

SENATE, No. 1378

STATE OF NEW JERSEY

INTRODUCED JUNE 24, 1996

By Senators MATHEUSSEN and ZANE

1 AN ACT creating a pilot program concerning education and counseling
2 for certain persons seeking divorces, supplementing Title 2B of the
3 New Jersey Statutes and making an appropriation.

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

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8 1. The Legislature finds and declares that:

9 a. The number of divorces granted in this State indicates the
10 importance of examining alternative processes that may provide
11 assistance to persons and the children of persons who are divorcing;

12 b. Particular attention should be paid to the children of divorcing
13 persons as they may be affected in light of the possible consequences
14 of domestic relations disputes and the adversarial nature of the divorce
15 process;

16 c. Providing assistance to divorcing persons and the children of
17 divorcing persons will require cooperation on the part of the public
18 and private agencies involved including the judiciary, service
19 providers, family court mediators, child advocates, representatives of
20 the family court, the local bar associations and other concerned
21 parties; and

22 d. Conducting a pilot program in one vicinage which requires the
23 attendance of persons seeking divorce and attendance of their children
24 for information, education, counseling and support through group
25 interaction with experienced facilitators prior to the granting of a
26 divorce will provide information as to the feasibility of implementing
27 this program and other related programs on a Statewide basis.

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29 2. a. A five-year pilot program shall be established in the
30 Gloucester, Cumberland and Salem vicinage in this State which shall
31 require completion of a special program for persons who have children
32 who are seeking a divorce. The program shall provide information,
33 education, counseling and support through group interaction with
34 family court mediators and experienced facilitators for both parents
35 and children.

36 b. (1) Attendance at the program shall be mandatory for all
37 persons when there is a child of the marriage less than 17 and 1/2

1 years of age. The minimum requirement shall include completion of
2 four hours of the program for which a certificate of completion will be
3 given before the granting of the divorce. The certificate shall be a
4 necessary document filed with the judgment of divorce.

5 (2) Attendance at the program may be ordered by the judge for
6 persons who are not seeking a divorce but are resolving issues related
7 to child custody or visitation.

8 c. On the motion of either party to the divorce action or on the
9 motion of the court, the parties may be ordered to complete additional
10 programs that may be available in the vicinage prior to the granting of
11 the divorce.

12 d. If either party to the divorce action chooses to attend additional
13 programs with the approval of the court, that party is responsible for
14 the cost of those programs which are not court-ordered.

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16 3. Rules and regulations governing the pilot program and the
17 content of the program itself shall be developed by the presiding judge
18 of the Family Part in the selected vicinage, a family court mediator and
19 two qualified representatives from a nonprofit agency in the vicinage
20 that advocates for children, all of whom shall be named by the
21 presiding judge of the Family Part, with the approval of the assignment
22 judge. At a minimum, the program developed pursuant to this act
23 shall provide for three types of groups for the special program: a
24 group for parents, a group for adolescents and a group for younger
25 children.

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27 4. The Administrative Office of the Courts shall monitor and report
28 to the Legislature after the mandatory program has been in effect for
29 at least 24 months and shall include recommendations as to the
30 expansion or continuation of the pilot program. This report shall
31 include an evaluation of the effectiveness of the pilot program as may
32 be determined by information supplied by the program participants.
33 The evaluation shall include information about the continuing use of
34 the courts by persons completing the pilot program based on the
35 number of motions filed subsequent to completion of the pilot
36 program. The evaluation shall include information on the number of
37 times persons completing the program have returned to the non-profit
38 agency for additional assistance subsequent to completion of the pilot
39 program.

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41 5. There is appropriated from the General Fund to the
42 Administrative Office of the Courts the amount of \$1,250,000.00 for
43 the operation of this five-year pilot program.

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45 6. This act shall take effect immediately and shall expire five years
46 after the date of enactment.

STATEMENT

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3 This bill establishes a pilot program of five years' duration in the
4 Gloucester, Cumberland and Salem vicinage. The program would
5 mandate parties seeking a divorce who have at least one child under
6 the age of 17 and 1/2 years to complete at least four hours of
7 attendance at a special program providing information, education,
8 counseling and support before a divorce is granted. A certificate of
9 completion will be required and must be filed with the final judgment
10 of divorce during the pendency of this pilot program. On the motion
11 of either party to the divorce action or on the motion of the court, the
12 parties may be ordered to complete additional programs. Parties are
13 free to complete additional programs of their own choosing but the
14 cost of those programs not ordered by the court shall be borne by the
15 parties. Persons who are not seeking a divorce but who have issues
16 to resolve concerning custody or visitation may be ordered to
17 complete the four-hour program.

18 The presiding judge of the Family Part in the selected vicinage, a
19 family court mediator and two qualified representatives from a
20 nonprofit agency that advocates for children, all of whom shall be
21 named by the presiding judge of the family part with the approval of
22 the assignment judge of the vicinage, shall develop rules and
23 regulations governing the pilot program and the content of the
24 program itself.

25 The Administrative Office of the Courts shall monitor and report to
26 the Legislature after the mandatory program has been in effect for at
27 least 24 months and shall include recommendations as to the expansion
28 or continuation of the pilot program. The evaluation shall include
29 information about the continuing use of the courts by parties in the
30 mandatory program. The sum of \$1,250,000.00 is appropriated to the
31 Administrative Office of the Courts for the operation of this program.

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36 Establishes a pilot program in one vicinage mandating completion of
37 a special program for persons with children seeking a divorce;
38 appropriates \$1,250,000.00 to AOC.