

2C:25-20

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1999 **CHAPTER:** 289

NJSA: 2C:25-20 (Training – Judges)

BILL NO: A2789 (Substituted for S1654)

SPONSOR(S): O'Toole and Azzolina

DATE INTRODUCED: January 12, 1999

COMMITTEE: **ASSEMBLY:** Policy and Regulatory Oversight

SENATE: Judiciary

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** May 10, 1999

SENATE: November 15, 1999

DATE OF APPROVAL: December 20, 1999

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#): Original version enacted

A2789

[SPONSORS STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

[LEGISLATIVE FISCAL ESTIMATE:](#) [Yes](#)

S1654

[SPONSORS STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)

Bill and Sponsors statement identical to A2789

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

Identical to Senate Statement for A2789

FLOOR AMENDMENT STATEMENTS: No

[LEGISLATIVE FISCAL ESTIMATE:](#) [Yes](#)

Identical to Fiscal Estimate for A2789

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or refdesk@njstatelib.org

REPORTS:

Yes

974.90 New Jersey. Legislature. Assembly. Task Force on Domestic Violence.
W872 Findings and recommendations...July, 1998. Trenton, 1998.
1998c [See recommendation II]

HEARINGS:

Yes

974.90 New Jersey. Legislature. General Assembly. Task Force on Domestic Violence.
W872 Public hearing held December 5, 1997. Trenton, New Jersey, 1997
1997a

[See especially pp. 8-9]

NEWSPAPER ARTICLES:

Yes

"Domestic violence safeguard is law," 12-21-99. Bergen Record. P. A4.

P.L. 1999, CHAPTER 289, *approved December 20, 1999*
Assembly, No. 2789

1 AN ACT concerning domestic violence training of judges and
2 amending P.L.1991, c.261.

3

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

6

7 1. Section 4 of P.L.1991, c.261 (C.2C:25-20) is amended to read
8 as follows:

9 4.a. The Division of Criminal Justice shall develop and approve a
10 training course and curriculum on the handling, investigation and
11 response procedures concerning reports of domestic violence and
12 abuse and neglect of the elderly and disabled. This training course and
13 curriculum shall be reviewed at least every two years and modified by
14 the Division of Criminal Justice from time to time as need may require.
15 The Division of Criminal Justice shall distribute the curriculum to all
16 local police agencies. The Attorney General shall be responsible for
17 ensuring that all law enforcement officers attend initial training within
18 90 days of appointment or transfer and biannual inservice training as
19 described in this section.

20 b. (1) The Administrative Office of the Courts shall develop and
21 approve a training course and a curriculum on the handling,
22 investigation and response procedures concerning allegations of
23 domestic violence. This training course shall be reviewed at least
24 every two years and modified by the Administrative Office of the
25 Courts from time to time as need may require.

26 (2) The Administrative Director of the Courts shall be responsible
27 for ensuring that all judges and judicial personnel attend initial training
28 within 90 days of appointment or transfer and **【biannual】** annual
29 inservice training as described in this section.

30 (3) The Division of Criminal Justice and the Administrative Office
31 of the Courts shall provide that all training on the handling of domestic
32 violence matters shall include information concerning the impact of
33 domestic violence on society, the dynamics of domestic violence, the
34 statutory and case law concerning domestic violence, the necessary
35 elements of a protection order, policies and procedures as promulgated
36 or ordered by the Attorney General or the Supreme Court, and the use
37 of available community resources, support services, available sanctions
38 and treatment options. Law enforcement agencies shall either establish
39 domestic crisis teams or train individual officers in methods of dealing
40 with domestic violence and neglect and abuse of the elderly and
41 disabled. The teams may include social workers, clergy or other

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

Matter underlined thus is new matter.

1 persons trained in counseling, crisis intervention or in the treatment of
2 domestic violence and neglect and abuse of the elderly and disabled
3 victims.

4 (cf: P.L.1994,c.93,s.2)

5

6 2. This act shall take effect on the 180th day following enactment.

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STATEMENT

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11 In its July, 1998 report, the Assembly Task Force on Domestic
12 Violence found that the statutory requirement for training of family
13 court judges in domestic violence law and courtroom procedures is
14 insufficient. Pursuant to current law, all judges and court personnel
15 must receive biannual training on the handling of domestic violence
16 matters, including the impact of domestic violence on society, the
17 dynamics of domestic violence, the statutory and case law concerning
18 domestic violence, the necessary elements of a protection order,
19 policies and procedures as promulgated or ordered by the Attorney
20 General or the Supreme Court, and the use of available community
21 resources, support services, available sanctions and treatment options.

22 Given the complexity and importance of this subject matter, the
23 Task Force recommended that the statutory requirement for biannual
24 training be increased. Consequently, this bill would provide that
25 judges receive annual, rather than biannual, training on domestic
26 violence issues.

27 This bill embodies Recommendation #11 of the Report and
28 Recommendations of the Assembly Task Force on Domestic Violence,
29 issued in July, 1998.

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34 _____
Requires annual domestic violence training for family court judges.

ASSEMBLY, No. 2789

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JANUARY 12, 1999

Sponsored by:

Assemblyman KEVIN J. O'TOOLE

District 21 (Essex and Union)

Assemblyman JOSEPH AZZOLINA

District 13 (Middlesex and Monmouth)

Co-Sponsored by:

**Assemblywoman Heck, Assemblymen LeFevre, Conaway, Weingarten,
Senators Bark, Singer and Allen**

SYNOPSIS

Requires annual domestic violence training for family court judges.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/1999)

1 AN ACT concerning domestic violence training of judges and
2 amending P.L.1991, c.261.

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

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7 1. Section 4 of P.L.1991, c.261 (C.2C:25-20) is amended to read
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10 training course and curriculum on the handling, investigation and
11 response procedures concerning reports of domestic violence and
12 abuse and neglect of the elderly and disabled. This training course and
13 curriculum shall be reviewed at least every two years and modified by
14 the Division of Criminal Justice from time to time as need may require.
15 The Division of Criminal Justice shall distribute the curriculum to all
16 local police agencies. The Attorney General shall be responsible for
17 ensuring that all law enforcement officers attend initial training within
18 90 days of appointment or transfer and biannual inservice training as
19 described in this section.

20 b. (1) The Administrative Office of the Courts shall develop and
21 approve a training course and a curriculum on the handling,
22 investigation and response procedures concerning allegations of
23 domestic violence. This training course shall be reviewed at least
24 every two years and modified by the Administrative Office of the
25 Courts from time to time as need may require.

26 (2) The Administrative Director of the Courts shall be responsible
27 for ensuring that all judges and judicial personnel attend initial training
28 within 90 days of appointment or transfer and **[biannual]** annual
29 inservice training as described in this section.

30 (3) The Division of Criminal Justice and the Administrative Office
31 of the Courts shall provide that all training on the handling of domestic
32 violence matters shall include information concerning the impact of
33 domestic violence on society, the dynamics of domestic violence, the
34 statutory and case law concerning domestic violence, the necessary
35 elements of a protection order, policies and procedures as promulgated
36 or ordered by the Attorney General or the Supreme Court, and the use
37 of available community resources, support services, available sanctions
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42 persons trained in counseling, crisis intervention or in the treatment of

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2 victims.

3 (cf: P.L.1994,c.93,s.2)

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5 2. This act shall take effect on the 180th day following enactment.

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STATEMENT

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10 In its July, 1998 report, the Assembly Task Force on Domestic
11 Violence found that the statutory requirement for training of family
12 court judges in domestic violence law and courtroom procedures is
13 insufficient. Pursuant to current law, all judges and court personnel
14 must receive biannual training on the handling of domestic violence
15 matters, including the impact of domestic violence on society, the
16 dynamics of domestic violence, the statutory and case law concerning
17 domestic violence, the necessary elements of a protection order,
18 policies and procedures as promulgated or ordered by the Attorney
19 General or the Supreme Court, and the use of available community
20 resources, support services, available sanctions and treatment options.

21 Given the complexity and importance of this subject matter, the
22 Task Force recommended that the statutory requirement for biannual
23 training be increased. Consequently, this bill would provide that
24 judges receive annual, rather than biannual, training on domestic
25 violence issues.

26 This bill embodies Recommendation #11 of the Report and
27 Recommendations of the Assembly Task Force on Domestic Violence,
28 issued in July, 1998.

ASSEMBLY POLICY AND REGULATORY OVERSIGHT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2789

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1999

The Assembly Policy and Regulatory Oversight Committee reports favorably Assembly Bill No. 2789.

Assembly Bill No. 2789 amends section 4 of P.L.1991, c.261 (C.2C:25-20) to provide for annual training on the handling of domestic violence matters for all judges and judicial personnel.

Under current law, all judges and court personnel must receive regular training on the handling of domestic violence matters. This training includes: the impact of domestic violence on society; the dynamics of domestic violence; the statutory and case law concerning domestic violence; the necessary elements of a protection order; policies and procedures as ordered by the Attorney General or the Supreme Court; the use of available community resources and support services; available sanctions; and available treatment options.

The Assembly Policy and Regulatory Oversight Committee reports favorably Assembly Bill No. 2789. In its July, 1998 report, the Assembly Task Force on Domestic Violence concluded that the current statutory requirements for training of judges and judicial personnel in domestic violence law and courtroom procedures was insufficient. Given the complexity and importance of this subject matter, the Task Force recommended annual training on the handling of domestic violence matters.

This bill embodies Recommendation #11 of the report of the Assembly Task Force on Domestic Violence, issued in July, 1998.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2789

STATE OF NEW JERSEY

DATED: JUNE 7, 1999

The Senate Judiciary Committee reports favorably Assembly Bill No. 2789.

Under current law, all judges and court personnel must receive biannual training on the handling of domestic violence matters. This bill would require that this training be done on an annual basis. This bill embodies Recommendation #11 of the Assembly Task Force on Domestic Violence issued July, 1998.

FISCAL NOTE

ASSEMBLY, No. 2789

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JUNE 24, 1999

Assembly Bill No. 2789 of 1999 provides for annual training on the handling of domestic violence matters for all judges and judicial personnel.

Under current law, all judges and court personnel must receive biannual training on the handling of domestic violence matters. This training includes: the impact of domestic violence on society; the dynamics of domestic violence; the statutory and case law concerning domestic violence; the necessary elements of a protection order; policies and procedures as ordered by the Attorney General or the Supreme Court; the use of available community resources and support services; available sanctions; and available treatment options.

The Administrative Office of the Courts (AOC) states that the cost of the additional training would increase from \$21,425 every other year to, \$21,425 each year. On an annualized basis, the cost of this increased training would total \$10,713 per year.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 1654

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED JANUARY 21, 1999

Sponsored by:

Senator MARTHA W. BARK

District 8 (Atlantic, Burlington and Camden)

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Co-Sponsored by:

Senator Allen

SYNOPSIS

Requires annual domestic violence training for family court judges.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/1999)

1 AN ACT concerning domestic violence training of judges and
2 amending P.L.1991, c.261.

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11 response procedures concerning reports of domestic violence and
12 abuse and neglect of the elderly and disabled. This training course and
13 curriculum shall be reviewed at least every two years and modified by
14 the Division of Criminal Justice from time to time as need may require.
15 The Division of Criminal Justice shall distribute the curriculum to all
16 local police agencies. The Attorney General shall be responsible for
17 ensuring that all law enforcement officers attend initial training within
18 90 days of appointment or transfer and biannual inservice training as
19 described in this section.

20 b. (1) The Administrative Office of the Courts shall develop and
21 approve a training course and a curriculum on the handling,
22 investigation and response procedures concerning allegations of
23 domestic violence. This training course shall be reviewed at least
24 every two years and modified by the Administrative Office of the
25 Courts from time to time as need may require.

26 (2) The Administrative Director of the Courts shall be responsible
27 for ensuring that all judges and judicial personnel attend initial training
28 within 90 days of appointment or transfer and **[biannual]** annual
29 inservice training as described in this section.

30 (3) The Division of Criminal Justice and the Administrative Office
31 of the Courts shall provide that all training on the handling of domestic
32 violence matters shall include information concerning the impact of
33 domestic violence on society, the dynamics of domestic violence, the
34 statutory and case law concerning domestic violence, the necessary
35 elements of a protection order, policies and procedures as promulgated
36 or ordered by the Attorney General or the Supreme Court, and the use
37 of available community resources, support services, available sanctions
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40 with domestic violence and neglect and abuse of the elderly and
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1 domestic violence and neglect and abuse of the elderly and disabled
2 victims.

3 (cf: P.L.1994, c.93, s.2)

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5 2. This act shall take effect on the 180th day following enactment.

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10 In its July, 1998 report, the Assembly Task Force on Domestic
11 Violence found that the statutory requirement for training of family
12 court judges in domestic violence law and courtroom procedures is
13 insufficient. Pursuant to current law, all judges and court personnel
14 must receive biannual training on the handling of domestic violence
15 matters, including the impact of domestic violence on society, the
16 dynamics of domestic violence, the statutory and case law concerning
17 domestic violence, the necessary elements of a protection order,
18 policies and procedures as promulgated or ordered by the Attorney
19 General or the Supreme Court, and the use of available community
20 resources, support services, available sanctions and treatment options.

21 Given the complexity and importance of this subject matter, the
22 Task Force recommended that the statutory requirement for biannual
23 training be increased. Consequently, this bill would provide that
24 judges receive annual, rather than biannual, training on domestic
25 violence issues.

26 This bill embodies Recommendation #11 of the Report and
27 Recommendations of the Assembly Task Force on Domestic Violence,
28 issued in July, 1998.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1654

STATE OF NEW JERSEY

DATED: JUNE 7, 1999

The Senate Judiciary Committee reports favorably Senate Bill No. 1654.

Under current law, all judges and court personnel must receive biannual training on the handling of domestic violence matters. This bill would require that this training be done on an annual basis. This bill embodies Recommendation #11 of the Assembly Task Force on Domestic Violence issued July, 1998.

FISCAL NOTE

SENATE, No. 1654

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JUNE 7, 1999

Senate Bill No. 1654 of 1999 provides for annual training on the handling of domestic violence matters for all judges and judicial personnel.

Under current law, all judges and court personnel must receive biannual training on the handling of domestic violence matters. This training includes: the impact of domestic violence on society; the dynamics of domestic violence; the statutory and case law concerning domestic violence; the necessary elements of a protection order; policies and procedures as ordered by the Attorney General or the Supreme Court; the use of available community resources and support services; available sanctions; and available treatment options.

The Administrative Office of the Courts (AOC) states that the cost of the additional training would increase from \$21,425 every other year to, \$21,425 each year. On an annualized basis, the cost of this increased training would total \$10,713 per year.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Gene Herman
609-777-2600

RELEASE: December 20, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

ACS for A-1016, sponsored by Assembly Members Charles Zisa (D-Bergen), Francis J. Blee (R-Atlantic), Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Joseph R. Malone, III (R-Burlington/Monmouth/Ocean), exempts law enforcement officers from certain bicycle laws in the performance of their official duties.

A-1126, sponsored by E. Scott Garrett (R-Sussex/Hunterdon/Morris) and Guy R. Gregg (R-Sussex/Hunterdon/Morris), clarifies existing law by providing that a recreational vehicle installed in a campsite is not subject to the property tax. The bill defines a recreational vehicle as a camper that is easily disassembled and removed from a campground. The bill specifically excludes a manufactured home or a permanent residence.

A-1884, sponsored by Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Nicholas Asselta (R-Atlantic/CapeMay/Cumberland) and Senator James S. Cafiero (R-Cape May/Atlantic/Cumberland), expands the eligibility for state grants to Alzheimer day care programs to include for-profit as well as public and non-profit programs. It also appropriates \$803,000 from the General Fund to increase the number of clients who can be served by Alzheimer's adult day care programs. The bill incorporates the recommendations the Governor made in a conditional veto of the bill.

A-2312, sponsored by Assembly Members Rose Marie Heck (R-Bergen) and David W. Wolfe (R-Monmouth/Ocean) and Senator Robert J. Martin (R-Essex/Morris/Passaic), provides that administrative penalty funds returned to school districts in the 1997-98 school year shall be included in each district's prebudget year total for the purpose of calculating stabilized aid in 1998-99 and thereafter. The bill incorporates the recommendations the Governor made in a conditional veto of the bill.

A-2785, sponsored by Assembly Members Rose Marie Heck (R-Bergen) and Nicholas Asselta (R-Cape May/Atlantic/Cumberland) and Senators Diane B. Allen (R-Burlington/Camden) and John O. Bennett (R-Monmouth), requires fingerprinting of domestic violence offenders. The bill was introduced upon the recommendation of the Assembly Task Force on Domestic Violence in order to enhance enforcement of the federal firearms ban with respect to domestic violence offenders. The bill requires fingerprinting upon conviction for the disorderly persons offenses of assault and harassment that constitute domestic violence. It also requires the fingerprinting of any persons against whom a final domestic violence restraining order has been entered.

A-2789, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and Joseph Azzolina (R-Middlesex/Monmouth) and Senators Martha W. Bark (R-Atlantic/Burlington/Camden) and Robert W. Singer (R- Burlington/Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden), requires annual domestic violence training for family court judges. Under previous law, all judges and court personnel were required to receive biannual training on the handling of domestic violence matters. The Assembly Task Force on domestic violence recommended in a report issued in July, 1998 that the statutory requirement for biannual training be increased.

S-1258, sponsored by Senators James S. Cafiero (R-Cape May/Atlantic/Cumberland) and John A. Girgenti (D-Passaic) and Assembly Members Francis J. Blee (R-Atlantic) and Kenneth C. Lefevre (R-Atlantic), makes it a third degree crime to knowingly use a laser sighting system or device against a law enforcement officer who is engaged in the performance of his or her official duties and is in uniform or otherwise displaying evidence of his or her authority. Third degree crimes are punishable by a three-to-five-year term of imprisonment or a \$15,000 fine or both. For first offenders, however, a presumption against incarceration applies.

S-1378, revises various hunting, trapping and fishing license fees and related provisions, and changes the name of the Division of Fish, Game and Wildlife to the Division of Fish and Wildlife. The bill increases the fees for various hunting, fishing and trapping licenses, permits and stamps by an average of about 50 percent. The bill also authorizes the division to collect a new \$2 fee from migratory bird hunters to pay for information collection activities mandated by the United States Fish and Wildlife Service Migratory Bird Harvest Information Program. The legislation was sponsored by Senators Robert E. Littell (R-Sussex/Hunterdon/Morris) and Joseph F. Vitale (D-Middlesex) and Assembly Members Michael Patrick Carroll (R-Morris) and Melvin Cottrell (R-Burlington/Monmouth/Ocean).