

2A:34-23a

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A: 34-23a

(Child support  
allow award of  
counsel fees)

LAWS OF: 1989

CHAPTER: 212

Bill No: S740

Sponsor(s): Codey

Date Introduced: Pre-filed

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: November 27, 1989

Senate: February 2, 1988

Date of Approval: December 29, 1989

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:

Hearings: No

See clippings attached:

"Automatic pay seizure advances," 11-28-89 Star Ledger

"Assembly oks child suport..." 11-28-89 Trenton Times

SENATE, No. 740

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator CODEY

1 AN ACT providing for the payment of counsel fees and  
supplementing Title 2A of the New Jersey Statutes.

3

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

1. If a party in any action to enforce and collect child support  
7 ordered by a court pursuant to the provisions of N.J.S. 2A:34-23  
has incurred counsel fees, the court shall require the defaulting  
9 party to pay those counsel fees unless the court finds that the  
default was substantially justified or that other circumstances  
11 make an award of counsel fees unjust. The court shall  
determine the appropriate award for counsel fees and shall  
13 consider the financial circumstances of the parties and whether  
each acted in good faith.

15 2. This act shall take effect immediately.

17

STATEMENT

19 This bill will provides that in an action to enforce and collect  
child support payments, the court shall require the defaulting  
21 party to pay the counsel fees of the party seeking enforcement  
unless the court finds that the default was substantially justified  
23 or that other circumstances make an award of counsel fees  
unjust. The bill empowers the court to determine the  
25 appropriate award of counsel fees and to consider the financial  
circumstances of the parties and whether the parties acted in  
27 good faith.

29

DOMESTIC RELATIONS

31

Courts

33 Permits a judge to award counsel fees in supplemental legal  
proceedings to collect court ordered child support.

SENATE, No. 740  
STATE OF NEW JERSEY

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ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 740

STATE OF NEW JERSEY

DATED: SEPTEMBER 28, 1989

The Assembly Judiciary Committee reports favorably Senate Bill No. 740.

This bill provides that in an action to enforce and collect child support payments, the court shall require the defaulting party to pay the counsel fees of the party seeking enforcement unless the court finds that the default was substantially justified or that other circumstances make an award of counsel fees unjust. The bill empowers the court to determine the appropriate award of counsel fees and to consider the financial circumstances of the parties and whether the parties acted in good faith.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 740

STATE OF NEW JERSEY

DATED: JANUARY 28, 1988

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This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.