

ASSEMBLY, No. 317

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Co-Sponsored by:

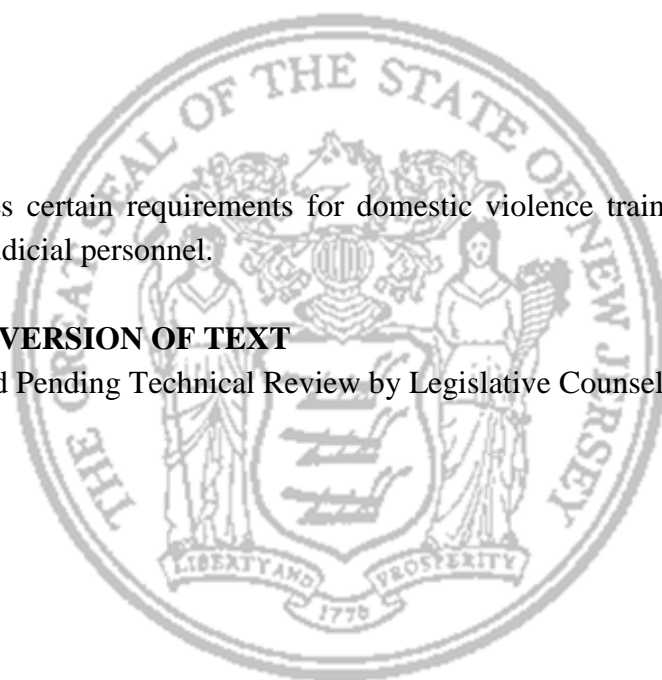
Assemblymen Lagana, Coughlin, Assemblywoman Schepisi, Assemblyman Johnson, Assemblywomen Mosquera, Muoio, Caride and Assemblyman Schaer

SYNOPSIS

Establishes certain requirements for domestic violence training for certain judges and judicial personnel.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/13/2018)

1 AN ACT concerning domestic violence training for certain judges
2 and judicial personnel, and amending P.L.1991, c.261.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 4 of P.L.1991, c.261 (C.2C:25-20) is amended to
8 read as follows:

9 4. a. (1) The Division of Criminal Justice shall develop and
10 approve a training course and curriculum on the handling,
11 investigation and response procedures concerning reports of
12 domestic violence and abuse and neglect of the elderly and
13 disabled. This training course and curriculum shall be reviewed at
14 least every two years and modified by the Division of Criminal
15 Justice from time to time as need may require. The Division of
16 Criminal Justice shall distribute the curriculum to all local police
17 agencies.

18 (2) The Attorney General shall be responsible for ensuring that
19 all law enforcement officers attend initial training within 90 days of
20 appointment or transfer and annual **[inservice]** in-service training
21 of at least four hours as described in this section.

22 b. (1) The Administrative **[Office]** Director of the Courts shall
23 develop and approve a training course and a curriculum for all
24 municipal court judges, Superior Court judges responsible for the
25 adjudication of domestic violence matters, and judicial personnel
26 **[on the handling, investigation and response procedures concerning**
27 **allegations of domestic violence. This training course]** involved
28 with the intake and processing of domestic violence complaints.
29 All judges and judicial personnel identified in this section shall
30 participate in core training regarding issues such as the dynamics of
31 domestic violence, the impact of domestic violence on children,
32 trauma-informed danger assessments, batterer intervention and
33 anger management programs, and domestic violence risk factors
34 and lethality. In addition, municipal court judges shall receive
35 specific training related to the issuance of temporary restraining
36 orders in emergent situations. Superior Court judges responsible for
37 the adjudication of domestic violence matters shall receive
38 supplemental training related to the issuance and enforcement of
39 temporary and final restraining orders, including factors considered
40 when determining if a final restraining order should be issued, child
41 custody and parenting plans, the setting of child support,
42 distribution of property and ongoing housing expenses, and
43 counseling. The core curriculum and individualized training
44 programs shall be reviewed at least every two years and modified

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 by the Administrative **【Office】** Director of the Courts from time to
2 time as need may require.

3 (2) The Administrative Director of the Courts shall be
4 responsible for ensuring that all municipal court judges, Superior
5 Court judges responsible for the adjudication of domestic violence
6 matters, and judicial personnel involved with the intake and
7 processing of domestic violence complaints attend initial training
8 within 90 days of appointment or transfer and annual **【inservice】**
9 in-service training as described in this section.

10 (3) The **【Division of Criminal Justice】** Attorney General and the
11 Administrative **【Office】** Director of the Courts shall provide that all
12 training on the handling of domestic violence matters shall include
13 information concerning the impact of domestic violence on society,
14 the dynamics of domestic violence, the statutory and case law
15 concerning domestic violence, the necessary elements of a
16 protection order, policies and procedures as promulgated or ordered
17 by the Attorney General or the Supreme Court, and the use of
18 available community resources, support services, available
19 sanctions and treatment options.

20 Law enforcement agencies shall: (1) establish domestic crisis
21 teams or participate in established domestic crisis teams, and (2)
22 shall train individual officers in methods of dealing with domestic
23 violence and neglect and abuse of the elderly and disabled. The
24 teams may include social workers, clergy or other persons trained in
25 counseling, crisis intervention or in the treatment of domestic
26 violence and neglect and abuse of the elderly and disabled victims.
27 (cf: P.L.1999, c.433, s.1)

28
29 2. This act shall take effect immediately.
30
31

32 STATEMENT

33
34 This bill establishes certain training requirements for certain
35 judges and judicial personnel concerning domestic violence.

36 Currently, section 4 of P.L.1991, c.261 (C.2C:25-20) requires all
37 judges and judicial personnel to attend initial domestic violence
38 training within 90 days of appointment or transfer and to attend
39 annual in-service training.

40 The bill directs the Administrative Director of the Courts to
41 develop and approve a training course and a curriculum for all
42 municipal court judges, Superior Court judges responsible for the
43 adjudication of domestic violence matters, and judicial personnel
44 involved with the intake and processing of domestic violence
45 complaints. The bill provides that all such judges and judicial
46 personnel would participate in core training regarding issues such
47 as the dynamics of domestic violence, the impact of domestic
48 violence on children, trauma-informed danger assessments, batterer

1 intervention and anger management programs, and domestic
2 violence risk factors and lethality.

3 In addition, municipal court judges would receive specific
4 training related to the issuance of temporary restraining orders in
5 emergent situations. The above-described Superior Court judges
6 would receive supplemental training related to the issuance and
7 enforcement of temporary and final restraining orders, including
8 factors considered when determining if a final restraining order
9 should be issued, child custody and parenting plans, the setting of
10 child support, distribution of property and ongoing housing
11 expenses, and counseling. The core curriculum and individualized
12 training programs would be reviewed at least every two years and
13 modified by the Administrative Director of the Courts from time to
14 time as need may require.

15 This bill embodies Recommendation 12 of the Report of the
16 Supreme Court Ad Hoc Committee on Domestic Violence issued
17 June 2016.