

**Attorney General of New Jersey  
Attorney for New Jersey Division of Child Protection and Permanency**

**By:**

**Deputy Attorney General  
Division of Law**

**Telephone Number:**

**New Jersey Division of Child Protection  
and Permanency,**

Plaintiff,

v.

(NJ Spirit Participant #: \_\_\_\_\_) Defendant,

**In the Matter of:**

(NJ Spirit Participant #: \_\_\_\_\_)

FC Docket #: \_\_\_\_\_

(NJ Spirit Participant #: \_\_\_\_\_)

FC Docket #: \_\_\_\_\_

This matter having been brought before the Court on \_\_\_\_\_, 20\_\_\_\_, by the Division of Child Protection and Permanency (the Division), pursuant to *N.J.S.A. 30:4C-12* and *R. 5:12-1*, et seq., Deputy Attorney General \_\_\_\_\_, appearing, and in the presence of the defendant(s):

the child \_\_\_\_\_,  appearing /  not appearing represented by  
Law Guardian \_\_\_\_\_,  appearing /  not appearing

Defendant \_\_\_\_\_  appearing /  not appearing,  
 noticed /  not noticed, represented by  
Attorney \_\_\_\_\_  appearing /  not appearing

Defendant \_\_\_\_\_  appearing /  not appearing,  
 noticed /  not noticed, represented by  
Attorney \_\_\_\_\_  appearing /  not appearing

Division Caseworker/Supervisor \_\_\_\_\_  appearing /  not appearing  
Division Phone number: \_\_\_\_\_ ext.: \_\_\_\_\_

**Superior Court of New Jersey  
Chancery Division - Family Part**

County of \_\_\_\_\_

Docket Number: FN - \_\_\_\_\_

NJ Spirit Case #: \_\_\_\_\_

**Civil Action  
Order to Show Cause for  
Temporary Custody**

Court Appointed Special Advocate \_\_\_\_\_  appearing /  not appearing

Resource Family member [initials only] \_\_\_\_\_  appearing /  not appearing

Resource Family member [initials only] \_\_\_\_\_  appearing /  not appearing

Other: \_\_\_\_\_  appearing /  not appearing

the Court having read the verified complaint, affidavits and other supporting documents, and having heard the testimony of \_\_\_\_\_ and \_\_\_\_\_, the Court determines that:

**Care and Supervision**

1. The Division shall have care and supervision of the child(ren) \_\_\_\_\_, to provide services to ensure his/her/their health or safety.
2. The Division shall have care and supervision of the child(ren), which is necessary because \_\_\_\_\_.

**OR**

**Custody**

1. The removal of the child(ren) is necessary to ensure his/her/their health or safety.
2. Continuation of residence in the home would be contrary to the welfare of the child(ren) because of allegations that, \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ and for the other reasons stated on the record.
3. Reasonable efforts to prevent placement prior to removal were made, as indicated in paragraphs \_\_\_\_\_ of the attached complaint.

**and for good cause shown,**

**It Is on This \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_, Ordered that**

1. The defendants show cause before this court on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m., why an order should not be entered continuing the child(ren) under the care and supervision of the Division and/or in the legal and physical custody of the Division; and,
  - This upcoming hearing shall serve as a summary hearing pursuant to *N.J.S.A. 30:4C-12*.
2. A true copy of the order and supporting documents, if any, be served upon the defendant(s), by the sheriff or such other person as the Division shall designate within \_\_\_\_\_ days of entry of the order in accord with *R. 4:4-4*; and,
3. Any party having legal standing in this matter may move for dissolution or modification of the order upon \_\_\_\_\_ days notice to the court and all parties.
4. The defendant shall have access to the Division's records prior to the summary hearing.

**5A. Care and Supervision**

The child(ren) be immediately made ward(s) of the court and placed in the immediate care and supervision of the Division with authorization for the Division to consent to routine and emergency surgical or medical treatment necessary to safeguard the life or health of the child(ren).

**OR**

**5B. Custody**

1. The child(ren) be immediately made ward(s) of the court and placed in the immediate custody, care and supervision of the Division with authorization for the Division to consent to routine and emergency surgical or medical treatment necessary to safeguard the life or health of the child(ren); and,
2. The defendant(s) disclose to the Division any relatives who may be available as potential caregivers for the child(ren) on or before the return date of the Order to Show Cause; and,
3. Should the Division determine that the child(ren) is/are at risk for H.I.V., the Division is authorized to have the child(ren) tested for H.I.V., and the Division further is authorized to release the results of the H.I.V. test to the resource family, school personnel, medical personnel and others when it is necessary for the care, supervision and/or treatment of the child(ren); and,

**4. Visitation**

- (a) Defendant(s) \_\_\_\_\_ are entitled to the following visitation:  
 Weekly /  every other week /  on a \_\_\_\_\_ basis.  
 Supervised by: \_\_\_\_\_.
- (b) Visitation is contingent upon 24 hour advance confirmation by defendant.
- (c) Visitation for defendant(s) \_\_\_\_\_ is temporarily suspended until further order of the court because  
 \_\_\_\_\_  
 \_\_\_\_\_
- (d) Separate visitation to be provided to defendant(s)  
 \_\_\_\_\_
- (e) Siblings are entitled to regular visits:  
 Weekly /  every other week /  on a \_\_\_\_\_ basis.  
 Siblings visits to be arranged by: \_\_\_\_\_

6.  The court has made a determination regarding the federal Indian Child Welfare Act (see attached Supplemental Order).

7. Verified complaint for care, custody or supervision is hereby dismissed because  
 \_\_\_\_\_  
 \_\_\_\_\_

**It Is Further Ordered That:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_, J.S.C.

**The defendant shall have the right to be represented by counsel.**

**These proceedings are confidential. The disclosure of any records, reports or information is strictly prohibited and subject to the penalties of N.J.S.A. 9:6-8.10b.**

**The failure of the defendant(s) to comply with any provision of this order or their continuing failure to appear may result in the filing of a complaint by the division to terminate the defendant(s)' parental rights to the child(ren) named in this complaint. A termination of parental rights would free the child(ren) for adoption.**