

mandates that an insurer who has reason to believe that an insured's fire claim arises from circumstances which were not accidental report the fire to the local county prosecutor, who will then give the information to the agency responsible for investigating the fire. An authorized agency can initiate this exchange of information by a request in writing to the insurer. The insurer is then required to disclose the requested information and to cooperate with the agency. The agency may then release this information to any other authorized agency to the extent that it is relevant to the latter's investigation of property loss by fire. The information obtained pursuant to this Act may otherwise be disclosed only for use in a civil or criminal proceeding as ordered by a court.

In the event of a civil action, an insurer who furnishes an authorized agency with information is entitled, as a matter of right, to request that the agency release other relevant information to it if such information is not privileged by law. If the insurance company is named as a party to the litigation, personnel of any authorized agency may be required to testify.

This Act changes existing law by providing that an insurer will no longer incur risk or civil liability for divulging required information as long as actual malice is not found on the part of the insurer. A failure to disclose information as required or a failure to hold information in confidence will result in a penalty of not more than \$250. The proceedings may be brought by an authorized agency which has not received information or has not been notified regarding a fire loss, or by an insurer or person who has been injured by failure to keep the information confidential, or by the State. A reasonable and good faith effort to comply with the provisions of this Act is a defense to an alleged violation.

—*Marianne T. Allegro*

DOMESTIC RELATIONS—SPOUSAL ASSAULT—N.J. STAT. ANN. §§
2C:12-4 to -9 (West Supp. 1981)

The Legislature has recognized spousal assault as a significant social issue and has enacted N.J. STAT. ANN. §§ 2C:12-4 to -9. This Act provides an emergency procedure whereby an individual accusing his or her spouse of an assault and battery can seek immediate relief in the municipal court. When such a complaint is brought before a municipal court judge, testimony will be taken concerning the allegations made by the complaining spouse. If it appears that there is probable cause to

believe that such an assault has occurred, then the judge may order the presence of the accused in court. Once both parties are before the court, if the judge finds probable cause to believe that clear and immediate harm may result to the accused's spouse or to family members if the accused remains in the marital residence, the judge shall issue an order forbidding the accused from returning there for up to seventy-two hours. An extension is available upon a further showing of need to the judge, but this extension cannot exceed two weeks from the date of the original order. The judge may allow the accused to return to the marital residence to pick up personal belongings, but may restrict both the time and duration and may further provide for police supervision of this visit.

Any person who violates an order issued pursuant to this Act may be charged with contempt. An order issued pursuant to this Act is immediately appealable either to the Chancery Division of the New Jersey Superior Court or to the Juvenile and Domestic Relations Court of the county in which the plaintiff and the accused reside.

Several other states have enacted laws to provide for the restraint or eviction of an abusing spouse: California (CAL. PENAL CODE § 273.5 (West)); Connecticut (CONN. GEN. STAT. ANN. § 46b-38 (West)); Illinois (ILL. ANN. STAT. ch. 40, § 701 (Smith-Hurd)); and Oregon (OR. REV. STAT. § 133.055).

—*Donna Yurow*

JURISDICTION—COUNTY DISTRICT COURTS—AN ACT TO AMEND N.J. STAT. ANN. §§ 2A:6-34 to -35, 2A:6-43 to -44, 2A:15-62, and 2A:18-62 (West Supp. 1981)

In an attempt to acknowledge the effects of inflation, the Legislature has raised the jurisdictional limit of the amount in controversy of the county district courts from \$3,000 to \$5,000. The prior limits had not been increased since 1969.

The county district courts have jurisdiction in the following actions: every civil action, other than a proceeding in lieu of a prerogative writ; every action to recover any penalty imposed by any law of this State; actions between landlords and tenants; actions of replevin; actions of attachment; actions by or against boards of chosen freeholders, quasi-, domestic, foreign, and municipal corporations, equally with natural per-