

2B:8-1

**LEGISLATIVE HISTORY CHECKLIST**  
Compiled by the NJ State Law Library

(Interpreter--witnesses)

**NJSA:** 2B:8-1  
**LAWS OF:** 1995 **CHAPTER:** 98  
**BILL NO:** A817  
**SPONSOR(S):** Cottrell and Malone  
**DATE INTRODUCED:** Pre-filed  
**COMMITTEE:** **ASSEMBLY:** Judiciary  
**SENATE:** Judiciary  
**AMENDED DURING PASSAGE:** No  
**DATE OF PASSAGE:** **ASSEMBLY:** January 27, 1994  
**SENATE:** March 30, 1995  
**DATE OF APPROVAL:** May 9, 1995

**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  
**FOLLOWING WERE PRINTED:**  
**REPORTS:** No  
**HEARINGS:** No

See newspaper clippings--attached:  
"New law...coverage," 5-10-95, Star Ledger.

KBG:pp

P.L.1995, CHAPTER 98, approved May 9, 1995  
1994 Assembly No. 817

1 AN ACT concerning the provision of interpreting services.  
2 amending N.J.S.2B:8-1 and P.L.1985, c.404.

3  
4 BE IT ENACTED by the Senate and General Assembly of the  
5 State of New Jersey:

6 1. N.J.S.2B:8-1 is amended to read as follows:

7 2B:8-1. Interpreters. Each county shall provide interpreting  
8 services necessary for cases from that county in the Law Division  
9 and the Family Part of the Chancery Division. A county may  
10 provide interpreting services through the use of persons hired for  
11 that purpose. If interpreters are employed, they shall be  
12 appointed and shall perform their duties in the manner  
13 established by the Chief Justice, and shall serve at the pleasure  
14 of the appointing authority. For the purpose of determining their  
15 compensation, these employees shall be considered county  
16 employees.

17 As used in this section "interpreting services" shall include the  
18 provision of services to assist a developmentally disabled person,  
19 as that term is defined in section 3 of P.L.1977, c.82 (C.30:8D-3),  
20 and to assist a hearing-impaired person to understand questions  
21 and to frame and express answers in a criminal proceeding;  
22 provided that the person is not otherwise disqualified as a witness.  
23 (cf: P.L.1991, c.119, s.1)

24 2. Section 6 of P.L.1985, c.404(C.52:4B-44) is amended to read  
25 as follows:

26 6. a. The Attorney General shall, through the Office of  
27 Victim-Witness Advocacy in the Division of Criminal Justice in  
28 the Department of Law and Public Safety and in consultation  
29 with the county prosecutors, promulgate standards for law  
30 enforcement agencies to ensure that the rights of crime victims  
31 are enforced.

32 b. The standards shall require that the Office of  
33 Victim-Witness Advocacy in the Division of Criminal Justice and  
34 each county prosecutor's office provide the following services  
35 upon request for victims and witnesses involved in the  
36 prosecution of a case:

37 (1) Orientation information about the criminal justice system  
38 and the victim's and witness's role in the criminal justice  
39 process;

40 (2) Notification of any change in the case status and of final  
41 disposition;

42 (3) Information on crime prevention and on available responses  
43 to witness intimidation;

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 underlined thus is new matter.

1 (4) Information about available services to meet needs  
2 resulting from the crime and referrals to service agencies, where  
3 appropriate;

4 (5) Advance notice of the date, time and place of the  
5 defendant's initial appearance before a judicial officer,  
6 submission to the court of any plea agreement, the trial and  
7 sentencing;

8 (6) Advance notice of when presence in court is not needed;

9 (7) Advice about available compensation, restitution and other  
10 forms of recovery and assistance in applying for government  
11 compensation;

12 (8) A waiting or reception area separate from the defendant  
13 for use during court proceedings;

14 (9) An escort or accompaniment for intimidated victims or  
15 witnesses during court appearances;

16 (10) Information about directions, parking, courthouse and  
17 courtroom locations, transportation services and witness fees, in  
18 advance of court appearances;

19 (11) Assistance for victims and witnesses in meeting special  
20 needs when required to make court appearances, such as  
21 transportation and child care arrangements;

22 (12) Assistance in making travel and lodging arrangements for  
23 out-of-State witnesses;

24 (13) Notification to employers of victims and witnesses, if  
25 cooperation in the investigation or prosecution causes absence  
26 from work;

27 (14) Notification of the case disposition, including the trial and  
28 sentencing;

29 (15) Assistance to victims in submitting a written statement to  
30 a representative of the county prosecutor's office about the  
31 impact of the crime prior to the prosecutor's final decision  
32 concerning whether formal charges will be filed;

33 (16) Advice to victims about their right to make a statement  
34 about the impact of the crime for inclusion in the presentence  
35 report or at time of parole consideration, if applicable;

36 (17) Notification to victims of the right to make an in-person  
37 statement, prior to sentencing, directly to the sentencing court  
38 concerning the impact of the crime; [and]

39 (18) Expediting the return of property when no longer needed  
40 as evidence; and

41 (19) Interpreting services for victims and witnesses when  
42 necessary to assist a victim or witness who is hearing impaired or  
43 developmentally disabled as defined in section 3 of P.L.1977, c.82  
44 (C.30:8D-3) to understand questions and frame answers.

45 (cf: P.L.1991, c.44, s.2)

46 3. This act shall take effect immediately.  
47  
48  
49  
50

51 Requires the county and the county prosecutor to provide  
52 interpreting services under certain circumstances.

1 (3) Information on crime prevention and on available responses  
2 to witness intimidation;

3 (4) Information about available services to meet needs  
4 resulting from the crime and referrals to service agencies, where  
5 appropriate;

6 (5) Advance notice of the date, time and place of the  
7 defendant's initial appearance before a judicial officer,  
8 submission to the court of any plea agreement, the trial and  
9 sentencing;

10 (6) Advance notice of when presence in court is not needed;

11 (7) Advice about available compensation, restitution and other  
12 forms of recovery and assistance in applying for government  
13 compensation;

14 (8) A waiting or reception area separate from the defendant  
15 for use during court proceedings;

16 (9) An escort or accompaniment for intimidated victims or  
17 witnesses during court appearances;

18 (10) Information about directions, parking, courthouse and  
19 courtroom locations, transportation services and witness fees, in  
20 advance of court appearances;

21 (11) Assistance for victims and witnesses in meeting special  
22 needs when required to make court appearances, such as  
23 transportation and child care arrangements;

24 (12) Assistance in making travel and lodging arrangements for  
25 out-of-State witnesses;

26 (13) Notification to employers of victims and witnesses, if  
27 cooperation in the investigation or prosecution causes absence  
28 from work;

29 (14) Notification of the case disposition, including the trial and  
30 sentencing;

31 (15) Assistance to victims in submitting a written statement to  
32 a representative of the county prosecutor's office about the  
33 impact of the crime prior to the prosecutor's final decision  
34 concerning whether formal charges will be filed;

35 (16) Advice to victims about their right to make a statement  
36 about the impact of the crime for inclusion in the presentence  
37 report or at time of parole consideration, if applicable;

38 (17) Notification to victims of the right to make an in-person  
39 statement, prior to sentencing, directly to the sentencing court  
40 concerning the impact of the crime; and

41 (18) Expediting the return of property when no longer needed  
42 as evidence; and

43 (19) Interpreting services for victims and witnesses when  
44 necessary to assist a victim or witness who is hearing impaired or  
45 developmentally disabled as defined in section 3 of P.L.1977, c.82  
46 (C.30:6D-3) to understand questions and frame answers.

47 (cf: P.L.1991, c.44, s.2)

48 3. This act shall take effect immediately.  
49  
50

#### 51 STATEMENT

52  
53 N.J.S.2B:8-1 presently requires counties to provide interpreting  
54 services during judicial proceedings. This bill would clarify that

1 interpreting services as used in N.J.S.2B:8-1 shall include the  
2 provision of services to assist developmentally disabled persons  
3 and persons who are hearing impaired to frame and express  
4 answers in criminal proceedings.

5 The bill would also require county prosecutors to provide  
6 interpreting services to persons involved in criminal  
7 investigations including persons who are developmentally disabled  
8 or hearing impaired.

9

10

11

12

13 Requires the county and the county prosecutor to provide  
14 interpreting services under certain circumstances.

ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 817

STATE OF NEW JERSEY

DATED: JANUARY 20, 1994

The Assembly Judiciary, Law and Public Safety Committee reports favorably Assembly Bill No. 817.

N.J.S.2B:8-1 presently requires counties to provide interpreting services during judicial proceedings. This bill would clarify that the term "interpreting services" as used in N.J.S.2B:8-1 shall include the provision of services to assist developmentally disabled persons and persons who are hearing impaired to frame and express answers in criminal proceedings.

The bill would also amend N.J.S.A.52:4B-44 to require the Office of Victim-Witness Advocacy in the Division of Criminal Justice and the county prosecutors to provide upon request interpreting services to persons who are developmentally disabled or hearing impaired who are involved in the prosecution of a case as victims or witnesses.

This bill was prefiled for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 817

STATE OF NEW JERSEY

DATED: MARCH 13, 1995

The Senate Judiciary Committee reports favorably Assembly Bill No. 817.

N.J.S.2B:8-1 presently requires counties to provide interpreting services during judicial proceedings. This bill would clarify that the term "interpreting services" as used in N.J.S.2B:8-1 shall include the provision of services to assist developmentally disabled persons and persons who are hearing impaired to frame and express answers in criminal proceedings.

This bill would also amend N.J.S.A.52:4B-44 to require the Office of Victim-Witness Advocacy in the Division of Criminal Justice and the county prosecutors to provide upon request interpreting services to persons who are developmentally disabled or hearing impaired who are involved in a criminal case as a victim or witness.