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SMITH BILL TO RECALL RETIRED ADMINISTRATIVE LAW JUDGES APPROVED

TRENTON - A bill sponsored by Senator Bob Smith to allow the Chief Administrative Law Judge in New Jersey to recall retired administrative law judges for temporary service was unanimously approved by the Senate Judiciary Committee today.

"Currently active administrative law judges face staggering caseloads and immense backlogs that are continually growing because there aren't enough judges to match the number of cases coming in," said Senator Smith, D-Middlesex and Somerset. "They need help right now to catch up with the growing case docket. Retired judges have the legal experience to contribute, and in instances where the judge is willing and could be of use, they should be allowed to serve."

The bill, S-1671, would allow the Chief Administrative Law Judge within the Office of Administrative Law, to recall retired administrative law judges for temporary service so long as the judge is recalled before his or her 80th birthday. A recalled administrative law judge would have all the powers of an active judge. Current law requires that judges retire when they hit the age of 70, but for many years, the Chief Administrative Law Judge had recalled retired judges on a temporary basis until the State Auditor and the Attorney General indicated that the Chief did not have the statutory authority to recall judges.

"On an emergency basis, the State needs a pool of experienced and knowledgeable judges to help manage otherwise unmanageable caseloads," said Senator Smith. "Our retired administrative law judges have extensive background in the law as well as administrative procedures, and would be invaluable in helping to get a handle on lopsided case-to-judge ratios. We should take advantage of the wealth and expertise of our retired administrative law judges."

The bill will now go before the full Senate for consideration. An identical bill, A-3088, was approved by the Assembly in June.

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