

Directive # 6-05
[Supersedes in Part Directive #6-96]

TO: Assignment Judges

FROM: Philip S. Carchman

SUBJ: Judges' Attendance at Meetings of National Judicial Associations

DATE: March 17, 2005

This Directive, approved by the Supreme Court on the recommendation of the Judicial Council, supersedes the sections of Directive #6-96 (issued September 26, 1996) that are captioned "Associations of Judges" and "National Committees or Councils." The section of Directive #6-96 captioned "Associations of Lawyers" remains in effect.

Attendance at Meetings of National Judicial Associations in Non-Leadership Capacity

Judges who attend meetings of national judicial associations or who attend meetings of national committees or councils of which they are members must use vacation time and pay their own way (including travel and lodging expenses), unless the Chief Justice has expressly designated them to represent the New Jersey Judiciary at that event. If the Chief Justice has so designated a judge to represent the Judiciary at such an event, the judge's expenses will be reimbursable by the State pursuant to the State Travel Regulations (see Directive #4-91).

Attendance at Meetings of National Judicial Associations in Leadership Capacity

The situation of New Jersey judges serving in leadership positions in national judges' associations has the potential of bringing benefits to the New Jersey Judiciary as well as contributing to the professional enrichment and development of the individual judge. As such, it is the Judiciary's policy to encourage such service in leadership positions, within the parameters and subject

to the limitations set forth in this Directive.

The "leadership positions" covered by this Directive include officers, trustees, directors, and district representatives (when such are the equivalent of trustees).

The provisions of this policy shall be applicable to those national judicial associations selected by the Chief Justice after a review and recommendation by the Administrative Director, which review shall include a consideration of the impact that judges' attendance at out-of-state conferences and meetings will have on judicial and system productivity.

The Assignment Judge will have responsibility to act on requests by individual judges for approval to attend meetings without charge to vacation time and with reimbursement of expenses. Such requests shall be made on a meeting-by-meeting basis. In considering such requests, the Assignment Judge must balance the benefits to the Judiciary and to the judge making the request against the need for trial judges to attend to their primary responsibilities and the need to maintain an adequate number of judges in the vicinage at all times, to the extent feasible. The determination, within the parameters of this policy and measured against the needs of the vicinage, is in the discretion of the Assignment Judge. The Chief Justice would be the arbiter of any appeals from an Assignment Judge's determination.

Any reimbursement to judges by the State under this policy would be in accordance with the State Travel Regulations (see Directive #4-91).

Notwithstanding the above provisions of this policy, there shall be a limit on the number of days in any calendar year that a judge may attend such meetings of national judges associations without charges to vacation and with reimbursement.

The bases for establishing this limit are fundamental fairness as to the other judges in the vicinage (and in other vicinages) and, as noted previously in this Directive, the overarching need for judges to attend to their primary judicial responsibilities. Thus, the maximum number of days that a judge may attend such meetings of national judges associations without charges to vacation and with reimbursement is five days in any calendar year. Further, this policy must be read in conjunction with the Judiciary's policy on out-of-state judicial education (under which policy if a program is up to two weeks long it counts as bench time, but if longer than two weeks it is charged 50% bench time and 50% vacation time). Thus, the total time that a judge may spend out of state attending meetings of national judges associations combined with that judge's time at out-of-state judicial education programs will not be charged against vacation time if the aggregate time is up to two weeks; beyond that threshold, the judge would be charged 50% of the time against vacation time.

The purpose of this policy is to encourage judges to participate in national judicial associations for the benefit of the New Jersey Judiciary, the individual judge, and the judicial/legal system in general, while at the same time preserving the primacy of the judge's obligations and responsibilities as a member of the New Jersey Judiciary.

P.S.C

cc: Chief Justice Deborah T. Poritz
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