



STATE OF NEW JERSEY

In the Matter of the Reallocation of the Municipal Court Administrator and Deputy Municipal Court Administrator titles from the Competitive to the Non-Competitive Division of the Career Service

FINAL ADMINISTRATIVE ACTION OF THE CIVIL SERVICE COMMISSION

Request for Title Reallocation

CSC Docket No. 2016-2504

ISSUED: OCT 20 2016 (SLD)

The Division of Agency Services (Agency Services) recommends reallocation of the Municipal Court Administrator, Deputy Municipal Court Administrator and Deputy Municipal Court Administrator, Bilingual in Spanish and English, titles to the non-competitive division of the career service in accordance with N.J.A.C. 4A:3-1.2.

The rationale for reallocating these titles is to provide local appointing authorities with the flexibility needed to more efficiently and quickly meet their hiring responsibilities. Agency Services explains that competitive testing is not practicable due to the specialized nature and the accreditation/certification process required for these positions. See N.J.S.A. 2B:12-11. In this regard, to obtain certification by the New Jersey Supreme Court, candidates must take and successfully pass all four levels of Principles of Municipal Court Administration training, a written and oral examination, and submit and complete a project request to the certification committee. To obtain conditional accreditation, candidates must take and successfully pass the first two levels of Principles of Municipal Court Administration, and full accreditation is achieved by a candidate taking and successfully passing the remaining levels of Principles of Municipal Court Administration. Moreover, incumbents who fail to obtain accreditation and/or certification within the timeframes provide by the New Jersey Court Rules and Title 2B are ineligible to remain in the title. Therefore, Agency Services recommends that the subject titles be reallocated to the non-competitive division.

Any existing eligibility lists for these titles and any current announcements for which examinations have not been administered will be cancelled upon

completion of the reallocation process. Nevertheless, local agencies wishing to do so may recruit and appoint from the cancelled lists. However, resulting appointments will be recorded as regular appointments in the non-competitive division (RAN). Appointment types for existing employees in these title as of the effective date will be handled in accordance with *N.J.A.C.* 4A:3-1.2(f):

1. Permanent employees in that title as of the effective date shall have their appointment types changed to RAN, and shall retain their permanent status in the non-competitive division.
2. Probationary employees in that title as of the effective date shall continue serving their working test periods and, upon successful completion, attain permanent status in the non-competitive division.
3. Provisional employees who remain in that title as of the effective date shall receive regular appointments (RAN) and begin serving their working test period on the effective date.

Agency Services advises that all local appointing authorities were provided the opportunity to review the proposal and all articulated issues have been reviewed and resolved. No comments or objections were received.

*N.J.A.C.* 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Since incumbents in the subject titles are required to take and successfully pass required coursework in order to receive accreditation, which are requirements of the positions, additional testing by this agency is not practicable due to the nature of the knowledge, skills and abilities associated with the position. Therefore, ample reasons exist for the reallocation of the proposed titles to the non-competitive division of the career service. Under current Civil Service rules, reallocation of the named titles will result in the granting of permanent status and all attendant Civil Service rights and privileges currently accorded employees in the non-competitive division of the career service. Seniority for any affected permanent employee would be continuous and include all permanent service in the reallocated title. As of the effective date of reallocation, all employees serving provisionally in these affected titles are to be recorded as permanent, pending completion of the required working test period.

**ORDER**

Based on all of the above, it is ordered that the Municipal Court Administrator, Deputy Municipal Court Administrator and Deputy Municipal Court Administrator, Bilingual in Spanish and English be reallocated to the non-competitive division. It is further ordered that such action be effective the date of this order.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 19TH DAY OF OCTOBER, 2016



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