

ASSEMBLY JOINT RESOLUTION

No. 32

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman TROY SINGLETON

District 7 (Burlington)

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblyman O'Scanlon, Assemblywoman Mosquera and Assemblyman DiMaio

SYNOPSIS

Establishes a commission to study alimony law.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/11/2014)

1 **A JOINT RESOLUTION** creating a commission to study the law on
2 alimony.

3

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

6

7 1. There is hereby created a commission to be known as the
8 “Study Commission on Alimony” to consist of the Director of the
9 Administrative Office of the Courts, or his designee, one member of
10 the Senate appointed by the Senate President, one member of the
11 Senate appointed by the Senate Minority Leader, one member of the
12 General Assembly appointed by the Speaker of the General
13 Assembly, one member of the General Assembly appointed by the
14 Assembly Minority Leader, and six public members to be appointed
15 by the Governor. The public members appointed by the Governor
16 shall include at least two persons licensed to practice law in the
17 State with a specialization in matrimonial law and at least one
18 retired judge with experience in the Superior Court, Chancery
19 Division, Family Part. Of the six public members, three shall be
20 men and three shall be women.

21

22 2. The commission shall organize as soon as practicable after
23 the appointment of a majority of its members and shall select a
24 chairperson from among its members. The chairperson shall
25 appoint a secretary, who need not be a member of the commission.

26

27 3. Members of the commission shall serve without
28 compensation but shall be reimbursed for necessary expenses
29 actually incurred in the performance of their duties as members of
30 the commission.

31

32 4. a. The commission shall study all aspects of alimony law in
33 the State, including but not limited to:

34 (1) any Statewide trends in alimony awards over time, including
35 determining what percentage of alimony awards, court-ordered and
36 by agreement, consist of permanent alimony and how often State
37 courts grant requests for modification of alimony awards;

38 (2) whether contemporary financial circumstances have affected
39 any Statewide trends in alimony awards and, if so, how the
40 Statewide trends have been affected;

41 (3) comparison of State alimony law with alimony laws in other
42 states, including whether any other state has a requirement that the
43 amount of alimony should be proportional to the duration of the
44 marriage;

45 (4) comparison of State data and trends pertaining to alimony
46 law with data from other states;

- 1 (5) the uniformity of the application of alimony law among the
2 counties;
- 3 (6) the use of guidelines for establishing alimony used by other
4 states;
- 5 (7) the court's enforcement of alimony payments particularly
6 with regard to whether the courts differentiate between alimony and
7 child support in enforcement actions;
- 8 (8) the protocols to safeguard the integrity of the divorce system
9 and fairness of enforcement and collections mechanisms for support
10 orders; and
- 11 (9) any other issues as the commission may identify as
12 necessary to understanding and improving State alimony law.
- 13 b. The commission shall propose new legislation, if it deems
14 appropriate.

15

16 5. The commission shall be entitled to call to its assistance and
17 avail itself of the services of the employees of any State, county, or
18 municipal department, board, bureau, commission, or agency as it
19 may require and as may be available to it for its purposes, and to
20 employ stenographic and clerical assistance and incur traveling and
21 other miscellaneous expenses necessary to perform its duties, within
22 the limits of funds appropriated or otherwise made available to it
23 for its purposes.

24

25 6. The commission may meet and hold hearings at the places it
26 designates, at which it may request the appearance of officials of
27 any State agency or political subdivision of the State and may
28 solicit testimony of interested groups and the general public.

29

30 7. The commission shall report its findings and
31 recommendations to the Governor, and to the Legislature pursuant
32 to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than 12
33 months following the organization of the commission.

34

35 8. This joint resolution shall take effect immediately and shall
36 expire upon the submission of the report required pursuant to
37 section 7 of this act.

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40 STATEMENT

41

42 This joint resolution creates an eleven-member "Study
43 Commission on Alimony" to review State alimony law, including
44 any Statewide trends in alimony awards, and compare this
45 information with the laws, data, and trends in other states.

46 The commission would be comprised of the Director of the
47 Administrative Office of the Courts, or his designee, one member of

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1 the Senate appointed by the Senate President, one member of the
2 Senate appointed by the Senate Minority Leader, one member of the
3 General Assembly appointed by the Speaker of the General
4 Assembly, one member of the General Assembly appointed by the
5 Assembly Minority Leader, and six public members appointed by
6 the Governor. Of the public members appointed by the Governor,
7 three would be men and three would be women.

8 The joint resolution further provides that the six public members
9 would include at least two persons licensed to practice law in the
10 State with a specialization in matrimonial law and at least one
11 retired judge with experience in the Superior Court, Chancery
12 Division, Family Part.

13 Members would serve without compensation but would be
14 reimbursed for necessary expenses actually incurred in the
15 performance of their duties.

16 The commission would organize as soon as practicable after the
17 appointment of a majority of its members. One of the members
18 would be selected chairperson by the other members and the
19 chairperson would appoint a secretary, who need not be a member
20 of the commission.

21 Within 12 months of organizing, the commission would issue a
22 report to the Governor and to the Legislature detailing its findings
23 and recommendations, including any proposed legislation. The
24 commission would end upon submission of this report.