

**SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE**

STATEMENT TO

SENATE, No. 65

STATE OF NEW JERSEY

DATED: JANUARY 22, 1996

The Senate Women's Issues, Children and Family Services favorably reports Senate Bill No. 65.

This bill would require the parties in a divorce action to file a parenting plan. The plan would specify the day-to-day care of the minor child, procedures for transporting the child from one parent to the other parent at the start and conclusion of visitation and notification procedures between the parents concerning visitation. The plan would include a schedule which would specify the time the minor child would spend with each parent on a weekly basis, including, but not limited to, special occasions, religious and secular holidays, birthdays and vacations. The plan would also specify how major decisions would be made among the parents concerning the minor child's education, health care and religious upbringing. In addition, the plan would authorize emergency medical procedures in situations affecting the immediate health of the child.

The bill would require each party to file a parenting plan within 75 days after service of the complaint for divorce. After each party has filed an individual plan, the bill would require the parties within 45 days to file a mutually agreed upon plan, except where a temporary or final restraining order has been issued pursuant to the "Prevention of Domestic Violence Act," P.L.1991, c.261 (C.2C:25-17 et seq.). If a mutually agreed plan cannot be achieved, the parties would be referred to mediation. If the parties are unable to reach an agreement through mediation, then the matter would be referred to the court for disposition.

The bill would also authorize the court to modify or suspend a parenting plan when an allegation of domestic violence has been proven or if adherence to the plan would not be in the best interest of the child. In addition, the bill would require the court to make available to each party a "parenting plan kit" which would include a sample parenting plan.

This bill embodies recommendation number 3 of the report of the Commission to Study the Law of Divorce, issued April 18, 1995.

This bill was prefiled for introduction in the 1996-1997 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.