

ASSEMBLY, No. 4840

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 15, 2019

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Provides for advocate in criminal cases concerning welfare or care of cat or dog.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain advocates and supplementing Title 2A
2 of the New Jersey Statutes.

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

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7 1. a. In any criminal court proceeding pursuant to R.S.4:22-17
8 et seq. or pursuant to P.L.2015, c.85 (C.2C:33-31), or any other
9 criminal proceeding that affects the welfare or care of a cat or dog,
10 the court may order, upon its own initiative or upon request of a
11 party or counsel for a party, that a separate advocate be appointed to
12 represent the best interests of the animal. If a court orders an
13 advocate to be appointed, the advocate shall be appointed from a
14 list provided to the court by the Administrative Director of the
15 Courts. A decision by the court denying a request to appoint a
16 separate advocate to represent the best interests of the animal shall
17 not be subject to appeal.

18 b. The advocate may: (1) monitor the case; (2) attend hearings;
19 (3) consult any individual with information relating to the welfare
20 or care of the cat or dog; (4) review relevant records concerning the
21 condition of the animal and the defendant's actions, including, but
22 not limited to, records from certified animal control officers,
23 veterinarians and police officers; and (5) present information or
24 recommendations to the court that relate to the best interests of the
25 animal.

26 c. The Administrative Director of the Courts shall maintain a
27 list of attorneys with knowledge of animal issues and the legal
28 system and a list of law schools that have students with an interest
29 in animal issues and the legal system. Such attorneys and law
30 students shall be eligible to serve on a voluntary basis as advocates
31 under this section. The provisions of R.1:21-3 of the Rules of Court
32 shall govern a law student's participation as an advocate under this
33 section.

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35 2. This act shall take effect immediately.

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STATEMENT

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40 This bill would authorize the court to appoint an advocate in
41 certain criminal cases that affect the welfare or care of a cat or dog.

42 In certain criminal court proceedings pursuant to R.S.4:22-17 et
43 seq.(Cruelty) or to P.L.2015, c.85 (C.2C:33-31) (Dog Fighting), or
44 in any other criminal proceeding regarding the welfare or custody
45 of a cat or dog, the court may order, upon its own initiative or upon
46 request of a party or counsel for a party, that a separate advocate be
47 appointed to represent the best interests of the animal. The court
48 will select an advocate from a list provided to the court by the

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1 Administrative Director of the Courts. This list will contain names
2 of attorneys with knowledge of animal issues and the legal system
3 and a list of law schools that have students with an interest in
4 animal issues and the legal system. All attorneys and law students
5 will be eligible to serve on a volunteer basis.

6 The advocate may have the following duties: (1) monitor the
7 case; (2) attend hearings; (3) consult any individual with
8 information relating to the welfare or care of the cat or dog; (4)
9 review records relating to the condition of the cat or dog and the
10 defendant's actions; and (5) present information or
11 recommendations to the court that relate to the best interests of the
12 animal.

13 This bill is modeled on Connecticut's "Desmond's Law."