

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3117

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 18, 2023

As amended and reported by the Senate Law and Public Safety Committee, Assembly Bill No. 3117 (1R) clarifies a juvenile's right to attorney representation.

Under current law, a juvenile has a right to an attorney at every critical stage in the proceeding which, in the opinion of the court, may result in the institutional commitment of the juvenile.

Under the amended bill, a juvenile has the right to an attorney at every critical state of a court proceeding. The amended bill defines "critical state of a court proceeding" to include every court appearance by the juvenile, including all post dispositional appearances and any interrogation, identification procedure, or other investigative activity involving the juvenile undertaken by law enforcement or prosecutorial personnel subsequent to the filing of the complaint.

As amended and reported by the committee, Assembly Bill No. 3117 (1R) is identical to the Senate Committee Substitute for Senate Bill No. 269, which was also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove the provision requiring a 12 month review when a juvenile is placed out-of-home as current law provides for a three month review for every juvenile sentenced to a term of commitment with the Juvenile Justice Commission.