

2A:163-4

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:163-4 (Criminal eases involving children--
ensure prompt disposition by courts)

CHAPTER 148

Laws Of: 1987

Bill No: A1940

Sponsor(s): Foy and Kalik

Date Introduced: February 10, 1986

Committee: **Assembly:** Law, Public Safety, Defense and Corrections

Senate: Judiciary

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: **Assembly:** December 8, 1986

Senate: May 11, 1987

Date of Approval: June 24, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 1940

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 10, 1986

By Assemblyman FOY and Assemblywoman KALIK

AN ACT concerning the expediting of criminal matters involving children and supplementing Title 2A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. As used in this act:

2 a. "Child" means a person ***[less than 18]*** **13** years of age
3 **or younger** at the time a crime was committed against the child
4 ***[or which was witnessed by the child]***.

5 b. "Victim" means a child who suffers personal, physical, or
6 psychological injury as a result of a crime committed against that
7 child.

8 ***[c. "Witness" means a child who testifies in any capacity at any**
9 **proceeding related to the alleged commission of a crime.]***

1 2. In all criminal cases involving a child victim ***[or witness]***,
2 the court ***[and the prosecutor]*** shall take appropriate action to
3 ensure a speedy trial in order to minimize the length of time the
4 child must endure the stress of involvement in the proceedings. In
5 ruling on any motion or other request for a delay or continuance of
6 proceedings, the court shall consider and give weight to any adverse
7 impact the delay or continuance may have on the well-being of a
8 child victim ***[or witness]***.

1 3. This act shall take effect immediately.

CRIME—INVESTIGATION, ARREST, PROSECUTION

Requires prompt disposition of criminal matter in which a child is a victim.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted November 10, 1986.**

STATEMENT

This bill requires the court and the prosecutor to ensure a prompt disposition of a criminal matter in which a child is a victim or will be appearing as a witness. This practice will lessen the stress of involvement for a child involved in proceedings and also provide assurance that the child's memory of the details will not fade over time.

This bill is one of several included in the Omnibus Child Protection package.

CRIME — INVESTIGATION, ARREST, PROSECUTION

Requires prompt disposition of a criminal matter in which a child is a victim or will be appearing as a witness.

ASSEMBLY LAW, PUBLIC SAFETY, DEFENSE AND
CORRECTIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1940

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1986

The Assembly Law, Public Safety, Defense and Corrections Committee favorably reports Assembly Bill No. 1940 with amendments.

As amended, Assembly Bill No. 1940 requires a court to take any appropriate action necessary to provide a speedy trial in a matter in which a child 13 years of age or younger is a victim. The bill provides that in a ruling on a motion or a request for a delay or continuance, the court shall consider and give weight to any adverse impact the delay may have on the well-being of the child.

According to the sponsor, this practice will lessen the stress for a child involved in court proceedings and also ensure that the child's memory of the details will not fade over a lengthy period of time.

The committee amended the bill to lower the age of the child to whom the bill would apply; to place the responsibility of ensuring a speedy trial solely on the court; and to omit any reference to child witnesses so that the bill would apply only to child victims.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1940

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STATE OF NEW JERSEY

DATED: APRIL 27, 1987

The Senate Judiciary Committee reports favorably Assembly Bill No. 1940 (OCR).

This bill requires a court to take any appropriate action necessary to provide a speedy trial in a matter in which a child 13 years of age or younger is a victim. The bill provides that in a ruling on a motion or a request for a delay or continuance, the court shall consider and give weight to any adverse impact the delay may have on the well-being of the child. According to the sponsor's statement, this practice will lessen the stress for a child involved in court proceedings and also ensure that the child's memory of the details will not fade over a lengthy period of time.

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OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

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Release: THUR., JUNE 25, 1987

Governor Thomas H. Kean today signed legislation requiring the courts to ensure speedy trials in cases involving child victims.

A-1940, sponsored by Assemblyman Thomas Foy, D-Burlington, is designed to minimize the length of time a child victim must endure the stress of involvement in trial proceedings. The court, in hearing any motion or other request for delay or continuance must consider and give weight to any adverse impact that delay or continuance may have on the well-being of a child victim.

The legislation is effective immediately.

Governor Kean also signed the following legislation:

A-1965, sponsored by Assemblyman Lisa Randall, R-Bergen, amends the Solid Waste Utility Control Act to increase the penalties assessed against solid waste collectors or disposers who violate the law.

The bill raises the penalty for a first offense from \$500 to \$1,000 for a second offense from \$1,000 to \$5,000 and for a third offense from not more than \$1,000 to not more than \$10,000.

The legislation is effective immediately.

AJR-34, sponsored by Assemblyman Frank Pelly, D-Middlesex, creates a commission to study the current means of transporting handicapped and special education children and to make recommendations to ensure the safe transportation of these children.

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