

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 4298

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2026

The Senate Judiciary Committee reports favorably Senate Bill No. 4298.

This bill establishes, on a Statewide basis, a collaborative representation model in the Office of the Public Defender to be known as the New Jersey Holistic Representation Model. This model of public defender services, as is currently in operation in the Hudson, Atlantic, and Monmouth regional offices, was created in collaboration with the national nonprofit Partners for Justice.

Under a holistic representation model, which, under the bill, shall be both voluntary and eligibility-based, a team-based approach is used to provide services for each client participant. The model consists of legal representation by a staff attorney, and support services provided by professionals who are able to work closely with clients to address underlying issues contributing to the client's involvement in the criminal justice system. Under the bill, eligibility criteria shall be established by the Office of the Public Defender.

A central member of the client team of the holistic representation model is the "client services specialist," who shall be a client advocate, who is not acting in a clinical or supervisory capacity, and who is responsible, under the general direction of the attorney team member or a supervising attorney, for providing non-legal representational services to the client participant either as an individual or while directing other client support staff. Key to representation under a holistic representation model is the confidential nature of the attorney-client relationship pursuant to which the non-attorney members of the client team are able to adequately perform their functions without a mandatory reporting requirement should otherwise reportable information be disclosed.

Under the bill, the non-attorney members of the client team, under the general supervision of the attorney member or supervising attorney, shall be responsible for conducting assessments and connecting client participant services, programs and resources, including, but not limited to, assistance with mental health counseling, substance abuse treatment, housing support, documentation acquisition, transportation support, education services, veteran's services, family support services, employment, job training, and occupational licensing.

The client services specialist member of the team shall maintain and utilize comprehensive databases of community-based service providers, civil legal services, and additional resources to support client referrals, support, and rehabilitation.

All client participants are to be advised that participation in the holistic representation model is not intended to replace the defense of pending criminal charges and participation in the program is voluntary on the part of the client participant. Under the bill, except where specifically authorized for release for the purpose of securing or aiding in the process of obtaining service or accommodations for a client participant, communications between the client participant and non-attorney advocates shall remain confidential.

The Public Defender is to develop or approve a training course and curriculum for public defender staff on trauma-based approaches and collaborative defense practices and shall make the curriculum available to all Office of Public Defender regional offices. This training course and curriculum shall be reviewed at least every two years and modified as needed.

The Public Defender shall also be responsible for ensuring that all public defender staff complete in-service training triennially on trauma-based approaches. The Office of the Public Defender is directed to establish guidelines for non-attorney advocates in the New Jersey Holistic Representation Model concerning the use of information obtained through a client's participation in the program or in obtaining non-legal assistance.

Within one year after the effective date of the bill, and annually thereafter, the Public Defender shall report to the Legislature, the Governor, and the Supreme Court on the actions taken pursuant to the bill and provide the most recent available data on the participation and data outcomes of participation in the New Jersey Holistic Representation Model. The bill would permit the report to be combined with that of any other body, agency, or study group engaged in reviewing the administration of criminal justice. The report shall include all pertinent data on the operations of the office, the costs, projected needs, and to the extent experience may indicate, recommendations for statutory changes to the holistic defense program, including changes in the criminal law or changes in court rules.