

“protection under the law from pre-birth, wrongful acts of others.” Citing In re Guardianship of K.H.O., 161 N.J. 337, 349 (1999); Smith v. Brennan, 31 N.J. 353, 366 (1960); and Sobeck v. Centennial Ins. Co., 234 N.J. Super. 445, 451-54 (Law Div. 1988).

Judge Jones in B.C. v. T.G., supra, probably stated it best when he said:

“In considering (a) the general public policy of protecting victims of domestic violence, (b) the expansive coverage of restraining orders to include the victim’s immediate family members, and (c) the special need to protect pregnant victims of violence, there is an inherent logic in allowing a pregnant domestic violence victim to obtain pre-birth, advance protection for her unborn child against a violent abuser. This concept is particularly relevant in a case such as the present one, where the violence was so blatant and dangerous in nature.”

After ten years, of no contradictory opinions, both houses of the New Jersey Legislature unanimously amended the Domestic Violence Act (N.J.S.A. 2C:25-26(10)9a and N.J.S.A. 2C:25-27(11)a) to include the following terms:

“... If the victim is pregnant, at the victim’s request, the court may order that the victim’s child shall, immediately upon birth, be included in the order. ...”

Gov. Phil Murphy thereby, solidified the legal concept championed by Judge Jones into law when he signed bill A3093 on January 8, 2024.

It is now the law of New Jersey that the victim of domestic abuse is now relieved of the obligation to immediately go back to court to seek further protections for the newborn, as it can now be handled, pursuant to statute, preemptively prior to birth.



Hon. Lawrence R. Jones (Ret.)

It is noted by this author that Hon. Lawrence R. Jones (Ret.) was a very active member of the New Jersey judiciary, having authored over 60 opinions on novel issues of law. He served as the President of the New Jersey Council of Juvenile and Family Court Judges (NJCFJCJ). He is also a very active member of the NJAPM community. He is a member of NJAPM’s Board of Directors, and a member of the NJAPM’s teaching faculty, and is the retiring Chair of NJAPM’s inaugural Diversity, Inclusion and Cultural Competency Committee. ●



Northeast New Jersey Legal Services Hosts a Stakeholders Breakfast at JPM Chase Offices in Jersey City on February 28th, 2024. Attended by NJAPM members Margarita Echevarria and Anju D. Jessani

Northeast New Jersey Legal Services

NJAPM members, Margie Echevarria and Anju Jessani, attended the February 28th Northeast New Jersey Legal Services (“NNJLS”) Stakeholders Breakfast at JP Morgan offices in Jersey City where they promoted NJAPM services including our reduced cost divorce mediation program. They greeted old and new friends, like former Governor Jim McGreevy, John Ukegbu, Esq. a consumer law and bankruptcy lawyer with NNJLS, and Roseann Mazzeo, S.C., MPA, Executive Director of WomenRising. NJAPM will be following up with Leah Ashe, Esq., Executive Director of NNJLS, on how NJAPM can partner with NNJLS to provide mediation services to their constituents.

The goal of the February 28th program was to provide an opportunity for NNJLS stakeholders to meet and greet. Stakeholders are considered those organizations that constitute referral partners that assist Legal Services clients in providing legal representation in areas not offered by legal services or organizations to which they may refer clients that do not meet Legal Services’ eligibility requirements.

Northeast New Jersey Legal Service’s (NNJLS) mission is to ensure equal access to justice for residents of Bergen, Hudson, and Passaic Counties in NJ. NNJLS is a private non-profit public interest law firm that provides free legal help in four core areas of civil law—housing, consumer, family, and public benefits to underserved individuals and families experiencing poverty. They also work to increase the public’s knowledge of their rights and responsibilities through community legal education.

With nearly 300 members, NJAPM is the only organization of professional mediators in New Jersey. The mission of NJAPM is to foster excellence in the field of mediation, promote and encourage mediation as the preferred method of dispute resolution, provide mediation education to the public,

the government and professionals, train and educate mediators, and protect the public through a standard of conduct for mediators. ●

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