

[First Reprint]

ASSEMBLY, No. 2396

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

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District 35 (Bergen and Passaic)

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Assemblywoman Quijano

SYNOPSIS

Expands Office of Public Defender representation of juveniles; repeals section 4 of P.L.1968, c.371.

CURRENT VERSION OF TEXT

As reported by the Assembly Law and Public Safety Committee on March 5, 2020, with amendments.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning legal representation of certain juveniles ¹and
 2 amending and ¹supplementing P.L.1968, c.371¹, and repealing
 3 section 4 of P.L.1968, c.371¹.
 4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
 6 of New Jersey:
 7

8 1. ¹**[(New section)]¹** Any person under the age of 18 years
 9 arrested or charged with an indictable offense or act of delinquency
 10 shall automatically be eligible, at no expense to that person, for
 11 representation by the Office of the Public Defender.
 12

13 ¹**[2. Section 4 of P.L.1968, c.371 (C.2A:158A-25) is amended**
 14 **to read as follows:**

15 Whenever a person formally charged with an indictable offense,
 16 or coming within this act, is at least 18 years of age but under the
 17 age of 21 years, the question of eligibility for services shall be
 18 measured not only in terms of the financial circumstances of the
 19 **[individual] person**, but also in terms of the financial circumstances
 20 of the **[individual's] person's** parents or legal guardians. The
 21 Office of the Public Defender shall be entitled to recover the cost of
 22 legal services from the parents or legal guardians of **[such] these**
 23 persons to the same extent and in the same manner as is provided
 24 under P.L.1967, chapter 43, and shall have authority to require
 25 these parents or legal guardians **[of such]** to execute and deliver
 26 **[such]** written requests or authorization as may be requisite under
 27 applicable law in order to provide the office with access to records
 28 of public or private sources, otherwise confidential, as may be of
 29 aid to it in evaluating eligibility.

30 (cf: P.L.1968, c. 371, s.4)¹
 31

32 ¹2. Section 4 of P.L.1968, c.371 (C.2A:158A-25) is repealed.¹
 33

34 3. This act shall take effect on the first day of the fourth month
 35 next following enactment.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ALP committee amendments adopted March 5, 2020.