



EMERSON MUNICIPAL COURT

FREQUENTLY ASKED QUESTIONS

Can I make payment arrangements?

All fines, costs and assessments imposed by the judge are expected to be paid in full at the time they are imposed. Under certain circumstances the judge may approve a time payment agreement, but you will have to provide proof of indigence to the court to determine how you will pay the balance of your fines. This proof is provided by completing a financial questionnaire to establish whether or not the judge will allow you a time payment order.

I would like to appear in court. Can I just appear on the notice to appear date as listed on my summons?

If the 'court appearance required' field is checked off, you are required to appear as noticed on the face of your summons. However, if not checked, please call the court at 201-262-6058 to determine whether or not you may appear on the listed date or if another appearance date will be required.

I wish to just plead guilty. Can I just send my payment?

Yes, in most cases you can just remit your payment to the court, providing the prescribed penalty. However, certain violations are not payable and require your appearance before the court even if you wish to plead guilty. You should contact the court to determine if you can pay your fine or if you must appear in court.

How do I plead not guilty?

If you wish to plead not guilty, you may either contact the court to advise the court staff that you wish to do so, or you may write the court to advise us that you wish to appear in court. In most instances, the court will record your plea of not guilty and mail you a court notice with an advisement of your date to appear.

How can I pay my fine?

The Emerson violations bureau will accept payment in the form of cash, check, certified bank check or money order. Credit or debit cards cannot be processed by this court.

How can I obtain representation by the Public Defender?

In order to be represented by the Public Defender, you must fill out an application form, and you must meet the criteria established by the Income Eligibility Guidelines and the potential penalties for the offense(s) you are charged must include the possibility of substantial fines, incarceration or loss of driving privileges.

Is there a fee for the Public Defender?

Yes, a fee of up to \$200.00 may be imposed by the municipal court judge.

Will I be charged a fee if I wish to sign a complaint against someone?

No.

I wish to file a complaint against someone. How do I do that?

First you must be able to provide the name and address of the person you wish to file charges against. Second, you must be able to provide the specific statute(s) you wish to charge this person with. Municipal Court staff cannot provide you with assistance in determining which charges you should file, or how to properly identify someone. However, the court can provide you with the New Jersey criminal code and motor vehicle statutes to assist you in determining the charges you wish to have filed. The judge or statutorily authorized court employee will then determine if there is probable cause to issue the complaint. It may be necessary for you to appear for a probable cause hearing in certain cases.

I received points on my license. Why didn't the judge tell me I would receive points?

Motor vehicle points are assessed by the Motor Vehicle Commission and not the Judge. You can find point information by visiting

http://www.state.nj.us/mvc/Violations/penalties_pointSchedule.htm.

What will happen if I fail to make payments?

If you fail to make payments, a warrant may be issued by the judge for non-compliance, and your driver's license may also be suspended.

I received a failure to appear notice. Why do I owe an extra \$10.00?

When the original notice to appear date that appears on the face of your summons passes, and payment is not made, \$10.00 is added to the total amount due.