

**ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY**

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Directive # 04-10

**TO: Assignment Judges
Family Presiding Judges
Trial Court Administrators**

**FROM: Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts**

**RE: Better Protection for Children -- Improved Oversight of Abused
and Neglected Children in Foster Care**

DATE: March 9, 2010

Overview

This Directive promulgates revised policies approved by the Supreme Court with respect to Children in Court (CIC) cases.

Over the last ten years, the New Jersey Judiciary has dramatically reformed the way it oversees the welfare of abused and neglected children. To continue to improve protection for New Jersey's children, the Supreme Court has adopted a policy recommendation by the Conference of Family Presiding Judges that responsibility for monitoring abused and neglected children in foster care be assigned to Superior Court judges. This direct judicial oversight of abused or neglected children in foster care will necessitate some refocusing of the work performed by the Child Placement Review (CPR) boards.

This policy, the basis of which is the protection of children, includes the following elements:

1. a. The judge will conduct reviews of children in foster care (FC docket) whenever there is also a pending abuse/neglect case (FN docket) or a guardianship case (FG docket, termination of parental rights). These cases are generally referred to as litigated cases. The court will conduct a hearing to review these cases every two to three months. CPR boards will conduct an enhanced "45 Day Review" in

these cases at which the CPR board will gather information vital to obtaining a permanent home for the child. Because of the judge's direct oversight role, however, the CPR boards will not be required to conduct subsequent reviews in litigated cases. A protocol and forms to be used by CPR boards in the enhanced 45 Day Review are attached.

- b. In "voluntary placement" cases, CPR boards will conduct the enhanced 45 Day Review, as well as status reviews and annual permanency reviews. A voluntary placement case is a case in which the Division of Youth and Family Services (DYFS) has placed the child out of the home pursuant to a voluntary agreement signed by the parent. In such cases, there are no allegations of abuse or neglect and DYFS has not filed an abuse or neglect complaint case against the parent.
2. The court will have exclusive oversight of cases after parental rights have been terminated and a child remains in placement. These are known as "Post-Term" cases. In these cases, the court will conduct a hearing to monitor the child's placement until the child has achieved permanency. Because the court will be monitoring these Post-Term cases closely, CPR board reviews of these children will no longer be scheduled.

History

Foster Care Placements: In 1978, the CPR Act, N.J.S.A. 30:4C-50, et seq., established citizen review boards as an arm of the courts to review children in foster care placements. The CPR board process was created at a time when most removals of children from their homes were through so-called voluntary placement agreements between DYFS and a child's parent(s). When a parent was accused of abuse or neglect, DYFS would ask the parent to sign an agreement relinquishing custody to DYFS so that DYFS could place the child in a temporary foster home. In that situation, only an FC case is established. Judges had only limited oversight of voluntary placement cases, specifically, an initial review of the child's case file 15 days after the child's placement, occasional summary hearings, and entry of the annual permanency order. CPR boards conducted in-person reviews and made recommendations for the judge's consideration.

The CPR board process described in the preceding paragraph predated the enactment of the 1997 federal Adoption and Safe Families Act (ASFA), which requires state child welfare systems to focus on the safety of children in foster care and to find permanent homes through adoption or other permanent placement. In 2005, DYFS eliminated voluntary placements involving abused or neglected children; DYFS now files a formal complaint (FN docket) with the court for every such litigated case. Voluntary placements are now used only in cases where abuse or neglect has never been alleged. Today, about 50 children statewide are in voluntary placements. In 1999, about 4,400 children statewide were in voluntary placements.

At present, over 6,100 abused or neglected children in litigated cases are in foster care. Judges oversee all of these litigated cases, with each case reviewed by a judge every two to three months. Attorneys represent the children and the parents in these cases.

To keep pace with changes in the law and with DYFS reforms, the Judiciary has significantly expanded judicial oversight of children in foster care. That expanded judicial oversight has been aided by a number of federally funded initiatives:

- Improvement of the Judiciary's computerized case information system so as to permit judges and court administrators to identify the number of children in placement, the reason for the placement, and the length of time in placement. The system generates reports to assist the courts in ensuring timely review and resolution of these children's cases.
- Implementation of a mediation program for child welfare cases. Mediation provides an opportunity for parents and foster parents (also known as resource parents) to be heard and to understand the child welfare process and promote positive outcomes for the children.
- Assistance in establishment and the continuing operation of Court Appointed Special Advocate (CASA) programs in every court vicinage. CASA volunteers handle one case at a time and conduct valuable on-site investigations, in-person interviews and report their observations to the court.
- Development of a tracking component for adoption cases to the Judiciary's existing computerized case information system.

Review of Post-Term Cases: ASFA created a timeline to ensure that, in those cases where a child in foster care cannot be reunited with his or her parents, a termination of parental rights (TPR) complaint is filed in a timely manner. This has caused an increase in TPR filings and an increase in children legally free to be adopted after TPR is granted.

Since New Jersey's enactment of an ASFA statute in 1999, there has been an increase in the number of children legally free for adoption. It is crucial that these children not remain too long in this unresolved legal and social status. To address that concern, in January 2005, the Essex Vicinage implemented a Post-Term Project in which the cases of Post-Term children are reviewed on a regular basis by judges rather than by CPR boards. The Essex project has been highly successful in providing permanent homes for these children more quickly than the previous process. It has significantly reduced the number of Post-Term children in the Essex Vicinage.

Following the establishment of the first Post-Term Project in Essex, a number of other vicinages have implemented similar projects over the last three years. Each of these Post-Term Projects resulted in more children achieving permanency. The regular judicial review of Post-Term cases ensures that children in placement are receiving

appropriate services to provide for their well-being. This is the basis for the decision to expand direct judicial oversight of Post-Term cases statewide.

Policies

1. Judicial Oversight in Litigated Cases and CPR Boards' Enhanced 45 Day Review

The Judiciary will continue to improve the oversight of children in foster care by refining and refocusing CPR board activities. Notwithstanding the increase in judicial review of litigated cases over the last several years, parallel CPR board reviews of the very same cases have continued to be scheduled. This is not an efficient or effective use of CPR board time. Because CPR board reviews are duplicating work done by the judges, the CPR board reviews do not help children in placement the way they did in the past. That is the basis for the refocusing. Furthermore, elimination of these duplicate reviews will allow the parents to spend more time with their children, participate in social and therapeutic services provided by DYFS and not take time away from their jobs unnecessarily. DYFS resources also can be reallocated so as to enable caseworkers and supervisors to spend more time serving families.

In 2009, the federal government conducted its Child and Family Services Review (CFSR) of DYFS operations. The CFSR identified a number of areas needing improvement. In an effort to improve the child welfare system, the CPR board's enhanced 45 Day Review includes a number of items to address the CFSR's concerns. Those items are described below.

Refocusing the CPR Boards -- Litigated cases

As noted above, in litigated cases, CPR boards will now review a child in foster care only once, at 45 days after DYFS places the child. The 45 Day Review procedure will be more comprehensive so as to provide a structured and informative session for parents, foster parents, DYFS caseworkers and other child welfare stakeholders.

At this early stage of the case, the CPR board will be responsible for gathering information regarding the child's placement and any potential barriers to finding a permanent home for the child. Among other things, the CPR board will obtain the following information at the 45 Day Review:

- Whether DYFS has placed siblings together in foster care.
- Whether DYFS has promoted sufficient visitation between the child and his or her parents and between the child and his or her siblings.
- Whether DYFS sought and assessed relatives as placement options.
- Whether DYFS assessed the child, parents, and foster parents for services and provided necessary services to them.

- Whether DYFS has scheduled a comprehensive medical examination for the child.
- Whether DYFS has ensured that the child remains in his or her same school where appropriate when the child is placed in a foster home located in a different school district.

All of these points of focus will help address concerns raised by the federal government's CFSR.

CPR boards will have meaningful participation in litigated cases because the 45 Day Review will gather a range of information necessary to address the child's needs. Importantly, it will not duplicate the judge's oversight of the child. DYFS caseworkers or their supervisors will be required to attend the 45 Day Review.

Refocusing the CPR Boards -- Voluntary placement cases

For the voluntary placement cases, the CPR boards will conduct other reviews in addition to the new enhanced 45 day review. These CPR board reviews include status reviews and special reviews.

The purpose of a status review is to monitor one or more aspects of a case. It may be requested at any time. Thus, the CPR board may have requested specific information (for example, the results of psychological evaluations) and the results are reviewed and discussed, from the perspective of keeping the case on track. No notice to parties is required and no recommendation form is completed.

The CPR board may conduct a special review in limited situations. If DYFS proposes to return a child home, even though the return home is either prohibited by the placement plan or contingent on certain conditions in the placement plan that have not been met, DYFS notifies the CPR board and the court in writing. The CPR board then may conduct a special review within 15 days to consider and evaluate the reasons for the proposed action and determine whether the action ensures the safety and serves the best interests of the child. This is a full CPR board review. All parties are given notice of this review, and the CPR board drafts recommendations and a court order for the judge to consider.

The judge in voluntary cases will continue to: (1) conduct a file review to determine the appropriateness of the child's placement 15 days after DYFS places the child in foster care; (2) review the CPR board's permanency recommendations; and (3) conduct summary hearings as necessary.

2. Judicial Oversight of Children after Termination of Parental Rights

As noted above, the courts are expediting adoptions through intense judicial oversight of children whose parents' parental rights have been terminated. Under these Post-Term Projects, judges, not CPR boards, oversee the child's foster care placement

until the child is adopted or has been placed in some other permanent home. To this end, the Supreme Court has approved a new CIC Standard for the review of Post-Term cases. The core of this Standard is that after the court has terminated a parent's rights, the court, not the CPR board, will oversee the child's placement until the child is adopted or has obtained another permanent placement. Because the court will be monitoring these Post-Term children closely, CPR board review of these children will no longer be required.

This new CIC Standard is:

Following the completion of a Termination of Parental Rights case where a Judgment of Guardianship has been issued, the court shall set a return date within 90 days to review the status of each child. When adoption is the goal, the purpose of the summary hearing is to track the status of the filing of an adoption complaint. Subsequent summary hearings before the court shall be held at least every 90 days, or less frequently in the judge's discretion until such time as the adoption complaint is filed.

For those children whose case goal is no longer adoption, the court shall schedule a summary hearing within 90 days. The focus of the summary hearing shall be on eliminating barriers to permanency. Subsequent summary hearings before the court shall be held at least every 90 days, or less frequently in the judge's discretion until such time as permanency has been achieved.

Notice of this hearing shall be provided to the resource parent. The Deputy Attorney General and Law Guardian are required to be present for the hearings. A Court Appointed Special Advocate, if assigned, shall provide a report to the court and counsel at least one week before the hearing and may attend the hearing. The child also may attend the hearings at the court's discretion.

This new CIC Standard is effective immediately.

Policy Manuals, Standards, Best Practices and Other Relevant Materials

All CIC Standards, CPR Standards and Best Practices, manuals, forms and informational brochures will be reviewed and revised in due course to conform to this Directive. This Directive supersedes all prior Judiciary standards, policies and other materials on this subject that are inconsistent with this Directive.

Implementation

This Directive is effective immediately. Attached are a protocol (Attachment - Page 1) and a comprehensive checklist (Attachment - Page 3) for CPR boards to use at the enhanced 45 Day Review. New forms are to be used to record CPR board recommendations to the judge, one for the enhanced 45 Day Review (Attachment - Page 10) and one for voluntary placement cases (Attachment - Page 12). An order will not be generated after the enhanced 45 Day Review in litigated cases. The 45 Day Review/Special Review Order (Attachment - Page 14) has been revised accordingly. To address the inquiry for education records in the enhanced 45 Day Review checklist, the Abuse/Neglect Order to Show Cause (Attachment - Page 15) has been revised to include a provision that authorizes DYFS and the Law Guardian access to the child's education records.

Litigated cases: Any CPR board review already scheduled at the time of issuance of this Directive will be conducted. From this point forward, however, in litigated cases, CPR boards will be scheduled to conduct only 45 Day Reviews. CPR boards may not conduct enhanced 45 Day Reviews, however, until after the board members have received the necessary training.

Voluntary placement cases: CPR board reviews for voluntary placement cases will be scheduled and conducted as in the past.

Post-Term cases: Any CPR board Post-Term reviews already scheduled will be conducted. From this date forward, however, CPR boards will no longer be scheduled to conduct reviews of Post-Term cases.

Training: The Administrative Office of the Courts (AOC), Family Practice Division, will provide training regarding this Directive as follows:

- CIC Judges will receive training at a time and location to be announced.
- Vicinage Family Division staff, including team leaders and CPR coordinators, will receive training in the near future at a time and location to be announced.
- Those vicinage staff members who receive the training will provide training to the CPR board volunteers on the changes to the CPR board procedures, including the details of the enhanced 45 Day Review.
- CPR board volunteers will receive training from designated vicinage staff on a date to be determined by the vicinage within 30 days after vicinage staff have been trained.

Enhanced 45 Day Review: As noted above, CPR boards may not begin conducting the enhanced 45 Day Review until they have received the requisite training.

Implementation Reports: Please submit to me a written report on your implementation of this Directive by April 30, 2010. If your implementation report is submitted by email, please address it to:

ImplementationReports.Mailbox@judiciary.state.nj.us.

Please set forth in your report the specific steps you have taken or will take to implement this Directive. Also, set forth the following in your report:

- Date(s) of meetings with all child welfare stakeholders to advise them of the Court's policy determination and of the provisions of this Directive, and a description of the points discussed;
- Whether judges, court staff and CPR boards have received the training necessary to implement this Directive, and if not, when training will occur;
- Names of the judges in your vicinage who are conducting the Post-Term reviews;
- If you already have a Post-Term Project in your vicinage, indicate what changes, if any, your procedures will require in order to conform to this Directive;
- Resources allocated to implement this Directive;
- Potential barriers to implementation and solutions to the barriers.

Conclusion

Any questions about this memorandum may be directed to Harry T. Cassidy, Assistant Director, Family Practice at 609-984-4228 or Joanne M. Dietrich, Chief, Children in Court and Juvenile Team at 609-943-5984.

G.A.G.

Attachment:

Child Placement Review Boards - Protocol (Attachment - Page 1)
CPR Board at 45 Day Review Checklist (Attachment - Page 3)
45 Day Review - Review Board Recommendation to the Judge (CN 11355) (Attachment - Page 10)
Voluntary Placement - Review Board Recommendation to the Judge (CN 11354) (Attachment - Page 12)
45 Day Review / Special Review Order (CN 10253) (Attachment - Page 14)
Order to Show Cause and to Appoint a Law Guardian with Temporary Custody (CN 10260) (Attachment - Page 15)

c: Chief Justice Stuart Rabner
Paula T. Dow, Attorney General
Janet F. Rosenzweig, Acting Commissioner,
Department of Children and Families
Yvonne Smith Segars, Public Defender
Robert W. Smith, Director
Harry T. Cassidy, Assistant Director

Joanne M. Dietrich, Chief
Family Division Managers
Assistant Family Division Managers
David Tang, Family Practice Division
Steven D. Bonville, Special Assistant
Francis W. Hoeber, Special Assistant

Child Placement Review Boards -- Protocol

Child Placement Review (CPR) boards must conduct only 45 day reviews of children in foster care in child abuse or neglect cases where the Division of Youth and Family Services (DYFS) filed an abuse or neglect complaint (also known as litigated cases). The CPR boards will continue to conduct all reviews in cases where DYFS never filed an abuse or neglect complaint (also known as voluntary cases).

Role of CPR Boards

Attached are the following documents to implement this protocol:

1. **CPR board 45 Day review checklist with instructions** -- The CPR board will complete this document at the 45 Day review in both litigated and voluntary cases. A court order will not be prepared immediately following the 45 day review in litigated cases. In litigated cases, the court will review this document at the next court event, and enter an order relating to missing information if the court deems it necessary to address this missing information identified by the CPR board. In voluntary cases, the procedure will not change, and a 45 Day Review/Special Review order will be prepared for the judge's signature.
2. **CPR board recommendation to the judge form (45 Day Review)** -- This form will be used for the 45 day review in litigated and voluntary cases.
3. **CPR board recommendation to the judge form (voluntary placement agreements)** -- This form will be used for sporadic status reviews, special reviews and annual permanency reviews of voluntary cases, but not for the 45 day review in a voluntary case.
4. **45 Day / Special Review Order** -- This order will be completed only for voluntary cases. In litigated cases where the 45 day review is held, the board will complete the 45 day review checklist and the recommendation to the judge form (45 Day Review). A court order will not be prepared immediately following the 45 day review in litigated cases.
5. **Abuse/Neglect (FN docket) Order to Show Cause** -- The following language has been added to the order: "The Division and the Law Guardian shall be entitled to immediate access to and copies of all educational or early intervention program information and records pertaining to the child(ren) who are the subject of this order without further release."

Additional Changes in Practice

The following policies for litigated and voluntary cases are effective immediately:

- CPR board Chairs will meet annually with the Presiding Judge or lead Children in Court (CIC) judge to discuss systems issues and barriers to permanency for children in placement. This meeting will be coordinated by vicinage court staff.
- CPR board Chairs will meet annually with the DYFS Area Director to discuss systems issues and barriers to permanency for children in placement. This meeting will be coordinated by vicinage court staff.

- DYFS caseworkers assigned to the child will be required to attend all CPR board reviews.
- Court staff must place in the FN (abuse/neglect docket) case file a copy of the 45 day review checklist and the related Recommendation to the Judge form.

Questions regarding this protocol or any of the materials attached to this protocol may be directed to the Administrative Office of the Courts, Family Practice Division.

Attachments:

CPR Board at 45 Day Review Checklist (Attachment - Page 3)

45 Day Review - Review Board Recommendation to the Judge (CN 11355) (Attachment - Page 10)

Voluntary Placement - Review Board Recommendation to the Judge (CN 11354) (Attachment - Page 12)

45 Day Review / Special Review Order (CN 10253) (Attachment - Page 14)

Order to Show Cause and to Appoint a Law Guardian with Temporary Custody (CN 10260) (Attachment - Page 15)

CPR Board at 45 Day Review Checklist

Child's Name:

Dkt. #: FC-

The 45 Day Review Board Recommendation to the Judge form must be used for all 45 Day reviews, for voluntary placements and litigated cases.

The Division of Youth and Family Services (DYFS or the division) will be required to provide the court with DYFS Form 26-81a at least 10 days before the 45 Day review.

Information to be provided to all participants**Guides and Brochures**

The Child Placement Review (CPR) board must provide the following guides, brochures and informational materials to parents and resource families who appear at the 45 Day Review:

- What You Need to Know about the DYFS Court Process: A Guide for Resource Parents (English Only)
- Child Abuse and Neglect Handbook: A Guide for Parents Involved in DYFS Child Abuse and Neglect Cases (English and Spanish)
- Parents' Handbook (DYFS)
- A Guide for Parents: When Your Child is in Foster Care (DYFS)
- Parent Calendar (if available and the court has not provided it)

Adoption and Safe Families Act

The CPR board must explain the key points of the Adoption and Safe Families Act of 1997 (ASFA) to parents and resource families who appear at the 45 Day Review. These points include the child's safety, the child's need for permanency, and strict timeframes to achieve permanency.

ASFA is a federal law that is intended to assist child welfare agencies to balance family preservation and reunification with the child's health, safety and need for permanency.

Safety -- ASFA requires that a child's safety be the paramount concern when a child is placed outside of his or her home. DYFS will develop a permanent plan for a child that could be family reunification, adoption or some other permanent alternative placement.

Permanency -- ASFA requires the court to conduct a permanency hearing to consider whether the division's permanency plan is appropriate. The permanency plan addresses the child's need for permanency through:

- return to the home, if the child can be returned home without endangering the child's health or safety;
- adoption, if family reunification is not possible; or
- an alternative placement plan, if termination of parental rights is not appropriate.

CPR Board at 45 Day Review Checklist

Child's Name:

Dkt. #: FC-

Any court hearing may serve as a permanency hearing to provide judicial review and approval of a permanency plan for a child if the requirements for a permanency hearing are met.

Timeframes -- The permanency hearing must be held when the division is not required to make reasonable efforts to reunify a child with his or her parents or no later than when a child has been in out-of-home placement for 365 days.

ASFA requires the division to seek termination of parental rights when grounds are established, but no later than when a child has been in placement for 15 out of the most recent 22 months, unless one of the following exceptions is met: (1) the child is being cared for by a relative; (2) the division has documented a compelling reason why termination of parental rights would not be in the child's best interests; or (3) the division has not provided to the child's family the services necessary for the child's safe return home.

These timeframes give parents a limited amount of time to get their children back. It is important for parents to cooperate with court orders so that their children can be returned as quickly as possible. It is also important for the division to act quickly to provide families with the services they need after a child goes into foster care.

General Instructions regarding this checklist

The following must be documented in the Board Recommendation section of the Board Recommendation to the Judge form:

- Any missing information
- The division's comments regarding missing information
- Generally, unless otherwise indicated in the checklist, if "No" is checked, the CPR board must advise the court that further action may be necessary.

CPR Board at 45 Day Review Checklist

Child's Name:

Dkt. #: FC-

- ☐ Informational materials provided to participants
- ☐ Adoption and Safe Families Act explained to participants

I. Parents/Caregiver information**A. Mother/caregiver information**

		Check box if missing
1. Name		☐
Other names or aliases		☐
2. Marital History		☐
3. Race		☐
4. Ethnicity		☐
5. Address		☐
6. Mailing address		☐
7. Place of employment (include address and telephone)		☐
8. Date of birth		☐
9. Social Security Number		☐
10. Physical description		☐
Eye color		
Hair color		
Tattoos		
11. The division's efforts on search for mother/caregiver		☐
12. Last contact mother/caregiver had with child		☐
13. Incarcerated?	☐ Yes -- Location:	* ☒ No

B. Father/caregiver information

	Complete this section for the father, including any and all potential fathers	Check box if missing
1. Name		☐
Other names or aliases		☐
2. Marital History		☐
3. Race		☐
4. Ethnicity		☐
5. Address		☐

* Checking "No" requires no action.

CPR Board at 45 Day Review Checklist

Child's Name:

Dkt. #: FC-

6. Mailing address		☐
7. Place of employment (include address and telephone)		☐
8. Date of birth		☐
9. Social Security Number		☐
10. Physical description		☐
Eye color		
Hair color		
Tattoos		
11. The division's efforts on search for father/caregiver		☐
12. Last contact father/caregiver had with child		☐
13. Incarcerated?	☐ Yes -- Location:	* ☐ No

II. Visitation with parents/caregiver

A. Visitation is occurring between the child and parents/caregivers	☐ Yes	☐ No
B. The division has provided transportation to the parent/caregiver, if necessary	☐ Yes	☐ No

III.A. Maternal relatives and friends information

Name	Address	Phone	Relationship to child	The division has assessed this person as possible permanent placement
1.				☐ Yes ☐ No
2.				☐ Yes ☐ No
3.				☐ Yes ☐ No
☐ No relatives or friends have been identified.				

III.B. Paternal relatives and friends information

Name	Address	Phone	Relationship to child	The division has assessed this person as possible permanent placement
1.				☐ Yes ☐ No

CPR Board at 45 Day Review Checklist

Child's Name: _____

Dkt. #: FC- _____

2.				☐ Yes ☐ No
3.				☐ Yes ☐ No
☐ No relatives or friends have been identified.				

IV. Paternity

1. Paternity has been established	☐ Yes	☐ No
2. A certificate of parentage has been provided, if necessary	☐ Yes	☐ No
3. A judgment of paternity has been entered, if necessary	☐ Yes	☐ No
4. A paternity test is necessary	☐ Yes	☐ No

V. Child information**A. Child's general information**

1. The division has the child's birth certificate If no, enter child's date of birth: _____	☐ Yes	☐ No
2. The division has the child's social security card	☐ Yes	☐ No
3. The division has the child's Medicaid card	☐ Yes	☐ No
4. a. The child has siblings If yes, complete the remainder of this section. If no, skip to the "Child's health information" section.	☐ Yes	* ☐ No
b. The child has ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ more than 4 sibling(s) _____		
c. The siblings are in placement	☐ Yes	* ☐ No
d. The siblings have been placed together	☐ Yes	☐ No
e. The siblings are visiting each other	☐ Yes	☐ No

B. Child's health information

1. The division scheduled the comprehensive medical examination or the comprehensive health evaluation for children (CHEC) If scheduled, date of the exam: _____	☐ Yes	☐ No
2. The division scheduled the Early Intervention Program (EIP) assessment (for children ages zero to three) If scheduled, date of the assessment: _____	☐ Yes	☐ No

C. Additional child health information

1. The division has provided a completed Child's Health and Medical Examination Record form (DYFS Form 11-2a)	☐ Yes	☐ No
2. The division has provided a copy of the child's immunization record (required to be attached to the Child's Health and Medical Examination Record form (DYFS Form 11-2a))	☐ Yes	☐ No
3. The child has received all required immunizations	☐ Yes	☐ No
4. The division has identified all of the child's health care providers, past and present (names and addresses of providers)	☐ Yes	☐ No
5. The division has provided the date that the child was last seen by a physician	☐ Yes	☐ No
6. The child requires a sleep apnea monitor and it has been provided	☐ Yes	☐ No

CPR Board at 45 Day Review Checklist

Child's Name:	Dkt. #: FC-
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7. The child has the following medical conditions:		
Medically fragile	☐ Yes	☐ No
Allergies -- If so, list: _____	☐ Yes	☐ No
Asthma	☐ Yes	☐ No

D. Child's dental information

1. The division scheduled a dental exam If scheduled, date of the exam: _____	☐ Yes	☐ No
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E. Child's mental health information

1. The division scheduled a mental health assessment If scheduled, date of the assessment: _____	☐ Yes	☐ No
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F. Child's education information

1. The division has provided a completed Child's Education Record form (DYFS Form 5-16)	☐ Yes	☐ No
---	------------------------------	-----------------------------

G. Independent Living information

For children 14 years of age or older, Independent Living may be the child's permanency plan. Complete this section if the child is 14 years of age or older.

1. a. The division has completed an Independent Living Skills Assessment on the child (assessment to be provided)	☐ Yes	☐ No
b. If an Independent Living Skills assessment has been completed, what follow up actions have been identified? c. What services have been provided? d. What services are needed but not provided? e. What other services have the participants identified for the child that the division has not identified? (Information missing ☐)		
2. For children age 16 or older, the division has provided in the case plan a written description of the programs and services that will help the child prepare for the transition from foster care to independent living	☐ Yes	☐ No

CPR Board at 45 Day Review Checklist

Child's Name: _____

Dkt. #: FC- _____

VI. Repeated placement (NJSA 30:4C-53.3)

If this is a repeat placement, the division must provide the following information.

Check the appropriate box to indicate whether this information is present.

A. This is a repeated placement If yes, complete the remainder of this section. If no, you are done with this checklist.	☐ Yes	† ☒ No
B. The division submitted a repeat placement plan within 30 days after the child's repeated placement	☐ Yes	☐ No
C. The division provided previous placement dates and return home dates	☐ Yes	☐ No

† Checking "No" requires no action. Skip the remainder of the repeated placement questions.

Review Board Recommendation to the Judge

Board # _____

page 1 of 2

45 Day Review – CPR Board Recommendation

Child's Name: _____

Docket #: FC- _____

Review Date: _____

Additional Comments / Questions:

Barriers to permanency at the time of this review:

Please Mark U= Unavailable or I= Inadequate

☐ Housing	☐ Parent training	☐ Substance abuse services	☐ Physical handicap services
☐ Emergency Shelter	☐ Homemaker services	☐ Low cost medical services	☐ Pregnant teen services
☐ Emergency funds	☐ Educational / School services	☐ Mental Health services	☐ Bilingual client services
☐ Day Care	☐ Employment/Vocational services	☐ Mental handicap services	☐ Other _____



New Jersey Judiciary
Superior Court - Family Division
Voluntary Placement
Review Board Recommendation to the Judge

County of _____

Review Date _____

Board # _____

Review Type: ☐ Status ☐ Special ☐ Permanency

Child	Date of Birth	Age	DYFS Case Manager / Supervisor NJ Spirit Participant #: _____
Docket # FN- _____ FC- _____	FG- _____		FJ- _____ FF- _____
Next FN court date _____ Next FG court date _____ Next FJ-FF court date _____			
Date of Current Placement _____ Authority for Placement ☐ Residential ☐ Independent Living	Repeated Placement ☐ Yes ☐ No If yes, Date of original placement _____		Date of Family Summary / Case Plan / Court Report -- Out-of-Home (DYFS Form 26-81a) _____
DYFS Placement Type (Short Term Plan) ☐ Resource Home – Relative ☐ Resource Home – Foster Care ☐ Resource Home – Family Friend ☐ Group Care Home ☐ Institution (Med / Rehab / Psych) ☐ Residential Facility (Educ / Treatment) ☐ Other (explain) _____		DYFS Long Term Goal ☐ Reunification w/ Parent / Guardian ☐ Permanency w/ Relative / Family Friend ☐ Other alternate permanent living arrangement _____ (explain / attach documentation) If the Long Term Goal is Adoption: ☐ Relative ☐ Foster Parent(s) ☐ Selected Home ☐ Undetermined	
1. Agency placement plan for this child satisfies legal criteria (N.J.S.A. 30:4C-55, -58, and -60)? ☐ Yes ☐ No			
2. Current goal is ☐ Acceptable ☐ Not Acceptable Current plan is ☐ Acceptable ☐ Not Acceptable			
3. Date DYFS proposed goal / plan is to be achieved: _____ Date satisfies Review Board? ☐ Yes ☐ No -- If No, Review Board goal date: _____			
4. Is there a current health form ? ☐ Yes ☐ No	5. Is there a current education form ? ☐ Yes ☐ No	6a. Is there an independent living assessment ? ☐ Yes ☐ No (if child is over 14 yrs., attach documentation) 6b. Is there a current independent living plan ? ☐ Yes ☐ No (if child is over 16 yrs., attach documentation)	
After Reviewing All Information Presented, the CPR Review Board Recommends the Following: Choose Only One: ☐ A. Continued placement of the child outside of the home is not in the child's best interest and the child should be returned home within two (2) weeks and the Division or designated agency, as appropriate, shall provide reasonable and available services which are necessary to implement the return home. ☐ B. Continued temporary placement outside of the home is in the child's best interest until the long-term goal is achieved. ☐ C. Continued temporary placement outside of the home is in the child's best interest, but there is not sufficient information for the board to make a recommendation, therefore, the board requests the court to order the Division or designated agency, as appropriate, to provide the needed information within two (2) weeks of the Court Order. In addition, we further request: (Choose One or More) ☐ 1. Sufficient information to be provided within two (2) weeks (Date) _____ ☐ 2. Case plan to be modified within thirty (30) days (Date) _____ ☐ 3. New plan and goal to be reviewed within thirty (30) days ☐ 4. Summary Hearing ☐ 5. CASA assigned ☐ 6. Red Flag - special conditions exist ☐ 7. Other _____			
Appearances: ☐ Mother ☐ Father ☐ Resource Family(s) ☐ DYFS Supervisor ☐ DYFS Caseworker ☐ Other _____			

Voluntary Placement – CPR Board Recommendation

Child's Name: _____ Docket #: FC- _____ Review Date: _____

Board members attending review (initials only)☐ Chairperson _____ ☐ Board Member _____ ☐ Board Member _____ ☐ Board Member _____ ☐ Board Member _____**Original reason(s) for placement / Case Summary****Reunification / Risk to child**

- ☐ The conditions / circumstances leading to the removal of the child have been corrected and it is safe to return the child home at this time or in the near future for the reasons set forth here: _____
- ☐ It is **NOT** and will **NOT** be safe to return the child home in the foreseeable future because: _____

Reasonable EffortsHas the Division provided **reasonable efforts to finalize the permanent plan** including reunification where appropriate?☐ Yes ☐ No **Explain:** _____**Compliance**

- ☐ One or more parties are complying with the Division's plan (explanation) _____
- ☐ One or more parties are not complying with the Division's plan (explanation) _____

Board Recommends:**Additional Comments / Questions:****Barriers to permanency at the time of this review: Please Mark U= Unavailable or I= Inadequate**

___ Housing	___ Parent training	___ Substance abuse services	___ Physical handicap services
___ Emergency Shelter	___ Homemaker services	___ Low cost medical services	___ Pregnant teen services
___ Emergency funds	___ Educational / School services	___ Mental Health services	___ Bilingual client services
___ Day Care	___ Employment / Vocational services	___ Mental handicap services	___ Other _____

Termination of Parental Rights: (Permanency Reviews Only)

- ☐ Termination of Parental Rights was granted on the date listed below:
 Mother _____ on _____, 20____
 Father _____ on _____, 20____
- ☐ Termination of Parental Rights to be followed by Adoption is an appropriate plan because: _____
- ☐ This case is **an exception** to the requirement to file Termination of Parental Rights because:
☐ The child is living with a relative
☐ The Division has not provided necessary services to effect family reunification
☐ The following compelling reasons exist in this case: _____
☐ Permanent reason **OR** ☐ until this date _____

IN THE MATTER OF:

 NJSpirit Participant #: _____

Child,

SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION - FAMILY PART

COUNTY OF _____

DOCKET NO.: FC - _____

NJSpirit Case #: _____

Civil Action**FOR VOLUNTARY PLACEMENTS ONLY**☐**45 DAY REVIEW CPR ORDER**☐**SPECIAL REVIEW CPR ORDER**

This matter having come before the Child Placement Review Board _____, 20__, for review under the Child Placement Review Act (*N.J.S.A. 30:4C-50 et seq.*); and the Court, having reviewed the report and findings of the Child Placement Review Board and any additional written materials submitted, the Court adopts the determination of the Board and,

IT IS ON THIS _____ DAY OF _____, 20__, ORDERED THAT:

- ☐ **A.** The child be returned to his/her parent(s) or legal guardian(s) within 2 weeks and the Division of Youth & Family Services (the Division) shall provide reasonable and necessary services to implement a return home.
- ☐ **B.** The child shall be continued in placement outside the home on a temporary basis until the long-term goal is achieved.
- ☐ **C.** The child shall continue in placement outside of the home on a temporary basis, however,
- ☐ **1.** There is insufficient information for the board to make a recommendation, therefore, the board requests the court to order the Division to provide the following information to the court within 2 weeks of this order:
- ☐ **2.** The placement plan does not satisfy the criteria provided in *N.J.S.A. 30:4C-58*, and therefore, the placement plan shall be modified within 30 days of this court order.
- ☐ **3.** The plan and goal do not satisfy the criteria provided in *N.J.S.A. 30:4C-58*, and therefore, a new plan and goal shall be developed within 30 days of this court order. ***Failure to submit the requested information in a timely manner may result in the Board's request for a Summary Hearing.***
- ☐ **4.** This case shall be scheduled for a Summary Hearing on _____, 20__, at _____ a.m.
- ☐ **5.** A Court Appointed Special Advocate is to be assigned in this case.
- ☐ **6. RED FLAG (limited to FC cases with no concurrent FN or FG docket):** Return home is prohibited until the Court approves the Division's proposed action and orders the return home of the child.
- ☐ **7. IT IS FURTHER ORDERED THAT:**

☐ A board review is to be held on _____, 20__, at _____ a.m.

_____, J.S.C.

(Numbering on this order conforms to the Review Board Recommendation to the Judge Form for Voluntary Placement Cases)

ATTORNEY GENERAL OF NEW JERSEY
Attorney for New Jersey Division of Youth & Family Services

By:

Deputy Attorney General
Division of Law

Telephone No.

NEW JERSEY DIVISION OF
YOUTH AND FAMILY SERVICES,
Plaintiff,

v.

(NJSpirit Participant #: _____) Defendant,

(NJSpirit Participant #: _____) Defendant,

(NJSpirit Participant #: _____) Defendant,

(NJSpirit Participant #: _____) Defendant,

IN THE MATTER OF:

NJSpirit Participant #:
FC Docket #:

NJSpirit Participant #:
FC Docket #:

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - FAMILY PART
COUNTY OF _____
DOCKET NO.: FN - _____
NJSpirit Case #: _____

Civil Action

ORDER TO SHOW CAUSE AND TO
APPOINT A LAW GUARDIAN WITH
TEMPORARY CUSTODY

This matter having been brought before the Court on _____, 20____, by the Division of Youth and Family Services (the Division), pursuant to N.J.S.A. 9:6-8:21, et seq., and N.J.S.A. 30:4C-12 and R. 5:12-1, et seq., Deputy Attorney General _____, appearing, the Law Guardian _____, appearing, and in the presence of the defendant(s):

the defendant: _____ (☐ appearing/☐ not appearing), ☐ noticed/☐ not noticed
represented by _____ Esquire; and

the defendant: _____ (☐ appearing/☐ not appearing), ☐ noticed/☐ not noticed
represented by _____ Esquire; and

the defendant: _____ (☐ appearing/☐ not appearing), ☐ noticed/☐ not noticed
represented by _____ Esquire; and

the defendant: _____ (☐ appearing/☐ not appearing), ☐ noticed/☐ not noticed
represented by _____ Esquire; and

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

removal of the child(ren) is necessary to avoid an ongoing risk to the life, safety or health of the child(ren).

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.

And, EITHER, the Court has determined that,

☐ **A.** reasonable efforts to prevent placement prior to removal were made, as indicated in paragraphs _____ of the attached complaint,

OR,

☐ **B.** pursuant to *N.J.S.A. 30:4C-11.2*, efforts to prevent placement were not reasonable due to risk of harm to the child's health or safety

AND:

☐ **1.** the removal of the child(ren) was required due to imminent danger to the child(ren)'s life, safety or health, as follows:

OR,

☐ **2.** the parent(s) has/have subjected the child(ren) to aggravated circumstances of abuse, neglect, cruelty, or abandonment, as follows:

OR,

☐ **3.** the parent(s) has/have been convicted of a crime specified in *N.J.S.A. 30:4C-11.2*, as indicated in the Verified Complaint filed today:

☐ **a.** murder, aggravated manslaughter or manslaughter of another child of the parent;

☐ **b.** aiding or abetting, attempting, conspiring or soliciting to commit murder, aggravated manslaughter or manslaughter of the child or another child of the parent;

☐ **c.** committing or attempting to commit an assault that resulted, or could have resulted, in the significant bodily injury to the child or another child of the parent; or

☐ **d.** committing a similarly serious criminal act which resulted, or could have resulted, in the death or significant bodily injury to the child or another child of the parent,

OR,

☐ **4.** the rights of the parent(s) to another of the parent(s)' children have been involuntarily terminated,

and for good cause shown, IT IS ON THIS _____ DAY OF _____, 20__, ORDERED that

- 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 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 in the legal and physical custody of the Division; and,
- 3.** 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,
- 4.** 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,
- 5.** The Office of the Public Defender, Law Guardian Program, be assigned as law guardian for the child(ren); and,

6. The Division and the Law Guardian shall be entitled to immediate access to and copies of all educational or early intervention program information and records pertaining to the child(ren) who are the subject of this order without further release.
7. The Law Guardian for the child(ren) shall be entitled and permitted to have access to and to obtain copies of all records, including but not limited to, medical, mental health, school, drug or alcohol treatment and other records and/or information concerning his/her client, and shall have access to the children at their home, resource family home, school or day care center or treatment facility, and shall be entitled to speak to the children and/or service providers, privately, outside the presence of parents, resource family or school personnel without further release; and,

8. 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: _____

9. The defendant(s) shall have a right to be represented by counsel of their own choosing, or if they are unable to afford counsel, then to make application to the Court for appointment of counsel through the Office of the Public Defender by completion of the 5A form; and,
10. 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,
11. 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.

IT IS FURTHER ORDERED THAT:

_____, J.S.C.

THE FAILURE OF THE DEFENDANT(S) TO COMPLY WITH ANY PROVISION OF THIS ORDER OR THEIR CONTINUING FAILURE TO APPEAR MAY RESULT IN A DEFAULT BEING ENTERED BY THE COURT AND MAY RESULT IN THE COMMENCEMENT OF A TERMINATION OF PARENTAL RIGHTS PROCEEDING. A TERMINATION OF PARENTAL RIGHTS WOULD FREE THE CHILD(REN) FOR ADOPTION.

FAILURE TO OBEY THE CUSTODY PROVISIONS OF THIS COURT ORDER MAY SUBJECT THE DEFENDANTS TO CRIMINAL PENALTIES UNDER N.J.S.A. 2C:13-4(a)(3), INTERFERENCE WITH CUSTODY.