



New Jersey Association of Counties

Celeste Carpiano
Executive Director

MEMORANDUM

TO: New Jersey State Senate

FROM: John G. Donnadio, Deputy Executive Director

RE: SENATE, NO. 1248 (*Rice D-28*)

DATE: May 10, 2010

Although the New Jersey Association of Counties (NJAC) strongly supports transparency in government, NJAC has some concerns with the practical implications of S-1248.

As you know, this legislation requires local governments to provide the Director of the Division of Local Government Services with a report concerning lawsuits to which it is a party. NJAC is primarily concerned with the fact that this legislation imposes an undue burden on local governments at a time in which resources are limited and officials are struggling to provide essential services in a cost effective manner.

The Association is also concerned with the fact that this legislation conditions approval of a local government's budget on what could be a frivolous lawsuit or nominal legal action. County counsels for example, often settle personal injury claims for as little as \$5000.00, and may seek to recovery fees on certain special civil actions for as low as \$100.00. It is also important to note that county governments already submit annual audit reports to the Division of Local Government Services that include information on substantial lawsuits where there is a final settlement or judgment.

With this in mind, NJAC respectfully opposes S-1248 and urges the Committee to consider the long-term ramifications of this untimely legislation. Thank you for your time and consideration, and please do not hesitate to contact me at (609) 394-3467 with any questions or concerns.