


BONNIE J. MIZDOL, A.J.S.C.
Assignment Judge

Bergen County Justice Center - 10 Main Street, Room 425
Hackensack, New Jersey 07601

njcourts.gov • Tel: 201-221-0700 ext. 25227
Fax: 201-221-0596

TO: Bergen County Prosecutor's Office
Bergen County Public Defender's Office
Bergen County Bar Association (Criminal Defense Bar)

FROM: Bonnie J. Mizdol, A.J.S.C. 

SUBJECT: Early Disposition Court (EDC)

DATE: September 2, 2020

In order to streamline the process and make Early Disposition Court (EDC) efficient and effective, I have determined to issue the following directive:

With regard to discovery, in accordance with R. 3:13-3a, the prosecutor shall "provide all available relevant material" in the case two weeks prior to the EDC date. For Special Victim Unit (SVU) cases, the EDC date shall occur six (6) weeks from the date defendant appears in Central Judicial Processing (CJP) court. For all other cases, the EDC date shall occur four (4) weeks from the CJP date. The prosecutor's plea offer shall accompany discovery. Defendant's counter-offer, if any, shall be provided to the prosecutor within one (1) week of receipt of the plea offer, provided discovery has been exchanged. The parties shall engage in ongoing discussions of the case prior to the EDC date. Judiciary staff shall send a communication to the attorneys within three days of the EDC date seeking confirmation that the steps outlined above have been taken. A check list indicating whether the tasks have been accomplished shall be placed in the EDC file.

If defendant wishes to enter a plea, but defense counsel requires additional time to discuss the details of the plea with the defendant, the EDC judge shall have the discretion to grant a one week adjournment. To the greatest extent possible, the plea documentation should be filled out prior to the EDC court session. Where appropriate, with the consent of the parties, the EDC judge shall facilitate the settlement of cases by engaging in discussions with the parties. Any such case conferenced by the EDC judge shall be retained by the judge for sentencing. Currently, EDC sentences are assigned to other judges; that process shall continue. The EDC judge will sentence only those cases conferenced by that judge.

This directive shall take effect immediately.