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#002a

February 24, 2022



Administrative Director Glenn A. Grant
Administrative Office of the Courts

Attn: Rules Comments

P.O. Box 037

Trenton, New Jersey 08625-0037

Re: Comment on Proposed Amendments to:
Court Rule 2:6-10 Format of Briefs and Other Papers.

Dear Hon. Grant,

I am writing to comment on the Proposed amendment to Court Rule 2:6-10 regarding the Format of Briefs and Other Papers and the requirement for future filings to be on one side of the paper as the language that "Copy may be printed on both sides of the paper provided legibility is not impaired" - which has been the practice of the Courts for over 20 years.

I wanted to inform you of the great burden and cost this will put on the individuals incarcerated throughout the state of New Jersey.

Currently, inmates must pay .10 cents per page for copies, not per side, only the page, so when both sides are utilized the inmate only pays .10 cents. The cost for copies is already higher than that of the public rate of .5 cents for O.P.R.A. documents, now inmates will be forced to pay double for the cost of copies.

Further, the fact that only one side of the paper will be utilized will also put a higher cost of U.S. Postage to mail what will now be twice the amount of paper used.

I am an inmate paralegal in Northern State Prison and I am telling you this will have a significant impact upon inmates, an already vulnerable class and the most indigent. Inmates are the majority that will be affected by this change, not the big corporate firms with money to spend. As inmates being the most indigent and the higher costs that will be imposed upon us I am asking that the Court be reminded of our position in this matter and this proposed amendment should not be approved.

Moreover, the rule amendment goes a step further by also eliminating the "65 characters including spaces, each of no less than 10 pitch," to Times New Roman 14 font. This change will not afford inmates the ability to prepare comprehensive motions and/or briefs as inmates only have the ability to spend significant quiet time in their cell typing on their word processor and/or typewriter. Inmates that are afforded time in the prison law library is not the same because inmates have an average of one hour once or twice a week and that is with noise and people constantly bothering the individual trying to concentrate and work on their case.

New Jersey Department of Correction's does not afford inmates a computer or laptop like other facilities in other states that can produce a Times New Roman print and 14 font – NJ inmates only have access to obsolete and outdated word processing machines that they may possess in their cell, therefore, we should be afforded an exception to the new rule amendment.

My comment and suggestion is that if this rule amendment and changes are approved and implemented the Rules Committee should cure the matter by providing an exception for incarcerated individuals, where incarcerated individuals will still be provided the opportunity to utilize both sides of the paper for submissions to the Appellate Court, and 65 characters including spaces, each of no less than 10 pitch, with the 65 page limit still remaining as the page limit, as the reduction is only due to the Style & font change.

Incarcerated individuals are already on an uneven playing field, we don't have access to the law and research like prosecutors and should not be further penalized by making time and money an even a bigger disadvantage which will be more damaging – please protect the rights of incarcerated individuals and allow an exception to the noted changes above.

Thank you for your immediate attention in this matter.

Very truly yours,



Anthony DeFazio

c: File
Office of the Public Defender
ACLU