

Confidential Litigant Information Sheet (R. 5:4-2(g))

To Assure Accuracy of Court Records

To be filled out by plaintiff or defendant or attorney

Collection of the following information is pursuant to N.J.S.A. 2A:17-56.60 and R. 5:7-4.

Confidentiality of this information must be maintained.

Docket #		CS			
Your Name (last, first, middle initial): _____					
Are You: Plaintiff or Defendant? (circle one)	Social Security Number	Date of Birth	Place of Birth	Driver's License Number (state of issuance)	
Active Domestic Violence Order in this case? Yes or no (circle one)	- -				
Address			Telephone Number		
			()		
Employer Name and Address (or other income source)			Telephone Number		
			()		
Professional, Occupational, Recreational Licenses (Types and Numbers)			Attorney Name and Address		
Health Coverage for Children (available through parent filling out this form)					
<i>Health Care Provider</i> _____		<i>Policy #</i> _____		<i>Group #</i> _____	
<i>Dental Care Provider</i> _____		<i>Policy #</i> _____		<i>Group #</i> _____	
<i>Prescription Drug Provider</i> _____		<i>Policy #</i> _____		<i>Group#</i> _____	
Children Information					
Name (last, first, middle initial)	Date of Birth	Race	Sex	Social Security Number	Place of Birth
1.					
2.					
3.					
4.					
5.					
6.					
Sex					
Sex	Race	Height	Weight	Eyes	Hair
Auto License Plate # (State of issuance)	Car (model, make, year)	Mother's maiden name and address			
I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.					
_____			_____		
Date			Signature		

**Appendix IX-F
New Jersey
Schedule of Child Support Awards**

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
0	For combined net incomes that are less than \$170 per week, the court shall establish a child support award based on the obligor's net income and living expenses and the needs of the child. In these circumstances, the support award should be between \$5.00 per week and the support amount at \$170 combined net weekly income as shown on this schedule.					
50						
100						
150						
160						
170	44	62	72	81	89	97
180	47	66	77	85	94	102
190	49	70	81	90	99	108
200	52	73	85	95	104	113
210	54	77	89	99	109	119
220	57	81	93	104	115	125
230	60	84	98	109	120	130
240	62	88	102	113	125	136
250	65	91	106	118	130	141
260	67	95	110	123	135	147
270	70	99	114	127	140	153
280	72	102	118	132	145	158
290	75	106	123	137	150	164
300	77	109	127	141	156	169
310	80	113	131	146	161	175
320	83	117	135	151	166	180
330	85	120	139	155	171	186
340	88	124	144	160	176	192
350	90	127	148	165	181	197
360	93	131	152	169	186	203
370	95	135	156	174	192	208
380	98	138	160	179	197	214
390	100	142	164	183	202	219
400	103	145	168	187	206	224
410	105	148	172	191	211	229
420	107	151	175	195	215	234
430	110	155	179	199	219	239
440	112	158	183	204	224	244
450	115	161	186	208	228	248
460	117	164	190	212	233	253

Combined Net Weekly Income		ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
470		119	167	193	216	237	258
480		122	171	197	220	242	263
490		124	174	201	224	246	268
500		126	177	204	228	250	272
510		129	180	208	232	255	277
520		131	183	211	236	259	282
530		134	186	215	240	264	287
540		136	190	219	244	268	292
550		138	193	222	248	273	297
560		140	196	226	252	277	302
570		143	199	230	256	282	306
580		145	202	233	260	286	311
590		147	206	237	264	291	316
600		150	209	241	268	295	321
610		152	212	244	272	300	326
620		154	215	248	276	304	331
630		157	218	252	281	309	336
640		159	221	255	284	312	340
650		161	224	258	287	316	344
660		163	227	261	291	320	348
670		165	230	264	294	324	352
680		167	232	267	298	327	356
690		169	235	270	301	331	360
700		171	238	273	305	335	364
710		174	241	276	308	339	369
720		176	244	279	311	343	373
730		178	246	282	315	346	377
740		180	249	286	319	351	381
750		182	252	289	322	355	386
760		185	256	293	326	359	390
770		187	259	296	330	363	395
780		189	262	299	334	367	400
790		191	265	303	338	371	404
800		194	268	306	341	376	409
810		196	271	310	345	380	413
820		198	274	313	349	384	418
830		200	277	317	353	388	422
840		203	280	320	357	393	427
850		205	283	324	361	397	432
860		207	287	328	365	402	437
870		210	290	331	369	406	442
880		212	293	335	374	411	447

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
890	215	296	339	378	415	452
900	217	300	342	382	420	457
910	219	303	346	386	425	462
920	222	306	350	390	429	467
930	223	308	352	392	431	469
940	224	309	353	394	433	471
950	225	310	354	395	435	473
960	227	312	356	397	436	475
970	228	313	357	398	438	477
980	229	315	359	400	440	479
990	230	316	360	401	442	480
1,000	232	317	361	403	443	482
1,010	233	319	363	405	445	484
1,020	234	320	364	406	447	486
1,030	235	322	366	408	448	488
1,040	236	323	367	409	450	490
1,050	238	324	368	411	452	492
1,060	239	326	370	412	454	494
1,070	240	327	371	414	455	495
1,080	241	328	372	415	456	496
1,090	242	329	373	416	457	498
1,100	243	330	374	417	458	499
1,110	244	331	375	418	460	500
1,120	245	332	376	419	461	501
1,130	246	333	376	420	462	502
1,140	246	334	377	421	463	504
1,150	247	335	378	422	464	505
1,160	248	336	379	423	465	506
1,170	249	337	380	424	466	507
1,180	250	338	381	425	467	508
1,190	251	339	382	426	468	510
1,200	252	340	383	427	470	511
1,210	253	341	384	428	471	512
1,220	254	342	385	429	472	513
1,230	255	343	386	430	473	514
1,240	256	344	386	431	474	516
1,250	256	345	387	432	475	517
1,260	257	346	388	433	476	518
1,270	258	347	389	434	477	519
1,280	259	348	390	435	478	520
1,290	260	349	391	436	479	522
1,300	261	350	392	437	481	523

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
1,310	262	351	393	438	482	524
1,320	263	352	394	439	483	526
1,330	263	353	395	440	484	527
1,340	264	354	396	441	486	528
1,350	265	355	397	443	487	530
1,360	266	356	398	444	488	531
1,370	267	357	399	445	490	533
1,380	267	358	400	446	491	534
1,390	268	359	401	447	492	535
1,400	269	361	402	449	493	537
1,410	270	362	403	450	495	538
1,420	271	363	404	451	496	540
1,430	271	364	406	452	497	541
1,440	272	365	407	453	499	543
1,450	273	366	408	455	500	544
1,460	274	367	409	456	501	545
1,470	275	368	410	457	503	547
1,480	275	369	411	458	504	548
1,490	276	370	412	459	505	550
1,500	277	371	413	461	507	551
1,510	278	372	414	462	508	553
1,520	279	373	415	463	509	554
1,530	279	374	416	464	511	555
1,540	280	375	417	465	512	557
1,550	281	376	418	466	513	558
1,560	282	377	419	468	514	560
1,570	283	378	420	469	516	561
1,580	283	379	422	470	517	563
1,590	284	380	423	471	518	564
1,600	285	381	424	472	520	565
1,610	286	382	425	474	521	567
1,620	287	383	426	475	522	568
1,630	287	384	427	476	524	570
1,640	288	385	428	477	525	571
1,650	289	386	429	478	526	573
1,660	290	387	430	480	528	574
1,670	291	388	431	481	529	575
1,680	291	389	432	482	530	577
1,690	292	390	433	483	531	578
1,700	293	391	434	484	533	580
1,710	294	393	436	486	535	582
1,720	295	394	437	488	536	584

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
1,730	296	395	439	489	538	585
1,740	297	397	440	491	540	587
1,750	298	398	442	492	542	589
1,760	299	399	443	494	543	591
1,770	300	401	444	495	545	593
1,780	302	402	446	497	547	595
1,790	303	403	447	499	548	597
1,800	304	405	449	500	550	599
1,810	305	406	450	502	552	600
1,820	306	407	451	503	554	602
1,830	307	409	453	505	555	604
1,840	308	410	454	506	557	606
1,850	309	411	456	508	559	608
1,860	310	413	457	510	561	610
1,870	311	414	458	511	562	612
1,880	312	415	460	513	564	614
1,890	313	417	461	514	566	616
1,900	314	418	463	516	568	617
1,910	315	419	464	517	569	619
1,920	316	421	466	519	571	621
1,930	317	422	467	521	573	623
1,940	318	423	468	522	574	625
1,950	319	425	470	524	576	627
1,960	321	426	471	525	578	629
1,970	322	427	473	527	580	631
1,980	323	429	474	529	581	633
1,990	324	430	475	530	583	634
2,000	325	431	477	532	585	636
2,010	326	433	478	533	587	638
2,020	327	434	480	535	588	640
2,030	328	435	481	536	590	642
2,040	329	437	482	538	592	644
2,050	330	438	484	540	593	646
2,060	331	439	485	541	595	648
2,070	332	441	487	543	597	649
2,080	333	442	488	544	599	651
2,090	334	443	490	546	600	653
2,100	335	445	491	547	602	655
2,110	336	446	492	549	604	657
2,120	337	447	494	551	606	659
2,130	338	449	495	552	607	661
2,140	339	450	497	554	609	663

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
2,150	341	451	498	555	611	665
2,160	342	453	499	557	613	666
2,170	343	454	501	558	614	668
2,180	344	455	502	560	616	670
2,190	345	456	503	561	617	672
2,200	345	458	505	563	619	673
2,210	346	459	506	564	620	675
2,220	347	460	507	565	622	676
2,230	348	461	508	566	623	678
2,240	349	462	509	568	624	679
2,250	350	463	510	569	626	681
2,260	351	464	511	570	627	682
2,270	352	465	513	571	629	684
2,280	352	466	514	573	630	685
2,290	353	467	515	574	631	687
2,300	354	468	516	575	633	688
2,310	355	469	517	577	634	690
2,320	356	471	518	578	636	692
2,330	357	472	519	579	637	693
2,340	358	473	520	580	638	695
2,350	358	474	522	582	640	696
2,360	359	475	523	583	641	698
2,370	360	476	524	584	643	699
2,380	361	477	525	585	644	701
2,390	362	478	526	587	645	702
2,400	363	479	527	588	647	704
2,410	364	480	528	589	648	705
2,420	365	481	530	590	650	707
2,430	365	482	531	592	651	708
2,440	366	483	532	593	652	710
2,450	367	485	533	594	654	711
2,460	368	486	534	596	655	713
2,470	369	487	535	597	656	714
2,480	370	488	536	598	658	716
2,490	371	489	538	599	659	717
2,500	371	490	539	601	661	719
2,510	372	491	540	602	662	720
2,520	373	492	541	603	663	722
2,530	374	493	542	604	665	723
2,540	375	494	543	606	666	725
2,550	376	495	544	607	668	726
2,560	377	496	545	608	669	728

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
2,570	377	497	547	609	670	729
2,580	378	499	548	611	672	731
2,590	379	500	549	612	673	732
2,600	380	501	550	613	675	734
2,610	381	502	551	615	676	735
2,620	382	503	552	616	677	737
2,630	383	504	553	617	679	739
2,640	384	505	555	618	680	740
2,650	384	506	556	620	682	742
2,660	385	507	557	621	683	743
2,670	386	508	558	622	684	745
2,680	387	509	559	623	686	746
2,690	388	510	560	625	687	747
2,700	388	511	561	626	688	749
2,710	389	512	562	627	690	750
2,720	390	514	563	628	691	752
2,730	390	515	564	629	692	753
2,740	391	516	565	630	694	755
2,750	392	517	567	632	695	756
2,760	393	518	568	633	696	757
2,770	393	519	569	634	697	759
2,780	394	520	570	635	699	760
2,790	395	521	571	636	700	762
2,800	395	522	572	638	701	763
2,810	396	523	573	639	703	765
2,820	397	524	574	640	704	766
2,830	398	525	575	641	705	767
2,840	398	526	576	642	707	769
2,850	399	527	577	644	708	770
2,860	400	528	578	645	709	772
2,870	400	529	579	646	711	773
2,880	401	530	580	647	712	775
2,890	402	531	582	648	713	776
2,900	403	532	583	650	715	777
2,910	403	533	584	651	716	779
2,920	404	534	585	652	717	780
2,930	405	536	586	653	718	782
2,940	406	537	587	654	720	783
2,950	406	538	588	656	721	785
2,960	407	539	589	657	722	786
2,970	408	540	590	658	724	787
2,980	408	541	591	659	725	789

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
2,990	409	542	592	660	726	790
3,000	410	543	593	662	728	792
3,010	411	544	594	663	729	793
3,020	411	545	595	664	730	795
3,030	412	546	596	665	732	796
3,040	413	547	598	666	733	797
3,050	413	548	599	667	734	799
3,060	414	549	600	669	736	800
3,070	415	550	601	670	737	802
3,080	416	551	602	671	738	803
3,090	416	552	603	672	739	805
3,100	417	553	604	673	741	806
3,110	418	554	605	675	742	807
3,120	419	555	606	676	743	809
3,130	419	556	607	677	745	810
3,140	420	558	608	678	746	812
3,150	421	559	609	679	747	813
3,160	421	560	610	681	749	815
3,170	422	561	611	682	750	816
3,180	423	562	613	683	751	817
3,190	424	563	614	684	753	819
3,200	424	564	615	685	754	820
3,210	425	565	616	687	755	822
3,220	426	566	617	688	757	823
3,230	426	567	618	689	758	825
3,240	427	568	619	690	759	826
3,250	428	569	620	691	760	827
3,260	429	570	621	693	762	829
3,270	429	571	622	694	763	830
3,280	430	572	623	695	764	832
3,290	431	573	624	696	766	833
3,300	431	574	625	697	767	835
3,310	432	575	626	699	768	836
3,320	433	576	628	700	770	837
3,330	434	577	629	701	771	839
3,340	434	579	630	702	772	840
3,350	435	580	631	703	774	842
3,360	436	581	632	704	775	843
3,370	437	582	633	706	776	845
3,380	437	583	634	707	778	846
3,390	438	584	635	708	779	847
3,400	439	585	636	709	780	849

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
3,410	439	586	637	710	781	850
3,420	440	587	638	712	783	852
3,430	441	588	639	713	784	853
3,440	442	589	640	714	785	855
3,450	442	590	641	715	787	856
3,460	443	591	643	716	788	857
3,470	444	592	644	718	789	859
3,480	444	593	645	719	791	860
3,490	445	594	646	720	792	862
3,500	446	595	647	721	793	863
3,510	447	596	648	722	795	865
3,520	447	597	649	724	796	866
3,530	448	598	650	725	797	867
3,540	449	599	651	726	799	869
3,550	450	601	652	727	800	870
3,560	450	602	653	728	801	872
3,570	451	603	654	730	802	873
3,580	452	604	655	731	804	875
3,590	452	605	656	732	805	876
3,600	453	606	658	733	806	877
[3,610	454	607	659	734	808	879
3,620	455	608	660	736	809	880
3,630	455	609	661	737	810	882
3,640	456	610	662	738	812	883
3,650	457	611	663	739	813	885
3,660	457	612	664	740	814	886
3,670	458	613	665	741	816	887
3,680	459	614	666	743	817	889
3,690	460	615	667	744	818	890
3,700	460	616	668	745	820	892
3,710	461	617	669	746	821	893
3,720	462	618	670	747	822	895
3,730	462	619	671	749	824	896
3,740	463	620	672	750	825	897
3,750	464	622	674	751	826	899
3,760	465	623	675	752	827	900
3,770	465	624	676	753	829	902
3,780	466	625	677	755	830	903
3,790	467	626	678	756	831	905
3,800	468	627	679	757	833	906
3,810	468	628	680	758	834	907
3,820	469	629	681	759	835	909

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
3,830	470	630	682	761	837	910
3,840	470	631	683	762	838	912
3,850	471	632	684	763	839	913
3,860	472	633	685	764	841	915
3,870	473	634	686	765	842	916
3,880	473	635	687	767	843	917
3,890	474	636	689	768	845	919
3,900	475	637	690	769	846	920
3,910	475	638	691	770	847	922
3,920	476	639	692	771	848	923
3,930	477	640	693	773	850	925
3,940	478	641	694	774	851	926
3,950	478	642	695	775	852	927
3,960	479	644	696	776	854	929
3,970	480	645	697	777	855	930
3,980	481	646	698	778	856	932
3,990	481	647	699	780	858	933
4,000	482	648	700	781	859	935
4,010	483	649	701	782	860	936
4,020	483	650	702	783	862	937
4,030	484	651	704	784	863	939
4,040	485	652	705	786	864	940
4,050	486	653	706	787	866	942
4,060	486	654	707	788	867	943
4,070	487	655	708	789	868	945
4,080	488	656	709	790	869	946
4,090	488	657	710	792	871	947
4,100	489	658	711	793	872	949
4,110	490	659	712	794	873	950
4,120	491	660	713	795	875	952
4,130	491	661	714	796	876	953
4,140	492	662	715	798	877	955
4,150	493	663	716	799	879	956
4,160	494	665	717	800	880	957
4,170	494	666	719	801	881	959
4,180	495	667	720	802	883	960
4,190	496	668	721	804	884	962
4,200	496	669	722	805	885	963
4,210	497	670	723	806	887	965
4,220	498	671	724	807	888	966
4,230	499	672	725	808	889	967
4,240	499	673	726	810	890	969

Combined Net Weekly Income	ONE CHILD	TWO CHILDREN	THREE CHILDREN	FOUR CHILDREN	FIVE CHILDREN	SIX CHILDREN
4,250	500	674	727	811	892	970
4,260	501	675	728	812	893	972
4,270	501	676	729	813	894	973
4,280	502	677	730	814	896	975
4,290	503	678	731	815	897	976
4,300	504	679	732	817	898	977
4,310	504	680	734	818	900	979
4,320	505	681	735	819	901	980
4,330	506	682	736	820	902	982
4,340	506	683	737	821	904	983
4,350	507	684	738	823	905	985
4,360	508	685	739	824	906	986
4,370	509	687	740	825	908	987
4,380	509	688	741	826	909	989
4,390	510	689	742	827	910	990
4,400	511	690	743	829	911	992
4,410	512	691	744	830	913	993
4,420	512	692	745	831	914	995]
	<p>For cases in which the combined net income of the parents is more than [\$4,420] <u>\$3,600</u> per week, the child support award at [\$4,420] <u>\$3,600</u> represents the minimum basic support award. The court must add a discretionary amount of child support to the minimum basic award based on the factors specified in <i>N.J.S.A. 2A:34-23</i>. See Appendix IX-A, Extreme Income Situations, for additional information.</p> <p><i>DO NOT EXTRAPOLATE THESE SCHEDULES BEYOND [\$4,420] <u>\$3,600</u> COMBINED WEEKLY NET INCOME</i></p> <p>[Note: Revised Appendix IX-F adopted _____ to be effective _____.]</p>					

Appendix IX-A - Considerations in the Use of Child Support Guidelines

(Includes Amendments Through Those Effective _____ [September 1, 2006])

1. . . . no change.

2. . . . no change.

3. . . . no change.

4. . . . no change.

5. . . . no change.

6. . . . no change.

7. . . . no change.

8. . . . no change.

9. . . . no change.

10. Adjustments to the Support Obligation - The factors listed below may require an adjustment to the basic child support obligation.

a. . . . no change.

b. Multiple Family Obligations. In some cases, one individual may be obligated to pay child support to multiple families. When the court adjudicates a case involving an obligor with multiple family obligations, it may be necessary to review all past orders for that individual. If the court has jurisdiction over all matters, it may either average the orders or fashion some other equitable solution to treat all supported children fairly under the guidelines. If multiple orders reduce the obligor's income to an amount below the self-support reserve, the orders should be adjusted to distribute the obligor's available income among all children while [preserving] taking

into consideration both the obligee's share of the child support obligation and [the] obligor's self-support reserve. If other jurisdiction's tribunals ordered the obligor to pay child support for a different family, the New Jersey court may consider that fact for the purpose of maintaining the obligor's self-support reserve.

c. . . . no change.

11. . . . no change.

12. . . . no change.

13. . . . no change.

14. . . . no change.

15. . . . no change.

16. . . . no change.

17. Adjustments for the Age of the Children - The child support schedules are based on child-rearing expenditures averaged across the entire age range of zero through 17 years (total expenditures divided by 18 years). This averaging means that awards for younger children are slightly overstated due to the higher level of expenditures for older children. If an award is entered while the child is very young and continues through age 18, the net effect is negligible. However, initial awards for children in their teens are underestimated by the averaging and should be adjusted upward to compensate for this effect. Due to limitations of the CEX and the Rothbarth estimator, a separate marginal cost for teen-aged children could not be estimated. Based on Dr. Thomas Espenshade's 1980 CEX study, the cost of children aged 12 through 17 was 14.6% above the average expenditures. [Awards entered when a child is less than six years of age should not be adjusted later for age since the higher expenditures for older children were

already received during the child's early years.]Therefore, if the initial child support order is entered when a child is 12 years of age or older, that order and all subsequent orders shall be adjusted upward by 14.6%. Whenever the 14.6% adjustment is made, it should be noted in the guidelines worksheet or in the support order. This will clarify the basis of the order for future modifications or appeals.

18. . . . no change.

19. . . . no change.

20. . . . no change.

21. . . . no change.

22. . . . no change.

23. . . . no change.

24. . . . no change.

25. . . . no change.

26. . . . no change.

27. . . . no change.

28. . . . no change.

29. . . . no change.

NEW JERSEY UNIFORM SUPPORT NOTICES

PURSUANT TO R. 5:7-4(f), TAKE NOTICE THAT THE FOLLOWING PROVISIONS ARE TO BE CONSIDERED PART OF THIS ORDER AND ARE BINDING ON ALL PARTIES:

1. You must continue to make all payments until the court order is changed by another court order.
2. You must file a **WRITTEN** request to the Family Division in the county in which the order was entered in order for the court to consider a change in the support order. Contact the Family or Probation Division to find out how to do this. It is important that you request a change as soon as possible after your income or the child(ren)'s status changes. In most cases, if you delay making your request, and you are the obligor, you will have to pay the original amount of support until the date of your written request.
3. Payments must be made directly to the New Jersey Family Support Payment Center, P.O. Box 4880, Trenton, NJ 08650, unless the court directs otherwise. Payments may be made by money order, check, direct debit from your checking account, or credit card. Gifts, other purchases, or in-kind payments made directly to the obligee or child(ren) will not fulfill the support obligation. Credit for payments made directly to the obligee or child(ren) may not be given without a court order.
4. No payment or installment of an order for child support, or those portions of an order that are allocated for child support, shall be retroactively modified by the court except for the period during which the party seeking relief has pending an application for modification as provided in *N.J.S.A. 2A:17-56.23a*. (*R. 5:7-4(e)*).
5. The amount of child support and/or the addition of a health care coverage provision in Title IV-D cases shall be subject to review at least once every three years, on written request by either party to the Division of Family Development, P.O. Box 716, Trenton, NJ 08625-0716, as appropriate, or upon application to the court. (*N.J.S.A. 2A:17-56.9a*; *R. 5:7-4(e)*).
6. In accordance with *N.J.S.A. 2A:34-23b*, the custodial parent may require the non-custodial parent's health care coverage provider to make payments directly to the health care provider by submitting a copy of the relevant sections of the order to the insurer. (*R. 5:7-4(e)*).
7. Social Security numbers are collected and used in accordance with section 205 of the Social Security Act (42 *U.S.C.* 405). Disclosure of an individual's Social Security number for Title IV-D purposes is mandatory. Social Security numbers are used to obtain income, employment, and benefit information on individuals through computer matching programs with federal and state agencies, and such information is used to establish and enforce child support under Title IV-D of the Social Security Act (42 *U.S.C.* 651 et seq.). Any person who willfully and with the intent to deceive, uses a Social Security number obtained on the basis of false information provided to Social Security Administration or provides a false or inaccurate Social Security number is subject to a fine or imprisonment. (42 *U.S.C.* 408(7); *R. 5:7-4(e)*).

8. The United States Secretary of State is required to refuse to issue or renew a passport to any person certified as owing a child support arrearage exceeding the statutory amount. In addition, the U.S. Secretary of State may take action to revoke, restrict or limit a passport previously issued to an individual owing such a child support arrearage. (42 U.S.C. 652(k)).
9. Failure to appear for a hearing to establish or to enforce an order, or failure to comply with the support provisions of this order may result in incarceration. The obligee and obligor shall notify the appropriate Probation Division of any changes in address, employment status, health care coverage, or a change in the address or status of the child(ren). Changes must be reported in writing to the Probation Division within 10 days of the change. Not providing this information is a violation of this Order. The last address you give to Probation will be used to send you notices. If you fail to appear, a default order may be entered against you or a warrant may be issued for your arrest (R. 5:7-4(e)).
10. Any payment or installment for child support shall be fully enforceable and entitled to full faith and credit and shall be a judgment by operation of law on or after the date it is due (N.J.S.A. 2A:17-56.23a). Any non-payment of child support you owe has the effect of a lien against your property. This child support lien may affect your ability to obtain credit or to sell your property. Failure to remit timely payment automatically results in the entry of a judgment against the obligor and post-judgment interest may be charged. Judgments [also] accrue interest at the rate prescribed by Rule 4:42- 11(a). (R. 5:7-4(e), 5:7-5(g)). Before the satisfaction of the child support judgment, any party to whom the child support is owed has the right to request assessment of post-judgment interest on child support judgments.
11. All child support obligations are payable by income withholding unless otherwise ordered. If immediate income withholding is not required when an order is entered or modified, the child support provisions of the order may be subject to income withholding when the amount due becomes equal to, or in excess of the amount of support due for 14 days. The withholding is effective against the obligor's current and future income from all sources authorized by law. (R. 5:7-4(e), R. 5:7-5).
12. The occupational, recreational, and professional licenses, including a license to practice law, held or applied for by the obligor may be denied, suspended or revoked if: 1) a child support arrearage accumulates that is equal to or exceeds the amount set by statute, or 2) the obligor fails to provide health care coverage for the child as ordered by the court, or 3) a warrant for the obligor's arrest has been issued by the court for obligor's failure to pay child support as ordered, or for obligor's failure to appear at a hearing to establish paternity or child support, or for obligor's failure to appear at a child support hearing to enforce a child support order and said warrant remains outstanding. (R. 5:7-4(e)).
13. The driver's license held or applied for by the obligor may be denied, suspended, or revoked if 1) a child support arrearage accumulates that is equal to or exceeds the amount set by statute, or 2) the obligor fails to provide health care coverage for the child as ordered by the court. The driver's license held or applied for by the obligor shall be denied, suspended, or revoked if the court issues a warrant for the obligor's arrest for failure to pay child support as ordered, or for failure to appear at a hearing to establish paternity or child support, or for failure to appear at a child support hearing to enforce a child support order and said warrant remains outstanding. (R. 5:7-4(e)).

14. The name of any delinquent obligor and the amount of overdue child support owed will be reported to consumer credit reporting agencies as a debt owed by the obligor, subject to all procedural due process required under State law. (*N.J.S.A. 2A: 17-56.21*).
15. Child support arrears may be reported to the Internal Revenue Service and the State Division of Taxation. Tax refunds/homestead rebates due the obligor may be taken to pay arrears (*N.J.S.A. 2A:17-56.16*).
16. Child support arrears shall be paid from the net proceeds of any lawsuit, settlement, civil judgment, civil arbitration award, inheritance or workers' compensation award to a prevailing party or beneficiary before any monies are disbursed. (*N.J.S.A. 2A:17-56.23b*).
17. Periodic or lump sum payments from State or local agencies, including lotteries, unemployment compensation, workers' compensation or other benefits, may be seized or intercepted to satisfy child support arrearages. (*N.J.S.A. 2A:17-56.53*).
18. If you owe past due child support, your public or private retirement benefits, and assets held in financial institutions may be attached to satisfy child support arrearages. (*N.J.S.A. 2A:17-56.53*).
19. A person under a child support obligation, who willfully fails to provide support, may be subject to criminal penalties under State and Federal law. Such criminal penalties may include imprisonment and/or fines. (*N.J.S.A. 2C:24-5; N.J.S.A. 2C:62-1; 18 U.S.C.A. 22*).
20. If this order contains any provision concerning custody and/or parenting time, both parties are advised: Failure to comply with the custody provisions of this court order may subject you to criminal penalties under *N.J.S.A. 2C:13-4*, **Interference with Custody**. Such criminal penalties include, but are not limited to, imprisonment, probation, and/or fines.
Si usted deja de cumplir con las clausulas de custodia de esta orden del tribunal, puede estar sujeto (sujeta) a castigos criminales conforme a *N.J.S.A. 2C:13-4*, **Interference with Custody, (Obstruccion de la Custodia)**. Dichos castigos criminales incluyen pero no se limitan a encarcelamiento, libertad, multas o una combinacion de los tres.

SUPREME COURT CRIMINAL AND FAMILY

PRACTICE COMMITTEES

Joint Ad Hoc Committee on Civil and Criminal Child Abuse Cases

REPORT

November 27, 2006

The Joint Ad Hoc Committee was created by the Supreme Court Criminal Practice Committee, chaired by the Honorable Edwin H. Stern, J.A.D., and the Supreme Court Family Practice Committee, chaired by the Honorable Eugene D. Serpentelli, A.J.S.C., to review and make recommendations concerning two key issues that arise as the result of an action instituted against a parent or guardian in the Family Part by the New Jersey Division of Youth and Family Services (DYFS) based upon allegations of child abuse, pursuant to N.J.S.A. 9:6-8.8, et seq. and N.J.S.A. 30:4C-11 to -12.2, and the concurrent criminal prosecution of that parent or guardian in the Law Division based upon the same incidents of child abuse. These two issues are:

1. The nature and extent of parental contact with the child, pending criminal disposition, given the need to protect the child from further abuse or neglect, the prosecutorial objective of preventing against unwarranted recantation, and the statutory requirement contained in N.J.S.A. 30:4C-11.1 that DYFS exercise reasonable efforts to effect family reunification, unless otherwise excused by the exceptions set forth in N.J.S.A. 30:4C-11.3;
2. The extent of sharing of information between DYFS and the prosecutor at the pre-indictment stage of a criminal investigation concerning the act or acts of child abuse in light of the statutory requirements contained in the Federal Adoption and Safe Families Act of 1997 (ASFA), Pub.L. No. 105-89, 111 Stat. 2115 (1997) (codified as amended in scattered sections of 42 U.S.C.), and in Title 30 and Title 9 of N.J.S.A., that mandate the need to secure permanency and stability for children subject to abuse or neglect without undue delay, see In re Guardianship of DMH, 161 N.J. 365, 385 (1999), thereby dictating the expeditious scheduling of a child abuse fact-finding hearing.

Although there may be dual criminal and civil prosecutions of the child's parent or guardian, the timing sequence of those prosecutions is rarely parallel. More often than not, the fact-finding hearing pursuant to N.J.S.A. 9:6-8.44, conducted in the Family Part to determine whether the child is an abused or neglected child, is held prior to the criminal indictment of the parent or guardian, and often while the criminal investigation is still pending.

I.

The first issue to be addressed concerns parental contact with a child-victim or witnesses. N.J.S.A. 9:6-8.36a requires DYFS to immediately report all instances of suspected child abuse and neglect to the County Prosecutor. See also N.J.A.C. 10:129-1.1 to -1.5. At or about that time, if DYFS determines that the child is in need of protection, DYFS may effect an emergency removal of the child from the home without a court order pursuant to N.J.S.A. 9:6-8.29, and then is required to file a verified complaint against the parent or guardian in the Family Part, alleging that the parent or guardian has subjected the child to abuse or neglect, within two court days after such removal takes place. N.J.S.A. 9:6-8.30b.

Obviously, the Family Part complaint may name one or both parents or guardians as defendants, depending upon the circumstances as revealed by the initial investigation by DYFS. In some instances, it is alleged that both parents or guardians have subjected the child to abuse or neglect. In others, although one parent is the apparent perpetrator, the child must be removed from the home because the other parent denies the allegations and supports the denial position of the other parent, leading to circumstances where the non-abusive parent fails or has failed to protect the child from the actual abuse or the danger of continued or further abuse.

If the circumstances warrant continued removal, the Family Part often issues an order to show cause directing continued out-of-home placement by DYFS and no parental contact or such supervised parental contact as DYFS permits, pending further order. Issues of parental representation, discovery, parental contact, evaluations and others are then routinely addressed by the Family Part on the return date of the order to show cause. See N.J.S.A. 9:6-8.31; Rule 5:12.

By the time of the return date of the order to show cause, if not before, a criminal complaint may have been filed against one or both parents or guardians. The criminal complaint may charge the commission of one or more indictable offenses, ranging in severity from first-degree aggravated sexual assault, contrary to N.J.S.A. 2C:14-2a, to second- or third-degree aggravated assault, contrary to N.J.S.A. 2C:12-1b(1) or -1b(7), to second- or third-degree child endangerment, contrary to N.J.S.A. 2C:24-4a, to fourth-degree child abuse, contrary to N.J.S.A. 9:6-2, or any other number of criminal offenses.

Upon issuance of the criminal complaint(s) and arrest, with or without a warrant, "without unnecessary delay, and no later than 12 hours after arrest, the matter shall be presented to a judge," Rule 3:4-1, who shall set bail. Routinely, where the victim is a child, a condition of bail is that the defendant have no contact with the child. The issue of bail pursuant to Rule 3:26 is normally revisited at the first appearance conducted in accordance with Rule 3:4-2. Generally, the no-contact condition of bail is continued.

The dilemma created by these parallel proceedings is that the issue of the nature and extent of parental or guardian contact with the child-victim is essentially simultaneously before both the Family Part and the Law Division (Criminal Part).

Both DYFS and the County Prosecutor have the responsibility to investigate and safeguard abused children. However, there are competing considerations. DYFS is subject to a statutory requirement to exert reasonable efforts to effect family reunification. The primary interest of the County prosecutor is the criminal culpability of those accused of child abuse and neglect, see DYFS v. Robert M., 347 N.J. Super. 44, 63 (App. Div.), certif. denied, 174 N.J. 39 (2002), and to protect the child-witness from direct or subtle pressure that may lead to recantation, presenting special proof problems. See State v. J.Q., 252 N.J. Super. 11 (App. Div. 1991), aff'd, 130 N.J. 554 (1993) (approving use of Child Sexual Abuse Accommodation Syndrome (CSAAS) expert evidence to explain why a child recants or delays in reporting the act of abuse). Then, of course, there is the right of the parents to participate in child-rearing of their children, a right of constitutional dimension. See In re Guardianship of K.H.O., 161 N.J. 337, 346 (1999) (citing Stanley v. Illinois, 405 U.S. 645, 92 S. Ct. 12087, 31 L. Ed. 2d 551 (1972)).

The delicate balancing of these considerations requires a coordinated and comprehensive approach, rather than separate adjudications in different parts of the Superior Court that are based on different objectives.

Accordingly, it is proposed that where a civil child abuse or neglect complaint initiated by DYFS against parents or guardians is pending in the Family Part, and there is a no-contact bail condition as the result of a criminal complaint filed against the parents or guardians, arising out of the same incident(s), a hearing shall be held in the Family Part to determine the nature and scope of parental or guardian contact, if any, with the child. The hearing shall be on notice to the County Prosecutor, the Public Defender(s) or other counsel representing the parents or guardians in the criminal prosecution, the Deputy Attorney General representing DYFS in the civil Family Part matter, the attorney from the Public Defender's Office, designated counsel, or other counsel representing the parents or guardians in the civil Family Part matter, and the designated Law Guardian for the child in the Family Part matter.

Prior to commencement of such a hearing, an appropriate protective order should issue governing disclosure of confidential DYFS records. See N.J.S.A. 9:6-8.10a. No bail condition except contact will be entertained in the Family Part.

Upon considering the evidence and proofs and weighing the competing considerations, the Family Part shall determine the nature and scope of parental or guardian contact with the child, and an order memorializing that decision shall be issued. A copy of the resulting order shall be transmitted to the Law Division (Criminal Part) and shall constitute a condition of the bail ordered by the Law Division. Any applications for modification of that order shall be made to the Family Part, upon notice to the same parties and counsel as required in the first instance.

II.

The second issue pertains to the dilemma that is best illustrated by the circumstances in DYFS v. Robert M., supra. In that case, the court reversed an order entered in the Family Part that had dismissed the Title 9 child abuse and neglect complaint initiated against Robert M. and Brenda M. on the grounds that DYFS had failed to prove abuse or neglect of their four children under N.J.S.A. 9:6-8.21. Id. at 47.

The parties' age seven male child was hospitalized on an emergency basis in critical condition when he was unable to breathe, had no pulse, and was in septic shock. DYFS became involved when hospital personnel reported "suspicious injuries consisting of cuts and extensive bruising on his legs, knees, arms, hands and forehead." Id. at 50. When asked, the parents attributed those conditions to self-inflicted injuries; the child died three days later. Ibid.

An autopsy report noted the bruising and listed the cause of death as undetermined pending further studies. Ibid. A medical and fatality report prepared by the Child Protection Center of the New Jersey Central Abuse Center issued about eight days after the child's death set forth physical findings suggestive of physical abuse, and cast doubt on the parents' explanation of the injuries as being self-inflicted. Id. at 50-51. The report considered medical neglect to be a contributing factor to the child's death. Id. at 51.

On the date of issuance of that report, the parents were arrested and criminally charged with endangering the welfare of a child. They were released on bail with the specific condition they have no contact with their remaining children. Id. at 52.

On that same date, the three remaining children were interviewed at the county prosecutor's office in the presence of the DYFS caseworkers. Ibid. (Best practice in concurrent criminal and DYFS investigations calls for joint interviews to minimize repeated interviews of children).

DYFS effected an emergency removal of the children from the parents' care and placed them in foster care overnight. Ibid. On the next day, DYFS filed a Title 9 child abuse and neglect complaint in the Family Part against the parents, seeking custody and protective services. Ibid. DYFS was given custody of the children by the Family Part and the children were placed into the care of their grandparents. Ibid.

The Family Part case proceeded and DYFS continued its investigation. About two months after the child's death, the medical examiner amended the death certificate to state the cause of death as cardiac arrhythmia due to hypothermia, and determined the manner of death as homicide. Id. at 53.

The required fact-finding hearing in the Family Part Title 9 action began less than three months after the child's death. At that time, the investigation by the county prosecutor's office was still on-going and the transcripts of the children interviews that had been conducted by the prosecutor's office were not released and hence not given in the discovery packet to the parents' counsel in the Title 9 Family Part action. Id. at 55.

The Family Part judge ruled that, notwithstanding N.J.S.A. 9:6-8.46a(4), because the transcript of the children's statements had not been provided to the parents, the DYFS workers, although present

during the interviews, would not be permitted to testify to the content of the statements of the children. Additionally, the reports of examining psychologists, presented by DYFS, were redacted to exclude any references to the interviews of the children at the prosecutor's office. Ibid.

The fact-finding hearing was delayed after receipt of the amended death certificate of the medical examiner. Counsel for the parents in the Family Part action filed a motion seeking discovery of all autopsy photographs; autopsy body diagrams; all photographs of seized items by the prosecutor's office; all post-mortem x-rays; the complete forensic death medical investigation; interim toxicology reports; and a complete copy of the statements of the children given to the prosecutor's office. Id. at 56. The DAG representing DYFS responded that she did not have those items because they were in the exclusive control of the prosecutor's office. The prosecutor responded to the DAG's discovery request by stating "that criminal charges were pending presentation to the Hunterdon Grand Jury and that 'my office will not provide any material obtained in the course of our criminal investigation other than through the appropriate criminal discovery process outlined in R. 3:13-3. That means, as we have said repeatedly, no pre-indictment discovery will be provided either directly to the defendants or through your office.'" Id. at 56-57.

The prosecutor then obtained a protective order from the assignment judge directing that no member of the prosecutor's office would be required to testify in the Family Court case. Id. at 57. A motion by the DAG in the Law Division (Criminal Part), seeking release of the transcripts of the children's statements was rendered moot when, about five months after the child's death, an indictment was returned against the parents, charging them with aggravated manslaughter and endangering offenses. Ibid. Following the indictment, the statements were released to the parents' counsel in both cases. Id. at 57-58.

However, apparently the children's statement was not released by the time that the fact-finding hearing continued and discovery issues persisted concerning autopsy materials sought by defendants for review by an expert pathologist. Ultimately, the judge excluded all evidence concerning the children's interviews as well as the results of the autopsy report. After conducting the redacted hearing, the judge found that DYFS had failed to prove its case as to four of the children and dismissed. Id. at 63. The Appellate Division reversed and remanded for further proceedings, concluding that the children's statements and autopsy report had been wrongfully excluded. Ibid.

Judge Collester then focused on the discovery issues, stating in pertinent part:

This case presents an unfortunate and extreme instance of conflicts and problems in Title 9 and Title 30 proceedings which can arise from the relationship between the Division and law enforcement agencies when parallel investigations are pursued. . . . The Division is required to investigate allegations of abuse and neglect, . . . to ascertain their veracity, to take action to safeguard abused children from further harm, either by seeking ways to remediate such conduct or, in a proper instance, by placing the child in protective custody of the State. . . . The interest of law enforcement is different since the focus is the criminal culpability of those accused of child abuse and neglect under N.J.S.A. 2C:24-4a. . . .

* * * *

The statutory scheme and administrative regulations envisage cooperation between the agency and law enforcement. . . . The Division is obliged to immediately report to the county prosecutor all instances of suspected criminal activity including child abuse or neglect. . . . If the Division initiates a child abuse complaint in the Family Court, a copy must be sent to the county prosecutor. . . . Alternatively, if the prosecutor decides to bring a criminal case, the caseworker must be so advised. . . .

While the Division must maintain strict confidentiality of records and reports of child abuse, an exception requires release of such information to law enforcement agencies investigating child abuse. . . . However, no statute or rule requires the county prosecutor to disclose information of an ongoing criminal investigation to the Division. While Title 9 contemplates that actions brought by the Division will continue after referral to the county prosecutor, . . . the prosecutor is not restrained from continuing its investigation while the Title 9 action proceeds to trial.

Parallel investigations and proceedings by the Division and the county prosecutor have resulted in thorny constitutional issues. . . . Defendants may face the Hobson's choice of deciding whether to testify and risk incrimination or remain silent in the face of testimony that could deprive them of custody of their children. Judges must be mindful of the potential for abuse of defendant's civil or criminal procedural rights. However, the fact of parallel proceedings does not invest a defendant with any additional procedural safeguards beyond those provided by constitution, statute procedural rules. . . .

[Id. at 63-64 (citations omitted).]

This case illustrates the proof problems that may result when there are dual, but not parallel, civil and criminal prosecutions and investigations of the same incident(s). Indeed, it is conceivable that the deprivation of certain information within the control of the County Prosecutor may lead to DYFS being unable to prove in the Family Part, by a preponderance of the credible evidence, that the defendant parents or guardians subjected the child to abuse or neglect. It is equally conceivable that the withholding of exculpatory evidence could result in an unjust finding of abuse or neglect.

However, there are also dangers associated with the release of pre-indictment investigatory materials. First, ongoing investigations are incomplete. There is a very real danger that information that might be seen in a different light upon completion of the investigation will be misleading if viewed piecemeal. Furthermore, prosecutors live in a real world where desperate and unscrupulous defendants, possibly facing substantial jail time, will go to great lengths to sabotage a criminal prosecution. Absent a protective order, defense attorneys must disclose any discovery information provided in the Title 9 case to their clients, but have no power to prevent those clients from misusing the information.

Therefore, it is also likely that premature disclosure of the substance of an ongoing investigation will enable defendants to conceal evidence, tamper with witnesses and compromise law enforcement's ability to successfully conclude the investigation.

Certainly, it is well-recognized that there is generally no pre-indictment discovery concerning the investigation conducted by the county prosecutor. However, there is an equally well-recognized function of the county prosecutor to assure that victims -- particularly children -- are protected from continued abuse.

This was explicitly recognized in DYFS v. H.B. and L.M.B., 375 N.J. Super. 148 (App. Div. 2005). There, in discussing the release of information from a closed Megan's Law file, the court ruled that:

...absent compelling reasons grounded in preserving the integrity of pending or ongoing criminal cases, prosecutors should view their relationship with DYFS as a collaborative enterprise, designed and intended to promote the overarching public policy running through both Title 9 and Megan's Law: protecting our children from those who would do them harm.

The norm, in this collaborative environment, is for information to be liberally shared between these two public agencies. In this context, the need for judicial resolution of disputes arising as a result of an application filed by one agency against the other seeking injunctive relief, either to protect or to disclose information, should be a rare occurrence. In such a case, the party bringing the action would have the burden to establish, as a threshold matter, that (1) all other means for amicable resolution have been exhausted; and (2) judicial intervention is required to protect the integrity of an ongoing investigation or, in the case of a disclosure order, to establish an element of proof in an abuse or neglect case. [Id. at 179-180].

Thus, in order to balance these competing, and sometimes conflicting, interests and to assure the fair administration of justice, we believe that where there are concurrent civil and criminal prosecutions arising from investigations being conducted by DYFS and the county prosecutor concerning an alleged incident of child abuse or neglect, and there is no consensus concerning the sharing of pre-indictment information, a conference should be conducted on informal application to the Assignment Judge, who shall either hear the matter or assign it to an appropriate judge in the Family Part or Criminal Part. The purpose of the conference is to determine what information, if any, contained in the investigation conducted by the county prosecutor shall be released to DYFS. In making this determination, the presiding court may wish to review the records in camera. This conference should take place expeditiously bearing in mind that for cases of children in DYFS placement, fact-finding hearings must occur within four (4) months of placement.

Notice of the conference shall be given to the county prosecutor and all counsel in the Family Part case. Any agreements reached shall be placed on the record and memorialized by an order issued by the Family Part.

No order shall issue as a result of the conference requiring the release of pre-indictment information from the prosecutor's office without the prosecutor's consent. Any party to the conference may file a formal motion seeking an order governing discovery.