

Procedural Guidelines for the Reimbursement to Counties of State Grand Jury Expenses

Directive #5-73

Issued by:

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Acting Administrative Director of the Courts

Pursuant to the Provisions of *N.J.S.A. 2A:73A-9B*:

"All costs and expenses incurred by a county arising out of the prosecution and trial of State grand jury indictments shall, upon application by the county treasurer to the assignment judge of said county who shall certify and fix the amount of same, be paid by the State out of funds appropriated for this purpose to the Department of Law and Public Safety, Division of Criminal Justice."

As the Act contemplates Judicial action in the form of a certification, the following procedural Guidelines are proposed, by the Attorney General through the Division of Criminal Justice, in order that reimbursement to the Counties be efficiently accomplished.

1. All applications for reimbursement shall be submitted by the County Treasurer, under oath, to the County Assignment Judge and to the Director, Division of Criminal Justice for review. The State voucher form shall be used together with the supporting affidavit of the County Treasurer. The affidavit shall contain an averment that no other funds, reimbursements or credits have or will be received directly or indirectly, by the County from any other source whatsoever for the expenses for which reimbursement is being sought from the State.
2. Upon receipt of the reimbursement application, the State shall have thirty (30) days to review same.
3. After the passage of thirty (30) days and without further notice the Court may, if satisfied with the claim for reimbursement, certify same as payable to the County and upon receipt of such certification the Division of Criminal Justice shall take any necessary administrative action to cause payment of the County's claim.
4. In the event that exception is taken, by the State, to the claim or a specific item of same, the Assignment Judge and County Treasurer shall be so advised in writing, within the thirty (30) day period.
5. In the event the matter cannot be informally resolved by the parties within the thirty (30) day period, the procedure for formal resolution of same shall be as the court shall direct.

EDITOR'S NOTE

On February 26, 1974, the Supreme Court approved the procedural guidelines for the reimbursement to counties of State Grand Jury expenses pursuant to *N.J.S.A. 2A:73A-9B*.

This directive was made necessary by the 1972 amendment to *N.J.S.A. 2A:73A-9* (P.L. 1972, c. 178, Section 2, eff. Dec. 1, 1972) which changed the source of funds for Grand Jury expenses from funds appropriated to the Judiciary to funds appropriated to the Department of Law and Public Safety, Division of Criminal Justice.

Prior to submission to the Supreme Court, these procedural guidelines were reviewed and agreed to by the Office of the Attorney General.

The original text contained introductory paragraphs which have been deleted. Only the guidelines themselves have been retained.