

# ASSEMBLY WOMEN AND CHILDREN COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 1736

# STATE OF NEW JERSEY

DATED: MARCH 15, 2021

The Assembly Women and Children Committee reports favorably Assembly Bill No. 1736.

This bill provides that the victim of an act of domestic violence and the abuser will be advised of any programs or services available for counseling for any minor children who were either physically present at the time of the alleged act of domestic violence or who may have seen or heard the alleged act of domestic violence set forth in the complaint.

Current law provides that pursuant to section 1 of P.L.1991, c.261 (C.2C:25-28), once a domestic violence complaint is filed, the victim and the abuser should be advised of any programs or services available for advice and counseling. The statute does not require that the victim and the abuser be advised of specific services available for counseling for any minor children who were either physically present at the time of the alleged act of domestic violence or who may have seen or heard the alleged act of domestic violence

The bill also provides that the court consider a request by a custodial parent who has been subjected to domestic violence by a person with parenting time rights to a child in the parent's custody for an investigation or evaluation to assess the risk of harm to the child prior to entering a parenting time order. Currently, the provisions of section 2 of P.L.1991, c.261 (C.2C:25-29) specify that the investigation or evaluation would be conducted by an appropriate agency.

Once a final hearing is held pursuant to section 2 of P.L.1991, c.261 (C.2C:25-29), the court may issue an order granting any relief including, but not limited to, restraining the defendant in a domestic violence matter from subjecting the victim to domestic violence, requiring the defendant to pay to the victim monetary compensation for losses suffered as a result of the domestic violence, and restraining the defendant from making contact with the plaintiff and others. The bill expands the list of relief that the court may order to include requiring the defendant to undergo a psychological evaluation and requiring counseling for any minor children who were either physically present at the time of the act of domestic violence or who may have seen or heard the act of domestic violence.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.