

Supplemental Plea Form for No Early Release Act Cases; Supplemental Plea Form for Thefts of an Automobile or Unlawful Taking of a Motor Vehicle

Directive #4-98
(Amends Directives #7-96 and
#10-97)
Issued by:

October 8, 1998

James J. Cancia
Acting Administrative Director

1. Supplemental Plea Form for No Early Release Act Cases

The Supreme Court, at its June 2, 1998 Administrative Conference, approved the recommendation of the Criminal Practice Committee for a *Supplemental Plea Form for No Early Release Act Cases*. The Supplemental Form has been prepared to address the provisions of the No Early Release Act, L. 1997, c. 117. This separate form advises a defendant of the provisions of the law that: (1) he/she will have to serve 85% of the sentences imposed before being eligible for parole; (2) the court is required to impose a term of parole supervision that begins as soon as the defendant completes the term of incarceration, and (3) if the defendant violates parole, his/her parole may be revoked and he/she may be subject to return to prison to serve all or any of the remaining period of parole supervision, even if he/she has completed the term of imprisonment previously imposed.

2. Supplemental Plea Form for Thefts of an Automobile or Unlawful Taking of a Motor Vehicle

In June 1997 the Supreme Court approved a *Supplemental Plea Form for Thefts of an Automobile or Unlawful Taking of a Motor Vehicle*. On May 14, 1998 the Court decided *State v. Eisenman*, 153 N.J. 462 (1998). In *Eisenman* the Court held that N.J.S.A. 2C:20-2.1 permits consecutive driver's license suspensions for multiple auto thefts.

The Supreme Court, at its June 30, 1998 Administrative Conference, approved the recommendation of the Criminal Practice Committee for a revision to the *Supplemental Plea Form* to address the decision in *Eisenman*.

EDITOR'S NOTE

This Directive amends Directives #7-96 and #10-97. Forms are not attached, but may be obtained from the Administrative Office of the Courts= Criminal Practice Division. A reference to forms being attached has been deleted. This Directive has been amended by Directive #2-99.

A
M
E
N
D
E
D