SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 4510

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 4510.

As amended and reported, this bill is intended to clarify procedures in certain contested child custody cases. It is noted by the committee that in contested custody cases, the court is often only presented with the testimony of the parties, which may not be sufficient information to make a decision in the best interest of the child. The committee therefore notes that this bill allows the court, when making determinations in such cases, to receive information from both the child and the child's treating therapist, to the extent allowed by the therapist's professional licensure, concerning issues affecting the child.

As amended, the bill requires that, in cases where there exists an expressed concern with refusal and resistance to contact between a parent and a child, the court will consider certain enumerated factors before ordering reunification therapy. These factors include, but are not limited to, the reasons, extent, and duration of the refusal or resistance to contact; the child's age, capacity, and maturity level; the willingness of the parents and the child to engage in reunification therapy; the conduct of each parent that weighs in favor of or against reunification therapy; any history of prior family therapy or family interventions; and any history of domestic violence. The bill defines "reunification therapy" as "family therapy that aims to reunite or reestablish a relationship between an estranged parent and a child."

If the court determines that reunification therapy is appropriate, the bill provides that the court may appoint a reunification therapist to commence the therapeutic process who may coordinate or consult with any treating therapists for the parents and the child. The reunification therapist will report to the court regarding the therapeutic process, including the parties' and child's willingness to participate, and any progress made, on a periodic basis as determined appropriate by the court. Based on the contents of the therapist's reporting, the court may, within its discretion, make modifications to ongoing therapy as deemed appropriate, including, but not limited to, implementing alternative options to address the parent-child relationship, with the

reasons for such modifications placed on the record, or ceasing or suspending the therapy.

Finally, as amended, the bill clarifies the intent of the Legislature by amending the legislative findings and declarations in the child custody statute to state that "it is the public policy of this State to assure the protection and welfare, both physically and emotionally, of minor children including, but not limited to, frequent and continuing contact with both parents after the parents have separated or dissolved their marriage and that it is in the public interest to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy;" and that "it is the public policy of this State to ensure that decisions concerning child custody and parenting time are made on a case-by-case basis to make certain that the best interests of children are paramount."

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) Provide additional public policy considerations in the legislative findings and declarations of the child custody statute;

(2) Clarify that a child's treating therapist may provide input and supporting documentation to assist the court in making custody decisions, to the extent allowed by the therapist's State licensure;

(3) Remove the requirement that a court-appointed attorney or guardian ad litem for the child represent the expressed preferences of the child;

(4) Remove the requirement that the court make findings on the record if the court orders a custody arrangement contrary to the expressed preferences of the child;

(5) Provide for factors that the court must consider in determining whether to order reunification therapy;

(6) Provide for regular reporting by the reunification therapist to the court, if reunification therapy is ordered; and

(7) Remove provisions concerning the development of professional standards for the practice of reunification therapy.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.