

2A:4-30.36 et al.

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:4-30.36 et al

(Support proceedings against out-of-state residents--county welfare agency responsible)

LAWS OF: 1985

CHAPTER: 87

Bill No: S1365

Sponsor(s): Russo

Date Introduced: February 27, 1984

Committee: Assembly: Corrections, Health and Human Services

Senate: County and Municipal Government

Amended during passage: No Substituted for A1666 (not attached since identical to S1365)

Date of Passage: Assembly: Feb. 25, 1985

Senate: Jul. 30, 1984

Date of Approval: March 26, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

SENATE, No. 1365

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1984

By Senator RUSSO

Referred to Committee on County and Municipal Government

AN ACT concerning support proceeding for or against persons residing in other states, territories or possessions of the United States and amending P. L. 1981, c. 243.

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

1 1. Section 13 of P. L. 1981, c. 243 (C. 2A:4-30.36) is amended
2 to read as follows:

3 13. Officials to represent obligee. If this State is acting as an
4 initiating State the county **[adjuster]** *welfare agency* upon the
5 request of the court shall represent the obligee in any proceeding
6 under this act.

1 2. Section 18 of P. L. 1981, c. 243 (C. 2A:4-30.41) is amended
2 to read as follows:

3 18. Duty of the court and officials of this State as responding
4 State. a. After the responding court receives copies of the com-
5 plaint, certificate and act from the initiating court, it shall docket
6 the case and notify the county **[adjuster]** *welfare agency* of its
7 action.

8 b. The county **[adjuster]** *welfare agency* shall prosecute the
9 case diligently. **[He]** *The agency* shall take all action necessary in
10 accordance with the laws of this State to enable the court to obtain
11 jurisdiction over the obligor or his property and shall request the
12 court to set a time and place for a hearing and give notice thereof
13 to the obligor in accordance with law.

1 3. Section 19 of P. L. 1981, c. 243 (C. 2A:4-30.42) is amended
2 to read as follows:

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.

3 19. Further duties of court and officials in the responding state.
 4 a. The county [adjuster] *welfare agency* on [his] *its* own initiative
 5 shall use all means at [his] *its* disposal to locate the obligor or his
 6 property, and if because of inaccuracies in the complaint or other-
 7 wise the court cannot obtain jurisdiction, the county [adjuster]
 8 *welfare agency* shall inform the court of what [he] *the agency* has
 9 done and request the court to continue the case pending receipt of
 10 more accurate information or an amended complaint from the
 11 initiating court.

12 b. If the obligor or his property is not found in the county, and
 13 the county [adjuster] *welfare agency* discovers that the obligor
 14 or his property may be found in another county of this State or in
 15 another state [he] *the agency* shall so inform the court. Thereupon
 16 the clerk of the court shall forward the documents received from
 17 the court in the initiating state to a court in the other county or
 18 to a court in the other state or to the information agency or other
 19 proper official of the other state with a request that the documents
 20 be forwarded to the proper court. All powers and duties provided
 21 by this act apply to the recipient of the documents so forwarded.
 22 If the clerk of a court of this State forwards documents to another
 23 court he shall forthwith notify the initiating court.

24 c. If the county [adjuster] *welfare agency* has information as
 25 to the location of the obligor or his property [he] *the agency* shall
 26 so inform the initiating court.

1 4. Section 23 of P. L. 1981, c. 243 (C. 2A:4-30.46) is amended
 2 to read as follows:

3 23. Order of support. If the responding court finds a duty of
 4 support it may order the obligor to furnish support or reimburse-
 5 ment therefor and subject the property of the obligor to the order.
 6 Support orders made pursuant to this act shall require that pay-
 7 ments be made to the probation department of the court of the
 8 responding state. The court and county [adjuster] *welfare agency*
 9 of any county in which the obligor is present or has property have
 10 the same powers and duties to enforce the order as have those of
 11 the county in which it was first issued. If enforcement is impossible
 12 or cannot be completed in the county in which the order was issued,
 13 the county [adjuster] *welfare agency* shall send a certified copy of
 14 the order to the county [adjuster] *welfare agency* of any county
 15 in which it appears that proceedings to enforce the order would be
 16 effective. Before the county [adjuster] *welfare agency* transfers
 17 an order to any other county [adjuster] *welfare agency* for en-
 18 forcement, [he] *it* shall first obtain from the court an order per-
 19 mitting the transfer. The county [adjuster] *welfare agency* to

20 whom the certified copy of the order is forwarded shall proceed
 21 with enforcement and report the results of the proceedings to the
 22 court first issuing the order.

1 5. Section 36 of P. L. 1981, c. 243 (C. 2A:4-30.59) is amended
 2 to read as follows:

3 36. Official to present obligee. If this State is acting either as a
 4 rendering or a registering State the county **[adjuster]** *welfare*
 5 *agency* upon the request of the court shall represent the obligee in
 6 proceedings under this part.

1 6. Section 37 of P. L. 1981, c. 243 (C. 2A:4-30.60) is amended
 2 to read as follows:

3 37. Registration procedure; notice. a. An obligee seeking to
 4 register a foreign order in a court of this State shall transmit to
 5 the clerk of the court (1) three certified copies of the order with
 6 all modifications thereof, (2) one copy of the reciprocal enforcement
 7 of support act of the state in which the order was made, and (3)
 8 a statement verified and signed by the obligee, showing the post
 9 office address of the obligee, the last known place of residence and
 10 post office address of the obligor, the amount of support remaining
 11 unpaid, a description and the location of any property of the
 12 obligor available upon execution, and a list of the states in which
 13 the order is registered. Upon receipt of these documents the
 14 clerk of the court, without payment of a filing fee or other cost
 15 to the obligee, shall file them in the Registry of Foreign Support
 16 Orders. The filing constitutes registration under this act.

17 b. Promptly upon registration the clerk of the court shall send
 18 by certified or registered mail to the obligor at the address given
 19 a notice of the registration with a copy of the registered support
 20 order and the post office address of the obligee. He shall also docket
 21 the case and notify the county **[adjuster]** *welfare agency* of his
 22 action. The county **[adjuster]** *welfare agency* shall proceed dili-
 23 gently to enforce the order.

1 7. This act shall take effect 60 days after enactment.

STATEMENT

This bill shifts the obligation of handling U. S. D. L. hearings from the county adjuster to county welfare agencies. U. S. D. L. hearings are not related to the functions of the county adjusters office and more appropriately belong under the jurisdiction of the county welfare agencies.

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ASSEMBLY CORRECTIONS, HEALTH AND
HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1365

STATE OF NEW JERSEY

DATED: SEPTEMBER 20, 1984

This bill requires that the county welfare agency, rather than the county adjuster as currently provided by law, handle interstate child support petitions and proceedings. The county welfare agency has been designated as the "lead agency" under Title IV-D of the federal Social Security Act, the federal child support enforcement program, designed to assist custodial parents and dependent children in locating absent parents and enforcing child support orders. The county adjuster is not enforcing child support orders. The county adjuster is directly involved in child support matters.

This bill is identical to A-1666 (Ford), which was released by the committee on June 28, 1984 and is currently pending on the floor of the General Assembly.

The committee reported the bill favorably without amendments.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1365

STATE OF NEW JERSEY

DATED: JUNE 18, 1984

Senate Bill No. 1365 amends sections 13, 18, 19, 23, 36 and 37 of the "Revised Uniform Reciprocal Enforcement of Support Act," P. L. 1981, c. 243 (C. 2A:4-30.36, 2A:4-30.41, 2A:4-30.42, 2A:4-30.46, 2A:4-30.59 and 2A:4-30.60) to provide that the county welfare agency rather than the county adjuster be responsible for the handling of interstate child support petitions and proceedings.

BILL S-485, ET. AL.

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WEDNESDAY, MARCH 27, 1985

Other bills signed by the Governor are:

S-296, sponsored by Senator Wayne Dumont, R-Warren, which prohibits municipalities from assessing construction permit fees on the installation or alteration of solar energy heating or cooling systems.

S-1143, sponsored by Senator Wynona Lipman, D-Essex, to appropriate \$423,484 to provide one time State grants to loan agencies that are recipients of Federal Community Services block grants. The bill restricts the grants to those agencies whose funding cycle begins on October, November or December and requires them to move the starting date of their fiscal year to January 1.

S-1365, sponsored by Senator John Russo, D-Ocean, to provide that county welfare agencies shall handle interstate child support petitions and proceedings.

S-1923, sponsored by Senator Donald DiFrancesco, R-Union, to increase the membership of the State Board of Pharmacy from eight to nine members by adding another registered pharmacist.

S-1969, sponsored by Senator John Caufield, D-Essex, to increase the membership of the Fire Safety Commission from 19 to 20 members by adding a representative of the New Jersey State Association of Fire Districts.

S-2244, sponsored by Senator Thomas Cowan, D-Hudson, to change the date on which election officials may begin distributing absentee ballots from the 25th day prior to the primary or general election to the 40th day prior to those elections.

S-2518, sponsored by Senator John Russo, D-Ocean, to permit planning boards to grant for a period longer than two years the right to approve master plans for large commercial undertakings.

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