

Accepting Checks for Bail C Non-Serious Offenses

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Robert D. Lipscher
Administrative Director

Pursuant to a recommendation by the Supreme Court Committee on Municipal Courts, the Supreme Court has reaffirmed its policy that in cases where the offense charged is not serious and the amount of bail is not great, the court should accept personal checks rather than have the defendant held in jail until such time as he or she can get a bail bond or post cash bail. *Municipal Court Bulletin Letter No. 164, October, 1969*. Non-serious offenses are defined as all matters in which the municipal court judge has the authority to set bail. See *R. 3:26-2, R. 7:5-3*.

Court Administrators and those police officers authorized to accept bail are advised that before accepting a check under such circumstances, the person accepting the check should be reasonably certain of the defendant's identification and the identification of the person issuing the check if the bailor is not the defendant.

EDITOR-S NOTE

The only change has been the replacement of "municipal court clerks" with the new statutory title, "municipal court administrators." (P.L. 1991, c.98)

Chapter 7 of the Rules Governing the Courts of the State of New Jersey governs practice in municipal courts. This chapter was substantially revised in 1997 and users of this compilation should consult the revised chapter for any changes that may affect these directives.