

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 384

STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 30, 2021

SUMMARY

- Synopsis:** Establishes certain requirements for domestic violence training for certain judges, judicial personnel, and law enforcement.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Department of Law and Public Safety; The Judiciary.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Indeterminate

- The Office of Legislative Services (OLS) projects that this bill could result in an increase in State expenditures to implement the requirements on training for judges and judicial personnel, as well as for law enforcement agencies on the handling of domestic violence matters to include such topics as the impact of trauma on survivors, high risk indicators for potential lethality, and the impact of racial bias and discrimination on survivors and communities. However, the OLS notes that some or all components of this training requirement may have already been implemented by the Judiciary and the Department of Law and Public Safety. It is unclear if the revised requirement would have a fiscal impact.

BILL DESCRIPTION

This bill establishes certain training requirements for certain judges, judicial personnel, and law enforcement concerning domestic violence.

Current State law requires all judges and judicial personnel to attend initial domestic violence training within 90 days of appointment or transfer and to attend annual in-service training.

The bill directs the Administrative Director of the Courts to develop and approve a training course and a curriculum for all municipal court judges, Superior Court judges responsible for the adjudication of domestic violence matters, and judicial personnel involved with the intake and

processing of domestic violence complaints. The bill provides that all such judges and judicial personnel would participate in core training regarding issues such as the dynamics of domestic violence, the impact of domestic violence on children, trauma-informed danger assessments, batterer intervention, and domestic violence risk factors and lethality.

In addition, municipal court judges would receive specific training related to the issuance of temporary restraining orders in emergent situations. The above-described Superior Court judges would receive supplemental training related to the issuance and enforcement of temporary and final restraining orders, including factors considered when determining if a final restraining order should be issued, child custody and parenting plans, the setting of child support, distribution of property and ongoing housing expenses, and counseling. The core curriculum and individualized training programs would be reviewed at least every two years and modified by the Administrative Director of the Courts from time to time as need may require.

This expanded training program would continue to be administered within 90 days of the judge's or judicial personnel's appointment or transfer and then annually.

For the judges and judicial personnel, as well as for law enforcement agencies, training on the handling of domestic violence matters would also be revised to include such topics as the impact of trauma on survivors, high risk indicators for potential lethality, and the impact of racial bias and discrimination on survivors and communities.

This bill embodies Recommendation 12 of the Report of the Supreme Court Ad Hoc Committee on Domestic Violence, issued June 2016.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS projects that this bill could result in an increase in State expenditures to implement the requirements on training for judges and judicial personnel, as well as for law enforcement agencies on the handling of domestic violence matters to include such topics as the impact of trauma on survivors, high risk indicators for potential lethality, and the impact of racial bias and discrimination on survivors and communities. However, the OLS notes that some or all components of this training requirement may have already been implemented by the Judiciary and the Department of Law and Public Safety. It is unclear if the revised requirement would have a fiscal impact.

In response to another bill, A-317 of the 2018 session, also implementing Recommendation 12 of the Report of the Supreme Court Ad Hoc Committee on Domestic Violence issued June 2016, the Administrative Office of the Courts (AOC) noted that upon review of the existing domestic violence training curriculum administered by the Judiciary's Judicial Education and Performance Unit and the Organizational Development and Training Unit, all aspects of the domestic violence training specified in the proposed bill are currently being provided to all Superior Court judges, Municipal Court judges and all Judiciary staff responsible for adjudicating domestic violence matters (including intake and processing of domestic violence complaints). In addition, the Judiciary's current domestic violence training for Superior Court judges, Municipal Court judges and Judiciary staff responsible for the intake, processing and adjudication of domestic violence

complaints are provided within the timeframes specified in the bill. As a result, the Judiciary did not anticipate the bill will have any impact on revenue or expenditures.

Under this bill, for the judges and judicial personnel, as well as for law enforcement agencies, training on the handling of domestic violence matters would also be revised to include such topics as the impact of trauma on survivors, high risk indicators for potential lethality, and the impact of racial bias and discrimination on survivors and communities. According to the Department of Law and Public Safety, N.J.S.A. 2C:25-20 requires annual in-service training of at least four hours on domestic violence. Officers transferring to a new agency must receive training within 90 days from the date of transfer. Initial training now occurs as part of the Basic Course for Police Officers.

The OLS does not have sufficient information on the costs associated with this requirement or if some or all of these requirements are being met via different training programs.

Section: Judiciary

Analyst: Anuja Pande Joshi
Associate Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).