New Jersey's New Child Custody Law: What The Amendments To N.J.S.A. 9:2-4 Mean For You And Your Children



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New Jersey has enacted sweeping reforms to its child custody laws fundamentally reshaping how courts determine the "best interests of the child." Effective January 20, 2026, Senate Bill S4510 changes how courts evaluate custody disputes by placing child safety and a child's lived experience at the center of every decision. These reforms affect how judges assess risk, listen to children, evaluate professional recommendations, and explain their rulings. These changes significantly impact litigation strategy, evidentiary standards, and how children's voices and safety are protected in New Jersey family courts. Below is a summary of the most important changes parents should understand as they navigate custody matters in New Jersey.

Key Provisions of Senate Bill S4510 (Effective January 20, 2026)

- Child safety is now the mandatory threshold issue in all custody cases and must be addressed before any parenting schedule is considered.
- Courts must consider and give weight to the expressed preferences of mature children and must place specific reasons on the record if a decision contradicts the child's wishes.
- Judges are required to provide detailed, on-the-record findings explaining how custody decisions were reached in contested cases, increasing transparency and accountability.
- Court-ordered reunification therapy is now subject to strict limits, including:
    - A requirement for scientifically valid, generally accepted evidence of safety and effectiveness
    - Prohibitions on coercive, isolating, or force-based therapeutic practices

    - A ban on assuming parental alienation without investigating the child's actual reasons for resistance
- Courts may not increase custody time or order therapy to "force" a relationship where abuse or safety concerns exist.
- Mental health professionals involved in custody matters must be state-licensed, and those handling cases involving abuse or domestic violence must have specialized training and experience.
- The law applies immediately to all pending and future custody cases but does not automatically modify existing orders.

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