

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 384

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 21, 2021

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 384.

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

Currently, section 4 of P.L.1991, c.261 (C.2C:25-20) 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.

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.

The committee amendments to the bill:

- eliminate the inclusion of information on anger management programs as part of the training for judges and judicial personnel;
- expand the topics covered for training on handling domestic violence matters provided to judges, judicial personnel, and law enforcement agencies as described in the statement above; and
- revised the bill's title and synopsis to better reflect the provisions in the bill, as updated by the committee amendments.