ASSEMBLY, No. 4897

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED MAY 7, 2026

Sponsored by:
Assemblyman GARY S. SCHAER
District 36 (Bergen and Passaic)
Assemblyman KENYATTA STEWART
District 35 (Bergen and Passaic)
Assemblywoman ELLEN J. PARK
District 37 (Bergen)

Co-Sponsored by:
Assemblywomen Kane, Peterpaul, Assemblymen G.Rodriguez, Sampson, Danielsen, Assemblywomen Brennan, Quijano, Rowan, Assemblymen Bhalla, Kearney, Walker, Abdelaziz, Karabinchak, Assemblywomen Reynolds-Jackson, Speight, Assemblymen Scharfenberger and McClellan

SYNOPSIS

Establishes “New Jersey Holistic Representation Model” in Office of Public Defender.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 10/29/2026)

AN ACT concerning representation by the Office of the Public Defender and supplementing chapter 158A of Title 2A of the New Jersey Statutes.

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

1. This act shall be known and may be cited as the "New Jersey Holistic Representation Act."

2. The Legislature finds and declares that in November 2024, the New Jersey Office of the Public Defender announced, in conjunction with the national nonprofit entity, Partners for Justice, the creation of a program aimed at enhancing collaborative, holistic representation, known as holistic defense, for individuals involved in the criminal justice system. The initiative launched as a pilot program in Atlantic, Monmouth, and Hudson counties. The Public Defender announcement declared, citing remarks from former Governor Phillip Murphy, "This new partnership between the Office of the Public Defender and Partners for Justice will help bridge gaps between legal and personal needs for individuals involved in our criminal defense system."

Holistic defense representation pairs public defender staff attorneys with trained non-attorney social service professionals including social workers and case workers, who are able to work closely with clients to address underlying issues contributing to the client's involvement in the criminal justice system. The collaborative process frees the attorney advocate to focus exclusively on the legal issues involved in the case, while engaging the expertise of social service professional to achieve an overall better outcome for the criminal justice-involved person.

Accordingly, the Legislature finds that with the promising results of holistic defense initiated in 2024 in Atlantic, Monmouth, and Hudson counties, it is now time to expand holistic defense into a Statewide initiative.

3. As used in this act:

"Client participant" means a client of the Office of the Public Defender who has agreed to participate in the Holistic representation model under the terms and conditions set forth in a written agreement between the office and the client.

"Client Services Specialist" means a client advocate who is integral to the holistic representation team, not acting in a clinical or supervisory capacity, who shall be responsible, under the general direction of the attorney team member or a supervising attorney, for providing or supervising the provision of non-legal services to the client participant.

"Holistic representation team" or "client team" means a client participant, a staff attorney of the Office of the Public Defender or an attorney contracted by the Office of the Public Defender to represent clients of the Office of the Public Defender, a client services specialist, and other necessary persons. "Client team" can include other client advocates working in coordination with Office of Public Defender.

"New Jersey Holistic Representation Model" shall mean the model of representation through the Office of the Public Defender pursuant to which a client team collaborates to provide representation services and address underlying issues contributing to the client's involvement in the criminal justice system.

4. a. The Public Defender shall, in each regional office, implement a collaborative, team-based holistic representation model. The model shall include, but not be limited to, the appointment of a holistic representation team assigned to each client participant who is accepted into the program based upon eligibility criteria established by the Office of the Public Defender.

b. A holistic representation team shall include, but not be limited to, a staff attorney, who shall be the head of the client team, and a client services specialist. The team may also include a mitigation specialist, a system navigator, or other necessary persons to assist attorneys and their clients. The entire client team shall be bound by the attorney-client privilege. A client team may include other client advocates working in coordination with Office of Public Defender attorneys.

c. The staff attorney shall provide legal services to the client participant. Client services specialist or other non-attorney members of the client team shall assess and connect the client participant with 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. Non-attorney team members shall also investigate participants' background and life circumstances in order to provide accurate supports and, where appropriate, more accurate information about defendants in the criminal justice process.

d. The client services specialist assigned to a team, or if more than one is assigned to a regional office, the designated social work coordinator for the regional office, shall maintain and utilize comprehensive databases of community-based service providers, civil legal services, and additional resources to support client referrals, support, and rehabilitation. The databases shall be available for use by the client team as well as Public Defender staff.

e. Public Defender staff shall screen and interview clients to identify both legal needs and non-legal needs that may contribute to

criminal justice system involvement. Clients meeting program criteria shall be referred to the New Jersey Holistic Representation Model.

Upon referral, interdisciplinary team members shall conduct a comprehensive assessment of the client's circumstances, which may include, but is not limited to, housing instability, unemployment, mental health conditions, substance use disorders, family instability, transportation barriers, or exposure to acute or chronic trauma.

The client team shall connect clients with appropriate community-based programs and services and shall actively assist clients in accessing and participating in those services. The program shall prioritize coordination with existing local providers and the utilization of available public and community resources to address unmet needs and reduce future system involvement.

The client team shall be directed by the public defender staff attorney who represents the client. Team members shall be supervised by licensed social workers or experienced social service professionals.

5. All client participants shall be advised that participation in holistic representation 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. Except where specifically authorized for release for the purpose of securing or aiding in the process of securing service or accommodations for a client participant, communications between the client participant and non-attorney advocates shall remain confidential.

6. a. The Office of the Public Defender shall 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. The training course and curriculum shall be reviewed at least every two years by the Office of the Public Defender and modified as needed.

b. The Public Defender shall be responsible for ensuring that all public defender staff complete in-service training triennially on trauma-based approaches.

7. Confidentiality requirements. The Office of the Public Defender shall 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 in areas that include, but are not limited to, mental health counseling, substance abuse treatment, housing support, documentation acquisition, veterans services, family support services, employment, job training, and occupational licensing.

8. Within one year after the effective date of this act, and annually thereafter, the Public Defender shall report to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the Governor, and the Supreme Court on the actions taken pursuant to this act and provide the most recent available data on the participation and data outcomes of participation in the New Jersey Holistic Representation Model. Such report may 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, as may be appropriate to the improvement of the system of criminal justice, the control of crime, the rehabilitation of offenders, and other related objectives.

9. This act shall take effect on the first day of the fourth month next following enactment but the Office of the Public Defender may take such anticipatory action as may be necessary to effectuate the provisions of this act.

STATEMENT

This bill establishes, on a Statewide basis, a collaborative representation model in the Office of the Public Defender known as 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. The holistic model of representation has demonstrated success in improving outcomes for public defender clients compared to public defender clients not participating in a holistic approach to defense.

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.

Accordingly, a critical 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.

Under the bill, 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.

Under the bill, 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 securing service or accommodations for a client participant, communications between the client participant and non-attorney advocates shall remain confidential.

Under the bill, 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 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.