

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1704

STATE OF NEW JERSEY

DATED: MARCH 23, 2023

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1704 (1R).

This bill requires that certain domestic violence restraining orders and notices to domestic violence victims be issued in other languages in addition to English.

Currently, the “Prevention of Domestic Violence Act” (P.L.1991, c.261 (C.2C:25-17 et seq.) provides that a law enforcement officer is required to provide a domestic violence victim with a notice of the victim’s rights, including the right to go to court to obtain a temporary restraining order and the right to file criminal charges. The statute also provides that the notice is required to be written in English and Spanish. The bill expands this requirement to provide that the notice be prepared by the Attorney General in English, Spanish, and 10 additional high demand languages spoken in the State.

Under current law, a victim may file a domestic violence complaint with the Family Part of the Chancery Division of the Superior Court (Family Part) or, at times when the Family Part is closed, with a judge of the Family Part or a judge of the municipal court assigned to accept domestic violence complaints and issue temporary restraining orders. The statute does not specify whether the order is required to be issued in a language other than English. Under the bill, the Administrative Office of the Court (AOC) is required to prepare standard templates for temporary restraining orders in English, Spanish, and the other high demand languages identified in its Language Access Plan as approved by the Supreme Court. The templates will be available for law enforcement, judges of the Municipal Court, and judges and staff of the Superior Court to provide to the victim and defendant when issuing temporary restraining orders.

Current law also provides that an order granting emergency relief, together with the complaint or complaints, is to be forwarded immediately to the appropriate law enforcement agency for immediate service on the defendant and to the law enforcement agency of the municipality in which the plaintiff resides or is sheltered. Under the bill, a member of the law enforcement agency additionally is required to serve the defendant with a copy of the translated order, if applicable.

Current law also provides that within 10 days of the filing of a complaint for a temporary restraining order, the Family Part will conduct a hearing to determine whether to issue a permanent restraining order. The bill requires the AOC to prepare standard templates for permanent restraining orders in English, Spanish, and the other high demand languages identified in the Language Access Plan.

FISCAL IMPACT:

The Office of Legislative Services (OLS) finds that this bill will result in annual cost increases for the State. The bill requires the Attorney General's office in the Department of Law and Public Safety to prepare the notice providing domestic violence victims with their rights in English, Spanish, and 10 additional high demand languages spoken in the State. The Judiciary would be required to prepare standard templates for temporary restraining orders and final restraining orders in English, Spanish, and the other high demand language access plan as approved by the Supreme Court, which templates will be available for law enforcement, municipal court judges, and Superior Court judges and staff to provide the victim and defendant when issuing temporary or final restraining orders.

Regarding the Attorney General's office, the OLS notes the Department of Law and Public Safety would need to have approximately 250 words translated per document and, based on a State contractor's quoted price of \$.15 per word for document translation services, this would result in an estimated cost of approximately \$37 per notice for the first time a document is needed in a language other than English or Spanish. The OLS does not have information on how many such notices would need to be translated in a given fiscal year.

The OLS also notes that the Judiciary provided an estimate on a substantively similar previous version of this bill, in which it anticipated first year expenses exceeding \$15.5 million to address all the requirements of this legislation, and \$6.5 million annually in subsequent fiscal years. The costs of providing domestic violence restraining orders in multiple languages and the Statewide IT system needed to make the various documents available on demand in each required language would necessitate the reprogramming of the electronic temporary restraining order application, as it is written in an older architecture that would need reengineering, according to the Judiciary. The Judiciary added that there would be an increase in court time as a result of the bill.