

SENATE, No. 186

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Establishes minimum level of domestic violence and sexual assault training for judges and judicial personnel.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning domestic violence and sexual assault training
2 for judges and judicial personnel and amending P.L.1991, c.261.

3

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

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7 1. Section 4 of P.L.1991, c.261 (C.2C:25-20) is amended to
8 read as follows:

9 4. a. (1) The Division of Criminal Justice shall develop and
10 approve a training course and curriculum on the handling,
11 investigation and response procedures concerning reports of
12 domestic violence and abuse and neglect of the elderly and
13 disabled. This training course and curriculum shall be reviewed at
14 least every two years and modified by the Division of Criminal
15 Justice from time to time as need may require. The Division of
16 Criminal Justice shall distribute the curriculum to all local police
17 agencies.

18 (2) The Attorney General shall be responsible for ensuring that
19 all law enforcement officers attend initial training within 90 days of
20 appointment or transfer and annual inservice training of at least four
21 hours as described in this section.

22 b. (1) The Administrative Office of the Courts shall develop
23 and approve a training course consisting of at least three hours, and
24 a curriculum therefor, for Superior Court and municipal court
25 judges and judicial personnel on the handling, investigation and
26 response procedures concerning allegations of domestic violence
27 and allegations of sexual offenses outside of the domestic violence
28 context. The training shall consist of at least 1.5 hours devoted to
29 issues impacting sexual violence, such as the dynamics of sexual
30 violence, the impact of sexual violence on survivors and families,
31 sexual violence risk factors and lethality, the impact of sexually
32 violent crime on society, and the statutory and case law concerning
33 sexual offenses. This training course shall be reviewed at least
34 every two years and modified by the Administrative Office of the
35 Courts from time to time as need may require.

36 (2) The Administrative Director of the Courts shall be
37 responsible for ensuring that all judges and judicial personnel attend
38 initial training within 90 days of appointment or transfer and annual
39 inservice training as described in this section.

40 (3) The Division of Criminal Justice and the Administrative
41 Office of the Courts shall provide that all training on the handling
42 of domestic violence matters shall include information concerning
43 the impact of domestic violence on society, the dynamics of
44 domestic violence, the statutory and case law concerning domestic
45 violence, the necessary elements of a protection order, policies and

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.

1 procedures as promulgated or ordered by the Attorney General or
2 the Supreme Court, and the use of available community resources,
3 support services, available sanctions and treatment options. Law
4 enforcement agencies shall: (1) establish domestic crisis teams or
5 participate in established domestic crisis teams, and (2) shall train
6 individual officers in methods of dealing with domestic violence
7 and neglect and abuse of the elderly and disabled. The teams may
8 include social workers, clergy or other persons trained in
9 counseling, crisis intervention or in the treatment of domestic
10 violence and neglect and abuse of the elderly and disabled victims.
11 (cf: P.L.1999, c.433, s.1)

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13 2. This act shall take effect immediately.

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STATEMENT

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18 This bill amends the existing statutory requirement concerning
19 domestic violence training for judges and judicial personnel.
20 Presently, while section 4 of P.L. 1991, c.261 (C.2C:25-20) requires
21 all judges and judicial personnel to receive some initial and annual
22 training, no minimum amount of training is required by statute.

23 Although the Supreme Court provides and requires a substantial
24 amount of domestic violence training for Judges of the Superior
25 Court, Family Division, judges at the municipal court level hearing
26 domestic violence cases have no minimum hours of training
27 requirement.

28 This bill directs the Administrative Office of the Courts to
29 develop and approve a domestic violence and sexual assault training
30 course and a curriculum, with the training course consisting of at
31 least three hours, for all judges and judicial personnel on the
32 handling, investigation and response procedures concerning
33 allegations of domestic violence and allegations of sexual offenses
34 outside of the domestic violence context. This will ensure that
35 judges and judicial personnel at all levels, including at the
36 municipal court level, receive at least this level of training. The
37 training shall consist of at least 1.5 hours devoted to issues
38 impacting sexual violence, such as the dynamics of sexual violence,
39 the impact of sexual violence on survivors and families, sexual
40 violence risk factors and lethality, the impact of sexually violent
41 crime on society, and the statutory and case law concerning sexual
42 offenses.