

RESOLUTION OF THE NEW JERSEY STATE BAR ASSOCIATION

A resolution calling for the repeal of those portions of P.L. 2011, Chapter 78, an Act Concerning Public Employee Pension and Health Care Benefits, as they apply to Justices of the New Jersey Supreme Court and Judges of the New Jersey Superior Court.

WHEREAS, Article VI, Section VI, Paragraph 6, of the New Jersey Constitution states: “The Justices of the Supreme Court and the Judges of the Superior Court shall receive for their services such salaries as may be provided by law, which shall not be diminished during the term of their appointment;” and

WHEREAS, the New Jersey State Bar Association asserts that P.L. 2011, Chapter 78 as it applies to Justices of the New Jersey Supreme Court and Judges of the New Jersey Superior Court will result in a diminution of judicial salary that is contrary to the entire concept of an independent judiciary, which is the hallmark of the New Jersey legal system; and

WHEREAS, the New Jersey State Bar Association believes the statute will have a severe impact on our Judiciary’s ability to accomplish its mission to provide New Jersey citizens with timely consideration of their cases by

encouraging many experienced jurists to retire; and

WHEREAS, the New Jersey State Bar Association believes that such a migration of judicial talent will have adverse consequences on the public's ability to seek redress for their grievances and on the ability of lawyers to effectively represent their clients causing unnecessary delay, and will otherwise diminish the overall quality of justice New Jersey judges provide by increasing their already burgeoning caseloads in the wake of years of budget and personnel cuts; and

WHEREAS, the New Jersey State Bar Association further asserts the probable effect of this legislation will be to discourage many qualified attorneys from seeking judicial office;

NOW, THEREFORE, BE IT RESOLVED, that, in furtherance of a belief in an independent court system dedicated to the fair, timely and effective administration of justice, as well as a fundamental dedication to preserving the high quality and integrity of a judicial system that is nationally recognized for its excellence, the New Jersey State Bar Association calls on Governor Chris Christie and the New Jersey Legislature to repeal the provisions of P.L. 2011, Chapter 78, an Act Concerning Public Employee Pension and Health Care Benefits, in so far as it applies to Justices of the New Jersey Supreme Court and Judges of the New Jersey Superior Court.

I, Angela W. Dalton, Secretary of the New Jersey State Bar Association, do hereby certify that the above is a full, true and accurate copy of a resolution passed by the Board of Trustees on July 15, 2011.

Angela White Dalton