

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

[Second Reprint]

## ASSEMBLY, No. 3730

# STATE OF NEW JERSEY

DATED: MARCH 9, 2023

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3730 (2R).

As reported by the committee, Assembly Bill No. 3730 (2R) permits the court to order counseling for a child in a proceeding involving domestic violence. The bill also permits the court to order permanent sole custody of a minor child to the plaintiff in certain circumstances involving domestic violence.

A court may order counseling in appropriate cases, including when a child witnesses or experiences the domestic violence while residing in the household with the abuser and the victim. Additionally, the bill permits the court to order the defendant, the abusive party, to pay for the domestic violence counseling provided to the child. A defendant ordered to pay for domestic violence counseling is required to show proof of payment of the services to the court. The bill permits the court to order a defendant to provide reimbursement for costs incurred in providing counseling for a child. The court is permitted to enter this order upon evaluating and determining the defendant's ability to pay for such services. The defendant may be required to pay the victim directly, reimburse the Victims of Crime Compensation Office for compensation paid to the victim from the Victims of Crime Compensation Office, or reimburse any party that may have compensated the victim.

The bill also permits the court to order permanent sole custody of a minor child to the plaintiff, the victim of domestic violence, and prohibits a person convicted of domestic violence from being awarded custody of any minor child, except upon a showing of clear and convincing evidence that custody with the defendant is in the best interest of the child.