

**RULES GOVERNING THE COURTS OF THE STATE OF NEW JERSEY
PART V. RULES GOVERNING PRACTICE IN THE CHANCERY DIVISION,
FAMILY PART
CHAPTER IV. JUVENILE DELINQUENCY ACTIONS
RULE 5:25. JUVENILE CONFERENCE COMMITTEES; REFEREES**

Rule 5:25-1. Juvenile conference committees

(a) Appointment; Jurisdiction. The court may appoint one or more Juvenile Conference Committees for the county. If only one committee is appointed for the entire county, it shall sit at such times and places in the county as it shall determine with a view, wherever feasible, to holding hearings in or near the municipality where the juvenile involved resides. If more than one committee is appointed, each committee shall serve a single municipality or 2 or more adjacent municipalities where feasible and all municipalities so served shall have at least one representative on such committee.

(b) Membership. A committee shall consist of not less than 6 nor more than 9 members. Members of a committee, to the maximum feasible extent, shall represent the various socio-economic, racial and ethnic groups in the community or communities to be served by it. The term of each member appointed to the committee shall be for 3 years, and shall terminate on December 31, provided, however, that appointments shall be made so that the terms of one-third of the members of a committee expire each year. Vacancies shall be filled for the unexpired term.

(c) Duties. The committee shall serve as an arm of the court in hearing and deciding such matters involving alleged juvenile offenders as are specifically referred to it by the court. Its function shall be to set limits upon the behavior of the juvenile offenders before it by expressing, through its disposition of each case, the community disapproval of the behavior with which it deals. It shall be concerned primarily with providing balanced attention to the protection of the community, the imposition of accountability for offenses committed, fostering interaction and dialogue between the offender, victim and community, and the development of competencies to enable the juvenile offender to become a responsible and productive member of the community. In addition, the committee shall be concerned with endeavoring to forestall more serious future misconduct by the juvenile offender before it by obtaining the voluntary cooperation of the juvenile and the juvenile's parents or guardians with its recommendations for disciplinary or corrective action. The committee shall supervise and follow up compliance with its recommendations and keep the court advised thereof.

(d) Appearance; Compliance. No person shall be compelled to appear before, or comply with any recommendations of, a committee. If voluntary appearance or compliance cannot be attained, or if any person interested in a committee proceeding is not satisfied therewith, the matter shall be referred by the committee to the court.

(e) Confidentiality. All matters coming before a committee shall be held in strict confidence and under no circumstances made public. Every committee member shall be duly sworn by the judge to observe the confidential nature of committee proceedings. A committee member, however, when authorized by the entire committee, may publicize in

general terms the duties of the committee, the kinds and numbers of cases it hears (without in any way revealing the names or identities of persons involved or the action taken in any specific case), or any community conditions which the committee's work indicates may require correction to prevent future delinquency.

Note: Source-R. (1969) 5:10-2. Adopted December 20, 1983, to be effective December 31, 1983; paragraph (c) amended July 13, 1994 to be effective September 1, 1994; paragraph (c) amended July 12, 2002 to be effective September 3, 2002.

Rule 5:25-2. Referees

The judge of the Family Part may with the approval of the Chief Justice appoint a suitable person to act as referee. The recommendations of the referee shall be without effect unless approved by the court and incorporated in an appropriate order or judgment of the court.

Note: Source-R. (1969) 5:10-3. Adopted December 20, 1983, to be effective December 31, 1983.

Rule 5:25-3. Child Support Hearing Officers

(a) Appointment. There shall be established within the Family Part of the Chancery Division an Office of the Child Support Hearing Officer. The Office of the Child Support Hearing Officer shall consist of a Chief Child Support Hearing Officer, and as many other Child Support Hearing Officers as may be determined appropriate by the Supreme Court. The Chief Child Support Hearing Officer and other Child Support Hearing Officers shall be appointed by the Chief Justice and shall be under the direct supervision of the Family Part Presiding Judge of the county in which the Child Support Hearing Officer is assigned. The administrative supervision of the Child Support Hearing Officers shall be vested in the Administrative Director of the Courts.

(b) Jurisdiction. The Child Support Hearing Officer shall hear and make recommendations that the court enter orders based thereon in all Title IV-D, Federal Social Security Act, cases concerning:

(1) Establishment of Paternity or the Parent/Child relationship only when the matter is uncontested. When the issue of paternity is contested, the Child Support Hearing Officer shall refer the paternity issue to the court.

(2) Establishment of the obligation and amount of child support.

(3) Establishment of any other financial obligation regarding the care and maintenance of children as well as an obligation to provide medical coverage.

(4) Modification of the obligation of child support.

(5) Enforcement of the obligation of child support or any other support order.

(6) The establishment, modification and enforcement of support pursuant to N.J.S.A. 2A:4-30.124 to 2A:4-30.201, the Uniform Interstate Family Support Act.

(7) If any establishment case involves a complex issue requiring judicial resolution, the Child Support Hearing Officer shall recommend a temporary order establishing the obligation of child support pending referral of the matter to the court.

(8) Advanced written and oral notice shall be given to the parties that their case will be heard by a Child Support Hearing Officer, and they may object to the recommendation of the Child Support Hearing Officer, which will result in an immediate hearing before a Superior Court Judge pursuant to Rule 5:25-3(d)(2).

(c) Duties, Powers, and Responsibilities. The Child Support Hearing Officer shall be responsible to the Presiding Judge in the establishment, modification, and enforcement of all Title IV-D child-support actions. Such Child Support Hearing Officers shall serve at the pleasure of the Chief Justice and his/her powers and duties shall be prescribed in the order appointing him/her or in the Rules of Procedure of the Family Part. Such Child Support Hearing Officers shall:

- (1) regulate all proceedings before him/her;
- (2) take testimony and establish a record;
- (3) do all acts and take all measures necessary or proper for the efficient performance of his/her duties;
- (4) recommend that the court order the production before him/her of books, papers, vouchers, documents, and writings;
- (5) rule upon the admissibility of evidence;
- (6) recommend the issuance of summonses or subpoenas for the appearance of parties or witnesses, administer oaths, examine parties and witnesses under oath;
- (7) accept voluntary acknowledgment of support liability and stipulations or agreements setting the amount of child support to be paid and/or admitting paternity;
- (8) evaluate evidence and make recommendations as to the establishment and enforcement of child-support orders;
- (9) recommend entry of default judgments in appropriate cases;
- (10) in appropriate cases and with the immediate review by the court, make written findings, and based thereon may:
 - (A) recommend that the court adjudicate that a person has failed to comply with an order in violation of litigant's rights, and recommend incarceration for failure to comply with an order of the court that provided for the payment of support or the performance of any other act;
 - (B) request that a witness or party be brought directly before the court for a judicial hearing;
- (11) recommend that the court issue a warrant upon the failure of a party or a witness to appear after having been properly served, and recommend a release amount to satisfy full arrears;
- (12) recommend that the court order a party to participate in blood or genetic tests for the purpose of establishing paternity.

(d) Review by Presiding Judge or Designee; Appeal; Time; Record.

(1) The Presiding Judge of the Family Part or a Judge designated by the Presiding Judge shall immediately review all recommendations of a Child Support Hearing Officer. Appropriate recommendations shall be signed and ratified by the Judge.

(2) A party not accepting a recommendation entered by the Child Support Hearing Officer shall be entitled to an immediate appeal of the recommendation to the Presiding Judge of the Family Part or a Judge designated by the Presiding Judge who shall conduct a hearing forthwith. The appeal may be made by either party, and shall be heard de novo not on the record below. Failure of a party to request a de novo appeal on the day of the hearing shall require the filing of a motion before further relief can be considered.

(3) Orders of the Family Part entered as a result of a Child Support Hearing Officer's recommendation shall be recognized as a final order of the Superior Court. Copies of the orders shall be provided to the parties or their attorneys. Orders may be appealed to the Appellate Division of the Superior Court within the time and according to the procedures prescribed by the Rules for appeals to the Appellate Division. The time for appeal shall run from the date of the signing of the order by a Judge of the Superior Court.

(e) Service. All rules concerning service of notice and due process rights applicable to the Family Part shall be applicable to the Child Support Hearing Officer hearings.

(f) Standards and Guidelines. The Child Support Hearing Officer shall use any support-setting guidelines that may be approved by the Supreme Court.

(g) Qualifications and Compensation. The qualifications and compensation for the Chief Child Support Hearing Officer and other Child Support Hearing Officers shall be established by the Administrative Director of the Courts, subject to the approval of the Supreme Court.

Note: Source-new. Adopted September 24, 1985 to be effective October 1, 1985; paragraph (c)(12) adopted June 28, 1996 to be effective September 1, 1996; paragraph (b)(6) amended May 25, 1999 to be effective July 1, 1999; paragraphs (c)(10) and (c)(11) amended June 15, 2007 to be effective September 1, 2007; paragraph (d)(2) amended July 16, 2009 to be effective September 1, 2009; subparagraph (b)(6) amended July 28, 2017 to be effective September 1, 2017.

Rule 5:25-4. Domestic Violence Hearing Officers

Domestic Violence Hearing Officers may be appointed by the Judiciary to handle and make recommendations in matters under the Prevention of Domestic Violence Act (N.J.S.A. 2C:25-17 et seq.) in accordance with the provisions of that Act, Rule 5:7A ("Domestic Violence: Restraining Orders"), and such other policies and procedures as are applicable.

Note: Adopted July 28, 2004 to be effective September 1, 2004.