

§§1,2
C. 2A:34-23.2
&
2A:34-23.3

P.L. 1997, CHAPTER 300, *approved January 8, 1998*
Assembly, No. 73 (*First Reprint*)

1 **AN ACT** concerning sanctions against parties who violate visitation
2 orders and supplementing Title 2A 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. The Legislature finds and declares that:

8 a. There has been an increase in the filings of dissolutions of
9 marriages in the recent years; and

10 b. The best interests of the children of these marriages in
11 maintaining close relationships with both parents regardless of which
12 parent has the physical custody of the child is paramount; and

13 c. Proceeding criminally in cases where the terms of an order of
14 visitation with a child has failed to be honored may be both difficult
15 and inappropriate; and

16 d. Bolstering the statutory civil remedies available to a judge
17 hearing these types of matters may provide an indication of legislative
18 intent to promote the enforcement of these matters.

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20 2. A judge who sanctions a party for failure to comply with an
21 order of visitation shall have these remedies available:

22 a. The awarding of counsel fees of the aggrieved party against the
23 party who violated the terms of the order;

24 b. Community service;

25 c. The awarding of compensatory time for the time with the child
26 for which the party was deprived; ¹[and]¹

27 d. ¹The awarding of monetary compensation for additional costs
28 incurred when a parent fails to appear for scheduled visitation; and

29 e.¹ Other economic sanctions which may be decided on a
30 case-by-case basis ¹[to compensate either party for costs incurred
31 based on the circumstances]¹.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AJU committee amendments adopted May 20, 1996.

1 3. This act shall take effect immediately.

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6 Provides sanctions for parties who fail to comply with a visitation
7 order.