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TO: Hon. Thomas W. Sumners, Jr., P.J.A.D.
Assignment Judges
Family Presiding Judges
Children in Court (CIC) Judges
MB

FROM: Michael J. Blee, J.A.D.

DIRECTIVE #02-26

[Supersedes Directive # 26-21]

Questions or comments may be directed to
(609) 815-2900, ext. 55350

SUBJECT: Family – Children in Court – Safe Haven Protocol

DATE: February 3, 2026

This supersedes Directive #26-21 and promulgates for immediate implementation a clarification for Safe Haven applications in the Children in Court (CIC) docket (hereinafter "Safe Haven Protocol"). This revised directive, which also revises Section 1704 of the [Children in Court Operations Manual](#), clarifies that the clear and convincing evidence standard of proof is applied to terminate parental rights in these matters. When the Division of Child Protection and Permanency (DCPP) in the Department of Children and Families (DCF) determines that the Safe Haven Act applies to a child, this Safe Haven Protocol is to be followed.

The Safe Haven Act, N.J.S.A. 30:4C-15.5 et seq., permits parents to leave a newborn child in a safe place, such as a police or fire station or hospital, to prevent the child from being abandoned in a potentially dangerous location. The Safe Haven Protocol was developed in consultation with the DCF and the Office of the Attorney General.

After assuming custody, care, and supervision of a child left in a Safe Haven location, DCPP commences an investigation by contacting the New Jersey State Police to determine if the child was reported as missing. No later than the next business day after that contact the State Police are to advise the county prosecutor in the county where the child was found about the child.



Within two court days of taking custody of the child, DCPP is to file a complaint for custody, care, and supervision, using fictitious names in the pleading under the FN docket, with the court to conduct an Order to Show Cause hearing. At the hearing, the court must determine: (1) whether the Safe Haven Act applies to the case and whether reasonable efforts to prevent placement are required; and (2) whether DCPP is not required to make reasonable efforts to reunify the child with a parent pursuant to N.J.S.A. 30:4C-15.8. If the court finds that reasonable efforts to reunify the child with the parent(s) are not required, DCPP must file a complaint for guardianship terminating parental rights under the FG docket in accordance with N.J.S.A. 30:4C-15.1 (b)(3) and N.J.A.C. 3A:18-1.10. A termination of parental rights (TPR) trial or proof hearing will be scheduled within 30 days of DCPP's filing for TPR. The applicable standard of proof for this hearing is clear and convincing evidence. The court will render a decision on the date the TPR is heard, if possible, but no later than 14 days after the trial/proof hearing.

If DCPP becomes aware of the identity of the child's parent(s) or relative(s) before parental rights are terminated, DCPP shall consult with the Deputy Attorney General to determine whether to attempt to contact the parent(s) or notify members of the birth family of the existence of the child, to thereby work with the parent(s) or family in developing a permanent plan for the infant, or to pursue another course of action. If, based on the factors set forth in N.J.A.C. 3A:18-1.12, DCPP concludes it is appropriate to do so, DCPP is to locate the relative(s) or parent(s) and immediately arrange for genetic testing. The genetic test results must be submitted in writing to the court and all attorneys within three days of receipt by DCPP.

If any putative biological parents present themselves to seek reunification with the child, and DCPP receives genetic test results confirming paternity or maternity, DCPP will:

- File a motion amending the complaint to name the parent(s);
- Serve the parent(s) with the amended complaint and a case management hearing will be scheduled within 21 days with notice to the parent(s); and
- Provide to the parent(s) a blank Application for Assignment of Counsel (CN 11727) to complete.

The court shall hold a case management hearing within 21 days with notice to the parent(s).

Directive #02-26 – Family – Children in Court - Safe Haven Protocol

February 3, 2026

cc: Commissioner Christine Norbut Beyer, DCF
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Public Defender Jennifer N. Sellitti
Steven D. Bonville, Chief of Staff
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