, through the sheriff or such other authorized officer, may establish a labor assistance program as an alternative to direct incarceration to be utilized by the comprehensive enforcement program as a sentencing option. An enrollment fee of \$25.00 shall be paid by each person who is sentenced to a labor assistance program. Additionally, each person so sentenced shall pay a fee of \$8.00 per day for each day originally sentenced to the labor assistance program. Labor assistance program fees shall be paid to the county treasurer for use by the county.

b. In counties that do not establish a labor assistance program, the probation services division shall establish an enforced community service program as an alternative to direct incarceration, to be utilized by the comprehensive enforcement program as a sentencing option. An enrollment fee of \$25.00 shall be paid by each person who is sentenced to the enforced community service program. Additionally, each person so sentenced shall pay a fee of \$8.00 per day for each day originally sentenced to the enforced community service program. Enforced community service fees shall be deposited in the "Comprehensive Enforcement Program Fund" and specifically used to fund the enforced community service programs.

c. (1) As used in this section, "labor assistance program" means, a work program, established by the county under the direction of the sheriff or other authorized county officer, which rigorously supervises offenders providing physical labor as an alternative to incarceration.

(2) As used in this section, "enforced community service" means a work program, established and supervised by the probation division, which directly and rigorously supervises offenders providing physical labor as an alternative to direct incarceration in those counties which have chosen not to create a labor assistance program.

L.1995,c.9,s.5; amended 2000, c.120, s.2.

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Section 2b:19-6 - Transfer of matters involving the collection of monies.

Universal Citation: [NJ Rev Stat § 2b:19-6 \(2018\)](#)

Section: 2B:19-6: Transfer of matters involving the collection of monies.

6. a. All matters involving the collection of monies in the Superior Court and Tax Court which have not been resolved in accordance with an order of the court may be transferred, pursuant to court rule, to the comprehensive enforcement program for such action as may be appropriate. As an alternative to, or in addition to, the use of the comprehensive enforcement program, the Administrative Director of the Courts may contract with a private agency or firm to collect any outstanding monies payable to the Superior Court, the Tax Court, or the municipal courts. Outstanding monies payable to a

municipal court means monies owed after a final determination of guilt by a municipal court and only when the municipal court has exhausted all judicial enforcement remedies permitted by law or court rule. The use of private collection agencies to collect outstanding monies payable to the Superior Court, the Tax Court and municipal courts shall be governed by rules and procedures adopted by the Supreme Court. The Administrative Director of the Courts may authorize the assessment of an administrative fee by a private agency or firm not to exceed 22\% of the amount collected to be paid by the defendant to the private collection agency to pay for the costs of collection.

b. (1) A municipal court may request that all matters which have not been resolved in accordance with an order of that court be transferred to the comprehensive enforcement program in accordance with the provisions of section 9 of P.L.1995, c.9 (C.2B:19-9) for such action as may be appropriate. All monies collected through the comprehensive enforcement program which result from the enforcing of orders transferred from any municipal court shall be subject to the 25\% deduction authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4) except for monies collected in connection with the enforcement of orders related to parking violations.

(2) (Deleted by amendment, P.L.2009, c.233)

c. The Chief Administrator of the New Jersey Motor Vehicle Commission may refer matters of surcharges imposed administratively under the New Jersey Merit Rating Plan in accordance with the provisions of section 6 of P.L.1983, c.65 (C.17:29A-35) which have not been satisfied to the comprehensive enforcement program in accordance with the procedures established pursuant to section 4 of P.L.1997, c.280 (C.2B:19-10) to be reduced to judgment and for such additional action as may be appropriate. All monies collected through the comprehensive enforcement program which result from the collection of these surcharge monies shall be subject to the 25\% deduction authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

d. (1) At the request of the Public Defender, the Clerk of the Superior Court shall refer every unsatisfied lien, filed by the Public Defender, to the comprehensive enforcement program for collection. All monies collected through the comprehensive enforcement program which result from the collection of these liens shall be subject to the deduction authorized pursuant to section 4 of P.L.1995, c.9 (C.2B:19-4).

(2) Upon satisfaction of a public defender lien through the comprehensive enforcement program, the comprehensive enforcement program shall notify the Clerk of the Superior Court within 10 days of satisfaction and the satisfaction of the lien shall be entered in the Superior Court Judgment Index.

L.1995, c.9, s.6; amended 1997, c.280, s.3; 2000, c.120, s.3; 2001, c.421, s.2; 2009, c.233, s.1.

**2018 New Jersey Revised Statutes
Title 2B - COURT ORGANIZATION AND
CIVIL CODE
Chapter 19
Section 2b:19-7 - Transfer of disobeyed
community service matters**

Universal Citation: [NJ Rev Stat § 2b:19-7 \(2018\)](#)

Section: 2B:19-7: Transfer of disobeyed community service matters

7. All matters involving the imposition of a sentence of community service by either the Superior Court or a municipal court which have not been complied with by the offender shall be transferred, by the sentencing judge to the comprehensive enforcement program for such suitable compliance sanctions as may be appropriate, including incarceration, participation in a labor assistance program, enforced community service, imposition of a financial sanction, or a combination of these sanctions or such other alternative as may be appropriate.

L.1995,c.9,s.7.

**2018 New Jersey Revised Statutes
Title 2B - COURT ORGANIZATION AND
CIVIL CODE
Chapter 19
Section 2b:19-8 - Inability to fulfill
financial obligations of sentence;
procedure**

Universal Citation: [NJ Rev Stat § 2b:19-8 \(2018\)](#)

Section: 2B:19-8: Inability to fulfill financial obligations of sentence; procedure

8. a. At any time after a person has completed the total sentence to a labor assistance program or enforced community service program, the comprehensive enforcement hearing officer may determine that the payor is financially unable to comply with the financial obligations initially imposed by the sentencing court. The comprehensive enforcement hearing officer may then:

(1) Accept the participation in a labor assistance program or enforced community service in lieu of payment of the remaining court ordered financial obligations;

(2) Impose additional hours in a labor assistance program or enforced community service in lieu of payment of the remaining court ordered financial obligations;

(3) Impose a term of imprisonment in lieu of paying the remaining court ordered financial obligations; or

(4) Docket the total amount due as a judgment in the Superior Court.

b. When the comprehensive enforcement hearing officer has exhausted all of the steps enumerated in this section and any additional hours of a labor assistance program or enforced community service or any term of imprisonment have been completed, the person may be terminated from probation supervision and the total amount owed may be removed from probation records and deducted from outstanding and uncollectable amounts owed. These actions notwithstanding, whenever a judgment is docketed in the Superior Court, the person remains liable to pay the outstanding debt as originally imposed by the sentencing court.

c. Notwithstanding the foregoing, the comprehensive enforcement hearing officer may not relieve the person of the obligation to pay the VCCB assessment or restitution to a victim.

L.1995,c.9,s.8.

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Section 2b:19-9 - Recommendation of hearing officer; approval.

Universal Citation: [NJ Rev Stat § 2b:19-9 \(2018\)](#)

Section: 2B:19-9: Recommendation of hearing officer; approval.

9. Any recommendation by a comprehensive enforcement hearing officer shall be in conformity with court rules and shall be approved by:

a. a judge of the Superior Court for Superior Court matters and for any municipal court matters in which a final judgment has been docketed in the Superior Court; or

b. a judge of the municipal court, designated by the Assignment Judge of the vicinage, for municipal court matters in which a final judgment has not been docketed with the Superior Court.

L.1995,c.9,s.9; amended 2001, c.421, s.3.

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Section 2b:19-10 - Referral of uncollected DMV surcharges

Universal Citation: [NJ Rev Stat § 2b:19-10 \(2018\)](#)

Section: 2B:19-10: Referral of uncollected DMV surcharges

4. The Director of the Division of Motor Vehicles and the Administrative Office of the Courts shall develop procedures for the referral of uncollected surcharges imposed administratively by the Division of Motor Vehicles under the New Jersey Merit Rating Plan pursuant to section 6 of P.L.1983, c.65 (C.17:29A-35). These procedures shall include, but shall not be limited to, the following:

a. The total dollar amount of uncollected surcharges imposed on a driver and the number of months of delinquency which may result in referral pursuant to section 6 of P.L.1995, c.9 (C.2B:19-6) including procedures for installment payments, procedures for negotiating and implementing new schedules for installment payments and surcharges deferred until the end of a policy term of an automobile insurance policy as permitted by section 6 of P.L.1983, c.65 (C.17:29A-35);

b. The interval of referral between the Division of Motor Vehicles and the comprehensive enforcement program such as monthly, quarterly or semi-annually and

the method of referral such as through the municipal court where the Title 39 violation occurred or directly to the Superior Court;

c. The form of notice to be provided by the Division of Motor Vehicles when a surcharge is imposed indicating that an unpaid surcharge may be referred to the comprehensive enforcement program; and

d. Procedures for payment to the Division of Motor Vehicles of moneys collected and the billing and accounting methods to be used.

L.1997,c.280,s.4.

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Section 2b:19-11 - Additional duties of program concerning public defender liens

Universal Citation: [NJ Rev Stat § 2b:19-11 \(2018\)](#)

Section: 2B:19-11: Additional duties of program concerning public defender liens

4. In addition to the duties set forth in P.L.1995, c.9 (C.2B:19-1 et seq.), the comprehensive enforcement program shall provide for the collection of moneys due the State by way of reimbursement for services rendered by the Public Defender and filed as liens in the Office of the Clerk of the Superior Court.

L.2000,c.120,s.4.