

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1417 and 1497**

with Senate Committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 17, 1997

The Senate Budget and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill Nos. 1417 and 1497 with amendments.

As amended, this bill establishes the "Parents Education Program," a mandatory education program to be administered by the Administrative Office of the Courts. The program would assist and advise parents considering divorce, separated parents and divorced parents on issues concerning divorce, separation and custody and to provide the parties with a better understanding of the legal process, costs and financial responsibilities both parties would most likely face during the divorce process. The bill requires each party to complete the program prior to entry of judgment in an action for divorce, nullity or separate maintenance. Failure of a party to participate in the program would be considered as a factor by the court in making any custody and visitation determinations.

The bill creates a nine member advisory committee, consisting of professionals in the area of divorce, to develop a specific curriculum, determine the program length, establish guidelines and qualifications for the program moderators, and develop any other necessary program requirements. The committee would report its findings to the Administrative Office of the Courts, which in turn would use these recommendations in developing the mandatory education program.

This bill would codify recommendation number 2 of the report of the Commission to Study the Law of Divorce, issued April 18, 1995.

COMMITTEE AMENDMENTS

The committee amended the bill to: (1) make it effective on July 1, 1998, subject to funding made available in the Fiscal Year 1999 annual appropriations act for the implementation of the program; and (2) to exclude from the immunity granted to program representatives damage caused by the fraudulent actions of the representatives. In addition, the committee amended the bill to make technical corrections.

FISCAL IMPACT

In a fiscal note prepared by the Office of Legislative Services (OLS) on a similar Assembly bill, the OLS concurred with the Administrative Office of the Courts' estimate that the cost of two program representatives, as required by the bill, plus one clerical person for each county would total about \$3.2 million for salaries, fringe benefits and overhead for the first year following implementation.