

CHAPTER 190

AN ACT concerning legal assistance to victims of crime and amending P.L.1971, c.317.

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

1. Section 8 of P.L.1971, c.317 (C.52:4B-8) is amended to read as follows:

C.52:4B-8 Attorney fees and costs.

8. a. (1) The agency may, as a part of any order entered under P.L.1971, c.317, determine and allow reasonable attorney fees and costs, which shall not exceed 15% of the amount awarded as compensation under section 10 of P.L.1971, c.317, to be paid in addition to the amount of such compensation, to the attorney representing the applicant. Notwithstanding the provisions of this subsection, no award for attorney fees shall be less than \$300, unless the agency determines that the attorney has not acted diligently or in good faith representing the claimant.

(2) Where the agency enters an order denying compensation, it may nevertheless allow attorney fees of \$300 to the attorney representing the claimant if the agency determines that the attorney has acted diligently or in good faith representing the claimant.

(3) It shall be unlawful for any such attorney to ask for, contract for or receive any larger sum than the amount so allowed under paragraph (1) or (2) of this subsection.

b. The agency may allow payment up to a maximum of \$3,000, at an hourly rate to be fixed by the agency, to an attorney who provides legal assistance to a victim in any legal matter, other than a decision of the Victims of Crime Compensation Agency involving victim compensation or any related appeal, arising from or related to having been the victim of an offense specified in section 11 of P.L.1971, c.317 provided that the victim is otherwise eligible to make a claim for compensation. Payment under this subsection may be made if and only to the extent that the amount of such payment does not, when combined with the amounts paid or payable to the victim under an order for compensation, exceed the \$25,000 limitation on compensation set forth in section 18 of P.L.1971, c.317 (C.52:4B-18), and requests for payment under this subsection shall be subject to the five-year time limitation set forth in section 18 of P.L.1971, c.317 (C.52:4B-18).

2. This act shall take effect immediately.

Approved January 11, 2016.