

2A:4A-20, 2A:4A-91

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:4A-20, 2A:4A-91 (Juvenile proceedings & Est. of Family Court --  
L.1982, c77- delay implementation)

LAWS OF: 1983

CHAPTER: 269

Bill No: A3284

Sponsor(s): Her man and others

Date Introduced: March 14, 1983

Committee: Assembly:

Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted  
by asterisks. Substituted for S3214  
(not attached since substantially  
similar to S3214)

Date of Passage: Assembly: April 11, 1983

Senate: June 20, 1983

Date of Approval: July 14, 1983

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Also attached: Senate  
amendments, adopted  
6-16-83 (with statement)

7-14-83

[SECOND OFFICIAL COPY REPRINT]

**ASSEMBLY, No. 3284****STATE OF NEW JERSEY**

INTRODUCED MARCH 14, 1983

By Assemblyman HERMAN, Assemblywoman PERUN, Assemblymen  
THOMPSON, KERN and SHUSTED

AN Act concerning juvenile proceedings and the establishment of the family court and amending P. L. 1982, c. 77, P. L. 1982, c. 78, P. L. 1982, c. 79, P. L. 1982, c. 80, P. L. 1982, c. 81 and P. L. 1982, c. 185.

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

1 1. Section 34 of P. L. 1982, c. 77 is amended to read as follows:

2 34. This act shall take effect on [September 1, 1983 but shall  
3 remain inoperative unless and until the following bills now pending  
4 before the Legislature as Assembly Bill No. 642, Assembly Bill  
5 No. 643, Assembly Bill No. 644, and Assembly Bill No. 645 are  
6 enacted into law] \**[January 1, 1984]*\* \**December 31, 1983*\*; pro-  
7 vided, however, that subsection c. of section 24 of this act shall  
8 expire 48 months following the effective date of this act.

1 \**[2. Section 14 of P. L. 1982, c. 78 (C. 2A:4A-9) is amended to*  
2 *read as follows:*

3 14. a. The State shall be responsible for the cost of the salary  
4 of the judges of the family court, provided that each county shall  
5 continue to be responsible for the cost of such salary until [the  
6 12 month period beginning January 1 and ending December 31  
7 immediately following the effective date of this act during which  
8 each county shall be responsible for 50% of such cost] *December 31,*  
9 *1984.*

10 b. In any county where the required number of family court  
11 judges set forth in section 4b. of this act is increased the county,  
12 so long as the increased number of judges in the family court in  
13 that county exists, the county shall be responsible for funding

**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 amendments adopted April 11, 1983.

\*\*—Senate amendments adopted June 16, 1983.

14 100% of the cost of any such position in the first year following  
 15 the date of increase; 75% in the second year; 50% in the third  
 16 year; 25% in the fourth year; and in the fifth year, the State shall  
 17 be responsible for the entire cost.]\*

1 \***[3.]**\* \*2.\* Section 17 of P. L. 1982, c. 78 is amended to read as  
 1A follows:

2 17. This act shall take effect on **[September 1, 1983,** but shall  
 3 remain inoperative unless and until the following bills now pending  
 4 before the Legislature as Assembly Bill No. 641, Assembly Bill  
 5 No. 643, Assembly Bill No. 644, and Assembly Bill No. 645 are  
 6 enacted into law] \***[January 1, 1984]**\* \*December 31, 1983\*,  
 7 except that any appointment, any confirmation of any appoint-  
 8 ment, and any action permitted or required by this act and neces-  
 9 sary to implement this act as of such date may be made or under-  
 10 taken prior to such date.

1 \***[4.]**\* \*3.\* Section 4 of P. L. 1982, c. 79 is amended to read as  
 1A follows:

2 4. This act shall take effect on **[September 1, 1983,** but shall  
 3 remain inoperative unless and until the following bills now pending  
 4 before the Legislature as Assembly Bill No. 641, Assembly Bill No.  
 5 642, Assembly Bill No. 644, and Assembly Bill No. 645 are enacted  
 6 into law] *December 31, 1983.*

1 \***[5.]**\* \*4.\* Section 18 of P. L. 1982, c. 80 is amended to read as  
 1A follows:

2 18. This act shall take effect on **[September 1, 1983,** but shall  
 3 remain inoperative unless and until the following bills now pending  
 4 before the Legislature as Assembly Bill No. 641, Assembly Bill  
 5 No. 642, Assembly Bill No. 643 and Assembly Bill No. 645 are  
 6 enacted into law] \***[January 1, 1984]**\* \*December 31, 1983\* *except*  
 7 *for section 17 which shall take effect immediately.*

1 \***[6.]**\* \*5.\* Section 16 of P. L. 1982, c. 80 (C. 2A:4A-91) is  
 2 amended to read as follows:

3 16. Youth services planning. **[Within 270 days of the enactment**  
 4 **of this act,]** *By September 1, 1983* the governing body of each  
 5 county, in conjunction with the county department or such other  
 6 persons designated by the county charged with responsibility for  
 7 planning for youth services, shall submit to the Commissioner of  
 8 the Department of Human Services a comprehensive plan for the  
 9 provision of community services and programs to meet the needs  
 10 of children under the jurisdiction of the Family Court and the  
 11 provisions of this act and which shall be developed within the  
 12 limits of fiscal and other resources available to the county.

13 a. The comprehensive plan shall include:

14 (1) A description of the various community resources currently

15 available within the county to provide programs and services to  
16 children under the jurisdiction of the court and this act;

17 (2) A description of county facilities for juveniles and the popu-  
18 lation they serve, including current rates of utilization of facilities  
19 based upon population;

20 (3) A detailed plan for providing increased programs and  
21 services including anticipated costs and a description and timetable  
22 for implementation. The plan shall specify what programs and  
23 services are to be provided, the target populations to be served,  
24 and which agencies are to provide services. The plan may involve  
25 provision of programs and services by the county, by an agreement  
26 with a State agency, by private organizations including volunteer  
27 groups, or by some specified combination of the above.

28 b. Programs and services provided to children and families shall  
29 be designed to meet the unique needs of juveniles under the juris-  
30 diction of the court and this act and shall be designed to strengthen  
31 families, consistent with the physical safety and mental well-being  
32 of the juvenile, and avoid, reduce, or provide alternatives to insti-  
33 tutional placements. Programs and services may include home  
34 detention projects, day treatment programs, juvenile family crises  
35 counseling team, Host Home projects, family support networks,  
36 truancy prevention programs, neighborhood multi-service centers  
37 and other community based alternative programs.

38 c. In determining whether to approve a comprehensive plan  
39 under this act, the commissioner shall consider whether the plan is  
40 designed to meet the needs of children and families under the  
41 jurisdiction of the court and this act whether the plan is consistent  
42 with the goals of family and community based treatment and  
43 whether implementation of the plan is feasible. Each county plan  
44 submitted to the commissioner shall be presumed valid provided  
45 that it is in substantial compliance with the provisions of this  
46 section. Where the commissioner fails to approve a county plan,  
47 the county may request a court hearing on that determination.

48 d. The governing body of each county, in conjunction with the  
49 county department or such other persons designated by the county  
50 charged with responsibility for youth services, shall establish a  
51 citizens advisory committee to assist the governing body in devel-  
52 opment of the comprehensive plan. The advisory committee shall  
53 consist of no less than 12 nor more than 20 members and shall be  
54 appointed by the governing body. The committee shall include  
55 representatives from among the judges assigned to the family part  
56 of the Superior Court for the county and of the county governing  
57 body, the county prosecutor or his designee, the district offices of  
58 the Division of Youth and Family Services, a wide range of public  
59 and private child and family organizations, including schools,

60 mental health, family counseling and other organizations, persons  
 61 involved in alternative projects and other individuals with interest  
 62 or experience in issues concerning children and families. Each com-  
 63 mittee shall, to the maximum extent feasible, represent the various  
 64 socioeconomic, racial and ethnic groups of the county in which it  
 65 serves.

66 e. Not less than 30 days prior to the submission of the compre-  
 67 hensive plan or any amendment thereto, to the commissioner for  
 68 approval, the governing body of the county shall give public notice  
 69 of its intention to submit a plan and shall make copies of the draft  
 70 plan available for public comment. The county shall implement the  
 71 comprehensive plan promptly upon approval by the commissioner.

72 f. The commissioner shall monitor the operations of the pro-  
 73 grams and services provided pursuant to this act. Monitoring shall  
 74 be limited to a determination as to whether each county is imple-  
 75 menting the county comprehensive plan.

76 g. Pursuant to the adoption of the comprehensive plan for youth  
 77 services, the governing body of each county, in conjunction with the  
 78 county department charged with the responsibility for youth ser-  
 79 vices and the citizens' advisory committee as established under  
 80 subsection d. of this section, shall submit a comprehensive plan for  
 81 youth services including a needs assessment and resource inventory  
 82 of youth services in the county to the commissioner for approval  
 83 every third year. Every effort shall be made to gain public involve-  
 84 ment in the development of a youth service plan for each county.

1 \***[7.]**\* \*6.\* Section 7 of P. L. 1982, c. 81 is amended to read as  
 1A follows:

2 7. This act shall take effect on **[September 1, 1983** but shall  
 3 remain inoperative unless and until the following bills now pending  
 4 before the Legislature as Assembly Bill No. 641, Assembly Bill  
 5 No. 642, Assembly Bill No. 643, and Assembly Bill No. 644 are  
 6 enacted into law] \***[January 1, 1984]**\* \*December 31, 1983\*.

1 \***[8.]**\* \*7.\* Section 5 of P. L. 1982, c. 185 is amended to read as  
 2 follows:

3 5. This act shall take effect immediately *except section 4 shall*  
 4 *take effect on* \***[January 1, 1984]**\* \*December 31, 1983\* and sec-  
 5 tions 1, 2 and 3 shall expire on **[September 1, 1983]** \***[January**  
 6 **1, 1984]**\* \*December 31, 1983\*.

1 \*\*8. Section 3 of P. L. 1983, c. 140 is amended to read as follows:

2 3. This act shall take effect immediately **[but]** *except section 2*  
 3 *shall take effect on December 31, 1983 and* section 1 shall expire on  
 4 **[September 1, 1983]** *December 31, 1983.*\*\*

1 \***[9.]**\* \*\***[8.]**\*\* \*9.\*\* This act shall take effect immediately.

60 mental health, family counseling and other organizations, persons  
 61 involved in alternative projects and other individuals with interest  
 62 or experience in issues concerning children and families. Each com-  
 63 mittee shall, to the maximum extent feasible, represent the various  
 64 socioeconomic, racial and ethnic groups of the county in which it  
 65 serves.

66 e. Not less than 30 days prior to the submission of the compre-  
 67 hensive plan or any amendment thereto, to the commissioner for  
 68 approval, the governing body of the county shall give public notice  
 69 of its intention to submit a plan and shall make copies of the draft  
 70 plan available for public comment. The county shall implement the  
 71 comprehensive plan promptly upon approval by the commissioner.

72 f. The commissioner shall monitor the operations of the pro-  
 73 grams and services provided pursuant to this act. Monitoring shall  
 74 be limited to a determination as to whether each county is imple-  
 75 menting the county comprehensive plan.

76 g. Pursuant to the adoption of the comprehensive plan for youth  
 77 services, the governing body of each county, in conjunction with the  
 78 county department charged with the responsibility for youth ser-  
 79 vices and the citizens' advisory committee as established under  
 80 subsection d. of this section, shall submit a comprehensive plan for  
 81 youth services including a needs assessment and resource inventory  
 82 of youth services in the county to the commissioner for approval  
 83 every third year. Every effort shall be made to gain public involve-  
 84 ment in the development of a youth service plan for each county.

1 7. Section 7 of P. L. 1982, c. 81 is amended to read as follows:

2 7. This act shall take effect on **【September 1, 1983 but shall**  
 3 remain inoperative unless and until the following bills now pending  
 4 before the Legislature as Assembly Bill No. 641, Assembly Bill  
 5 No. 642, Assembly Bill No. 643, and Assembly Bill No. 644 are  
 6 enacted into law**】 January 1, 1984.**

1 8. Section 5 of P. L. 1982, c. 185 is amended to read as follows:

3 5. This act shall take effect immediately *except section 4 shall*  
 4 *take effect on January 1, 1984* and sections 1, 2 and 3 shall expire  
 5 on **【September 1, 1983】 January 1, 1984.**

1 9. This act shall take effect immediately.

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#### STATEMENT

The recently enacted juvenile justice legislation, including the establishment of a county family court, is presently scheduled to take effect on September 1, 1983; however, a constitutional amendment which merges the present juvenile and domestic relations

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court and county district court into the Superior Court will be on the ballot in November, 1983. This merger would make the establishment of a county family court unnecessary. Therefore, this bill delays the implementation of the juvenile justice legislation until January 1, 1984. This legislation also extends the deadline for the completion of the comprehensive Youth Services Plans required by the "New Jersey Code of Juvenile Justice" and allows for the immediate distribution of funds which have been appropriated for this purpose.

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SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3284**

[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: APRIL 25, 1983

This bill delays the implementation of the juvenile justice legislation from September 1, 1983 to December 31, 1983, extends the deadline for the completion of the comprehensive Youth Services Plans required by the "New Jersey Juvenile Justice Code" and allows for the immediate distribution of funds which have been appropriated for these plans.

The reason for delaying the implementation date is that a constitutional amendment which merges the present juvenile and domestic relations court and the county district court into the Superior Court will be on the ballot in November, 1983. If the constitutional amendment is approved the Superior Court merger would make the establishment of a county family court (as the juvenile justice legislation requires), unnecessary.

This bill is identical to Senate Bill No. 3214 OCR.



JUN 16 1983

R-37

Senate

~~Floor~~

Amendments

*by Senator Ewing*

to

Assembly Bill No. 3284

By: Senator Lynch Ewing  
May 23, 1983

(O.C.R.)

Sec. Line

7 6

After line 6 insert new section 8 as follows:

"8. Section 3 of P.L.1983,c.140 is amended to read as follows:

3. This act shall take effect immediately ~~but~~ section 1 shall expire on ~~September 1, 1983~~ <sup>December 31, 1983</sup>

*ch 2 shall  
of December 31, 1983*

8 1

Omit "8." Insert "9."

STATEMENT

The effective date of recently enacted P.L.1983,c. 140 which authorized the appointment of a juvenile and domestic relations court judge in Somerset County reflected that the juvenile justice legislation would take effect on September 1, 1983. This amendment would change the effective date of P.L.1983,c.140 to reflect a December 31<sup>1983</sup> effective date for the juvenile justice legislation.