

ASSEMBLY, No. 2436

STATE OF NEW JERSEY

INTRODUCED OCTOBER 21, 1996

By Assemblymen COHEN and LANCE

1 AN ACT concerning legal services and amending P.L.1996, c.52.

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

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6 1. Section 6 of P.L.1996, c.52 (22A:2-51) is amended to read as  
7 follows:

8 6.a. An amount equal to **[95]** 91 percent of the increase in fees  
9 collected pursuant to the provisions of P.L.1996, c.52 (C.22A:2-51 et  
10 al.) shall be annually appropriated to the Department of Community  
11 Affairs for the provision to the poor of legal assistance in civil matters  
12 by Legal Services of New Jersey and to the Judiciary to fund 10  
13 Superior Court judgeships, to supplement other funds appropriated  
14 from any other source in a fiscal year for these purposes. An  
15 appropriation pursuant to this section shall not be used to replace  
16 appropriations from other sources for these purposes.

17 b. An amount equal to 5 percent of the increase in fees collected  
18 pursuant to the provisions of P.L.1996, c.52 (C.22A:2-51 et al.) shall  
19 be annually appropriated to the Department of State, Higher  
20 Educational Services, to be allocated equally among Rutgers-Newark  
21 Law School, Rutgers-Camden Law School and Seton Hall Law School  
22 for clinical programs which provide free legal representation to the  
23 poor, to supplement other funds appropriated from any other source  
24 in a fiscal year for these purposes. An appropriation pursuant to this  
25 section shall not be used to replace appropriations from other sources  
26 for these purposes.

27 c. An amount equal to 4 percent of the increase in fees collected  
28 pursuant to the provisions of P.L.1996, c.52 (C.22A:2-51 et al.) shall  
29 be annually appropriated to the Department of Community Affairs for  
30 the provision of legal assistance to the elderly and disabled by the  
31 Community Health Law Project.

32 d. There is created in the Department of the Treasury a non-  
33 lapsing, revolving fund into which the Treasurer shall deposit annually  
34 an amount equal to the revenue derived from the increase in the fees

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

**Matter underlined thus is new matter.**

1 collected pursuant to P.L.1996, c.52 (C.22A:2-51 et al.). Interest and  
2 other income earned on moneys deposited into this fund shall be  
3 credited to the fund. Moneys in the fund shall be appropriated and  
4 distributed annually exclusively for the purposes set forth in  
5 subsections a. and b. of this section. The State Treasurer shall have  
6 performed an audit of this fund biennially following the effective date  
7 of P.L.1996, c .52 (C.22A:2-51) and the results of the audit shall be  
8 included in the report required pursuant to subsection d. of this  
9 section.

10 [d]e. The State Treasurer shall submit an annual report to the  
11 Legislature on the use of the fees collected pursuant to P.L.1996 , c.52  
12 (C.22A:2-51 et al.) and deposited into the fund created pursuant to  
13 subsection c. of this section. The report shall be submitted to the  
14 President of the Senate and Speaker of the General Assembly, and the  
15 Senate Budget and Appropriations Committee, Assembly  
16 Appropriations Committee, Senate Judiciary Committee and Assembly  
17 Judiciary Committee, or their successors.  
18 (cf: P.L.1996, c.52, s.6)

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20 2. There is appropriated \$400,000 from the General Fund to the  
21 Department of Health and Senior Services for the provision of legal  
22 services to the elderly and the disabled through the Community Health  
23 Law Project.

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25 3. This act shall take effect immediately.

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#### STATEMENT

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30 This bill would provide use a portion of the recently increased civil  
31 court filing fees to provide funding to the Community Health Law  
32 Project which provides legal services to the elderly and disabled. The  
33 anticipated funding would replace a loss of about \$400,000 per year  
34 in federal funding.

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39 Provides funding for Community Health Law Project.