



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	IV	Out of Home Placement	
Chapter:	A	General Placement Considerations	9-29-2015
Subchapter:	3	Review of Placements by Courts	
Issuance:	200	Review of Children in Placement	

Federal and State Legal Requirements 10-19-2009

Federal law requires regular reviews of the circumstances of each child in placement through CP&P. The Adoption Assistance and Child Welfare Act of 1980 and the Adoption and Safe Families Act of 1997 require for each child in placement that there must be, in the case of court ordered placements, a:

1. Judicial determination, made on a case-by-case basis, within 60 calendar days of removal and stated in the court order, that reasonable efforts to prevent placement have been made, or that reasonable efforts were not required.
2. Judicial determination, made on a case-by-case basis, and stated in the very first court order sanctioning the removal of the child from the home, that continuation in the home would be contrary to the welfare of the child; or in the case of placements by informed consent (a practice discontinued in New Jersey May 1, 2005, for placing a child in resource family care).
3. Judicial determination, made on a case-by-case basis, within 180 days of placement and stated in the court order, that each placement by informed consent is in the best interests of the child.
4. In all cases, a written case plan that includes:
 - a. "The legal authority for the out-of-placement;
 - b. The efforts made to prevent placement, the reasons for making the placement or for continuing the placement, all efforts made to reunify the family and the impact of those efforts;
 - c. The case goal for each child, the progress towards its achievement, and any obstacles to reaching it;

- d. An assessment of the safety and appropriateness of the current placement and the plan to assure that each child receives safe and appropriate care;
- e. The efforts made to find a missing mother and father or relative, pursuant to N.J.S.A. 30:4C-12 et seq.;
- f. The schedule for contacts between the Division representative and the family members, pursuant to N.J.A.C. 10:133D-2, In-Person Visits with Clients and Out-of-Home Placement Providers;
- g. The plan for visits between the child and parents, siblings and other relatives (see N.J.A.C. 10:122D-1);
- h. The views of the child, family, and out-of-home placement provider concerning the placement and the case plan;
- i. The needs of the child, the parent and the child's out-of-home placement provider in order to meet the case goal;
- j. The behavioral and other changes expected from each person;
- k. The services or actions intended to meet the identified needs and who is responsible to provide the services and complete the activities, with projected time frames, as well as the appropriateness of the services for the child. See N.J.A.C. 10:122D-2, Services to Children in Out-of-Home Placement;
- l. Any stipulations reflected in a court order;
- m. A description of the type of out-of-home placement;
- n. How the placement is safe, near the parent's home and the least restrictive and most family-like available, consistent with the best interest and special needs of the child;
- o. Why the child was placed a substantial distance from his or her parents or out-of-State, when applicable;
- p. The child's health and education records, in accordance with N.J.A.C. 10:122D-2.5(b) and (c) and 2.6(b) and (d); and
- q. Programs and services to help the child transition from out-of-home placement to self-sufficiency skills, for a child age 14 or older, in accordance with N.J.A.C. 10:122D-2.7. (N.J.A.C. 10:133D-1.7(b))

“The written case plan for a child in an out-of-home placement and whose case goal is either adoption or kinship legal guardianship shall include the steps the Division representative is taking to place the child with:

1. An adoptive family, including child specific recruitment efforts, such as the use of adoption resource exchanges in accordance with N.J.A.C. 10:121C-2.4 and 2.5, and to finalize the adoption; or
2. A relative or caregiver who is willing to assume care of a child, become a kinship legal guardian and finalize the kinship legal guardianship, after steps are taken to determine that reunification and adoption are neither feasible nor appropriate and the child meets the eligibility requirements for kinship legal guardianship. “ (N.J.A.C. 10:133D-1.7(c))

“When the Division is not required to file a petition seeking termination of parental rights pursuant to N.J.S.A. 30:4C-15.3b, the Division representative shall document in the case plan a compelling reason for determining that filing the petition is not in the best interests of the child.” (N.J.A.C. 10:133D-1.7(e))

5. Review at least every six months by the court or by administrative review. The review must be open to participation by the parent and:
 - a. “Shall be convened and conducted by a Division representative (if an internal administrative review) ..., who has no responsibility for case management or delivery of service to the child who is the subject of the placement review or to the child's parent;” (N.J.A.C. 10:133H-3.7(a))
 - b. Must evaluate the following:
 - “The safety of the child;
 - The circumstances that necessitated the out-of-home placement or care provided by a relative and the efforts made by the Division to prevent out-of-home placement or care provided by a relative unless the circumstances in N.J.A.C. 10:133H-3.3(a)3 apply;
 - The continuing need for out-of-home placement or care provided by a relative;
 - The appropriateness of out-of-home placement or care provided by a relative;
 - The proximity of the child's out-of-home placement or care provided by a relative to his or her own home and the efforts made by the Division to provide continued contact between the child, parent,

siblings not residing with the child and each relative identified in the case plan, as one with whom the child shall visit;

- Whether the child is making an adequate adjustment to the out-of-home placement or care provided by a relative, as indicated by the child's behavior;
- Whether returning the child to his or her own home is contrary to the child's welfare;
- The current objectives of the case plan, the extent of compliance with the case plan, and whether the objectives are being implemented and are likely to lead to achieving the case goal;
- Whether the child's case goal is the most likely to meet his or her needs and whether progress is being made toward its achievement;
- Whether the services the Division is providing to the child, his or her parent, and the out-of-home placement provider or relative providing care for the child meet the identified service needs and whether there are obstacles to meeting the identified service needs;
- Whether the Division, parent and out-of-home placement provider or relative providing care for the child are fulfilling their respective responsibilities in accordance with the case plan;
- Whether the child is fulfilling any responsibilities in accordance with the case plan;
- The extent of progress made toward alleviating or mitigating the causes of out-of-home placement or care provided by a relative unless the circumstances in N.J.A.C. 10:133H-3.3(a)3 apply;
- Whether the parent and the Division are maintaining the visitation schedule;
- Whether obstacles exist that are preventing achievement of the case goal and the efforts being made by the Division to alleviate the obstacles;
- Whether the services needed to assist the child, age 16 or over, to make the transition from living in an out-of-home placement or care provided by a relative to living independently are being provided;

- Whether progress is being made to identify, search for, and assess relatives of the child in order to determine their appropriateness and willingness to care for the child;
 - Whether the child has siblings in out-of-home placement or care provided by a relative, what the case plan and case goal are for each of them, whether the case plan includes placing any of the siblings together, and what efforts the Division is making to place the siblings together until they can be reunited with their parent;
 - Whether recommendations by the Child Placement Review Board or court orders are being followed;
 - The time frame and conditions required for return of the child to his or her own home or an alternate permanent living arrangement;
 - Whether the Division shall initiate a petition to terminate parental rights or shall determine that one of the exceptions listed in N.J.S.A. 30:4C-15.3 exists; and
 - Whether to identify an adoptive parent and conduct a home study as necessary.” (N.J.A.C. 10:133H-3.7(c)); and
 - For a child for whom another planned permanent living arrangement has been determined as the permanency plan, determine the steps the Division is taking to ensure the child’s resource family or placement provider is following the reasonable and prudent parent standard and to ascertain whether the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities
6. Permanency hearing held by the court or a court appointed body to review and provide approval of the placement plan:
- a. Within 30 days after a judicial determination of an exception to the reasonable effort requirement to reunify the child with the parent (see Reasonable Efforts Not Required to Reunify, below) in accordance with section 25 of P.L.1999, c.53 (C.30:4C-11.3); or
 - b. Within 365 days of the date the child is placed.

For children who remain in placement more than 365 days, a permanency hearing is held at least once every 365 days thereafter.

A judicial determination is made approving a placement or permanency plan to include:

- a. Reunification;
- b. Adoption (with the Division filing for TPR);
- c. Kinship legal guardianship;
- d. Permanent placement with a competent and willing relative; or
- e. Another planned permanent living arrangement when the Division documents a compelling reason for establishing such a plan. See [CP&P-III-B-2-200](#), Permanent Plans Other Than Return Home.

The court makes a specific finding of the reasonable efforts made by the Division and the appropriateness of the reasonable efforts to achieve the placement or permanency plan. The Division confirms the court's finding is documented in the court order.

N.J.S.A. 30:4C-11.2 - Reasonable Efforts Not Required 12-22-2008

As a result of the Federal Adoption and Safe Families Act of 1997, New Jersey, through the March 31, 1999 amendments (P.L. 1999, C.53) to State law, further defines the circumstances wherein a court of competent jurisdiction determines that reasonable efforts are not required to prevent a child's removal from home or to reunify a child with a parent.

A court of competent jurisdiction is defined as a court, either civil or criminal, having lawful jurisdiction to hear the matters before it.

Reasonable Efforts to Prevent Placement Not Required 12-22-2008

In certain case situations, the Division is not required to provide reasonable efforts to prevent a child's removal from his/her home, but may choose to.

- a. When determining whether reasonable efforts are required to prevent placement, the health and safety of the child shall be of paramount concern.
- b. The Division shall not be required to provide reasonable efforts to prevent placement pursuant to N.J.S.A. 30:4C-11.2, if a court of competent jurisdiction has determined that efforts to prevent placement were not reasonable due to risk of harm to the child's health or safety and:
 1. The parent has subjected the child to aggravated circumstances of abuse, neglect, cruelty, or abandonment. Aggravated circumstances may include, but are not limited to, torture and chronic or severe abuse;

2. The parent has been convicted of murder, aggravated manslaughter or manslaughter of a child; aiding or abetting, attempting, conspiring or soliciting to commit murder, aggravated manslaughter or manslaughter of a child; committing or attempting to commit an assault that resulted, or could have resulted, in the significant bodily injury to a child; or committing a similarly serious criminal act which resulted, or could have resulted, in the death or significant bodily injury to a child:
3. The rights of the parent to another of the parent's children have been involuntarily terminated; or
4. Removal of the child was required due to imminent danger to the child's life, safety or health.

See [CP&P-III-B-2-200](#), Reasonable Efforts.

Reasonable Efforts to Reunify Not Required 12-22-2008

In certain case situations, the Division is not required to provide reasonable efforts to reunify a child with a parent, but may choose to.

(a) The Division shall not be required to provide reasonable efforts to reunify the child with a parent pursuant to N.J.S.A. 30:4C-11.3 if a court of competent jurisdiction has determined that:

1. The parent has subjected the child to aggravated circumstances of abuse, neglect, cruelty or abandonment. Aggravated circumstances may include, but are not limited to, torture and chronic or severe abuse;
2. The parent has been convicted of murder, aggravated manslaughter or manslaughter of a child; aiding or abetting, attempting, conspiring or soliciting to commit murder, aggravated manslaughter or manslaughter of a child; committing or attempting to commit an assault that resulted, or could have resulted, in significant bodily injury to a child; or committing a similarly serious criminal act which resulted, or could have resulted, in the death of or significant bodily injury to a child; or
3. The rights of the parent to another of the parent's children have been involuntarily terminated.

(b) This section shall not be construed to prohibit the Division from providing reasonable efforts to reunify if the Division determines that family reunification is in the child's best interests.

(c) When determining whether reasonable efforts are required to reunify the child with the parent, the health and safety of the child and the child's need for permanency shall be of paramount concern

(d) The court shall hold a permanency hearing, pursuant to N.J.S.A. 30:4C-61.2, that provides review and approval by the court of the placement plan within 30 days after a determination that reasonable efforts to reunify the child with the parent are not required pursuant to N.J.S.A. 30:4C-11.3.

See [CP&P-III-B-2-200](#), Reasonable Efforts.

New Jersey Compliance with Federal and State Laws 9-20-2004

New Jersey provides for compliance with the federal requirements for reviews and the stipulations outlined in Overview of CP&P Regional Placement Review Process for Children in Out-of-Home Placement, below, through:

- Formal administrative reviews known as regional placement reviews.
- Court reviews and dispositions made under any one or more of the following:
 - The Child Placement Review Act
 - Permanency hearings held pursuant to N.J.S.A. 30:4C-61.2
 - Litigation initiated by CP&P under N.J.S.A. 30:4C-12 or 15a and N.J.S.A. 9:6-8.21 et seq.
 - Litigation initiated by others wherein the placement of a child is specifically disposed of

NOTE: The term regional placement review/conference as used throughout is synonymous with the term placement review as used in the italicized text.

Living Arrangements Subject to/Not Subject to Review 9-20-2004

“Each child in the following living arrangements or circumstances is subject to a placement review. The Division shall notice the Family Court, under N.J.S.A. 30:4C-53, of these situations:

1. A child who has been placed voluntarily or non-voluntarily by the Division from his or her home, free or with maintenance provided by the Division; and
2. A child who has not been placed by the Division from his or her home but for whom the Division provides maintenance or provides permanency services.”

(N.J.A.C. 10:133H-3.10)

“Each child in the following living arrangements or circumstances is not subject to a placement review or review by the Child Placement Review Board. The Division shall not conduct a placement review or notice the Family Court as under N.J.S.A. 30:4C-53 of these situations:

1. A child who is residing with a relative or stepparent at the time of application or referral for services, whose parent made the arrangement, and for whom the Division does not provide maintenance or permanency services;
2. A child who has been ordered by the Family Court to be placed in a correctional facility, where the Division is not the child's legal guardian; and
3. A child who is placed in New Jersey by an out-of-State agency and that agency retains legal and financial responsibility for the child, with the Division providing courtesy supervision of the out-of-home placement or care provided by a relative. The Division provides a different type of review for a child in these circumstances in accordance with N.J.A.C. 10:133H-4.”

(N.J.A.C. 10:133H-3.11)

When the court learns of a child's placement by an out-of-state agency and renders decision making in a particular case or placement category subject to review which is contrary to what has been outlined above, consult the DAG. Refer questions concerning living arrangements of children subject to review to the Division's Policy Development Unit.

Children from out-of-state in placement in New Jersey are reviewed every six months by Regional Reviewers or their designee at the regional conference. These placements are subject to administrative review only. The regional reviewer holds the first review six months after the Division's Interstate Services Unit approved the placement. See [CP&P-VIII-D-2-200](#).

See DCF Service Dictionary and Data Definitions link on the NJS Desktop.

CP&P Jurisdiction for Regional Placement Conferences 1-13-95

The CP&P office/region responsible for scheduling, arranging, and holding a regional placement conference is the child's office of supervision. Office of supervision is determined and governed according to the procedures outlined in [CP&P-II-C-1-200](#). If the child's office of supervision changes, the office responsible for the placement conferences also changes.

Determining CPR County of Jurisdiction 1-13-95

The responsibility for reviewing the circumstances of a child's placement under the Child Placement Review Act lies with a review board in the child's county of CP&P supervision.

When a county has more than one review board, the CPR Coordinator for that county determines which board has jurisdiction.

When a child moves from one county to another and CP&P transfers the child's supervision to a Local Office in another catchment area/county, CP&P notifies the CPRB within 72 hours. The jurisdiction of the CPRB may be changed upon an order of the court. When a child under the supervision of an LO moves from a reviewable placement in one county to a reviewable placement in another, CP&P notifies the Board under whose jurisdiction the case has been heard.

The jurisdiction of the CPRB may be changed upon an order of the court.

When a child is moved from a reviewable living arrangement in New Jersey to a reviewable living arrangement out-of-state, and the out-of-State agency provides courtesy supervision for New Jersey, the review board in the child's county of CP&P supervision is responsible for the review of the child's placement. See [CP&P-VIII-D-2-400](#) for information regarding out-of-state placements and CPR.

If a child is placed in an adoptive home prior to the completion of the initial court review, that court shall retain jurisdiction to complete the review. See Adoption Placement Review by Child Placement Review Boards, below.

Termination of Board/Court Jurisdiction under Child Placement Review Act 9-20-2004

“(a) The Division shall notice the Family Court of the following circumstances and cease to provide information to the Child Placement Review Board unless otherwise ordered by the Family Court:

1. When a child returns to his or her own home. See Return Home Review, below;
2. When a child attains the age of 18. See Notification to the Review Board of the Attainment of the Age of Majority, below; or
3. When the Division transfers the responsibility of a child's care to another agency or otherwise terminates its services.

(b) The Division may continue to hold a placement review at the discretion of the office manager in the above-cited situations if the Division continues services or monitoring of the case.

(c) The Division shall provide notice but no further information to the Child Placement Review Board when:

1. The child is adopted and the final judgment of adoption is entered by the Family Court;
2. The child enters the armed forces;
3. The child marries; or
4. The child dies.

(N.J.A.C. 10:133H-3.12)

CP&P must notify the CPRB of the above using CP&P Form [18-35](#).

Overview of CP&P Regional Placement Review Process for Children in Out-of-Home Placement **3-25-2005**

(a) "At least once every six months, the Division shall:

1. Conduct a placement review in accordance with N.J.A.C. 10:133H-3.7;

[Note: the Division holds its first regional placement conference by the fifth month of the child's placement]

2. Participate in a review by the Child Placement Review Board pursuant to N.J.S.A. 30:4C-50 et seq. and N.J.A.C. 10:133H-3.8; or
3. Participate in another professional case review in accordance with (b) below.

(b) Another professional case review, including, but not limited to, a Case Assessment Resource Team review, a meeting to develop or revise a child's treatment plan in accordance with N.J.A.C. 10:127-6.1 or 10:128-6.1, or a court hearing, may substitute for the placement review only when:

1. The review is held during the required time frame in accordance with (a) above;
2. The same people receive prior written notice of the review in accordance with N.J.A.C. 10:133H-3.6(a); and
3. The purpose of the review is the same as that of a placement review conducted in accordance with N.J.A.C. 10:133H-3.3."

(N.J.A.C. 10:133H-3.5)

For out-of-state children residing in placement in New Jersey, the regional placement conference is held by the Regional Reviewer (or his designee) responsible for the LO which is providing courtesy supervision. See [CP&P-VIII-D-2-200](#).

Overview of the Process for the Court Review of Children in Out-of-Home Placement under N.J.S.A. 30:4C-50 et seq. 2-6-2006

Within five calendar days of a child's out-of-home placement, as authorized by a court order under Title 9, 30, or 2A; a parent's consent to residential placement (documented by signing a Residential Placement Agreement, CP&P Form [25-59](#)); a parent's consent to independent living (documented by signing a Consent to Independent Living, CP&P Form [10-8](#)), CP&P files a petition with the Family Court (CP&P Form [5-47](#), Notice of Placement).

Within 15 days of receipt of the petition, the judge issues an order. See Initial Court Review of Placement by Parental Consent, below. A copy of the order is sent to CP&P.

Within 45 days of the placement, the Child Placement Review Board holds a formal review of the circumstances surrounding the child's placement and completes the review within 15 days.

Within ten days after the board review, its recommendations regarding the case are submitted to the Family Court. See Board Recommendations, below.

Within 21 days of receipt, the court reviews the board's recommendations and issues an order regarding the placement or schedules a summary hearing. See Review of Board Recommendations, below.

By the 11th month of the child's placement, the review board holds its annual review. In certain cases, after the board completes its review, a judge makes a judicial determination that includes reasonable efforts to implement or finalize a permanent plan, thereby allowing this review to fulfill the Federal legal requirements for a permanency hearing. When there is a child abuse/neglect case (FN docket number) or a termination of parental rights case (FG docket number) before the court, the board's annual review will not be the permanency hearing. The court convenes the permanency hearing and the board provides information from its annual review to the court.

If the board review is meeting the Federal and State requirements for a permanency hearing, the Child Placement Review Order will be clearly identified as the "Permanency Order."

The court again reviews the board's recommendations within 21 days of receipt, and issues an order regarding the placement or schedules a summary hearing. See Review of Board Recommendations, below.

CP&P/CPRB Reciprocal Attendance 9-20-2004

CP&P Workers or other appropriate CP&P staff and CPRB members are encouraged to attend each other's reviews. Reciprocal attendance is not mandatory at each board review or placement conference. However, reciprocal attendance increases communication and thereby affords the opportunity for improved case planning and advocacy.

The CPRB can require CP&P Workers or other appropriate CP&P staff to attend their review if current information/paperwork is not provided to the Board in a timely manner.

CP&P/CPRB Roles During Reviews 10-12-94

The Worker's/CP&P staff role at the board review is to provide clarification and explanation about the child's placement, and progress being made by all involved parties toward stated goals. The Worker may also request that actions be recommended or taken or information be gathered during the review which can support and facilitate case progress toward the goal. For example, the Worker might request the review board to use its influence to motivate the client where the client has been unresponsive to the Worker's suggestions; or the review board might be requested to aid in mobilizing a community resource to provide a service to the client.

The CPRB member's role at the regional placement conference is not that of the third party. His attendance enhances the regional placement conference when he acts as a resource for information about the case, about the views and concerns of the board and court, about resources in the community. By attending the regional placement conference, the board member is able to gather information relevant to the child's placement and case progress toward the stated goal for the board and the court.

CP&P/CPRB Automatic Invitation 2-10-2003

Invitations to CP&P and CPRB to attend board reviews and regional placement conferences are open to each other and accomplished automatically through a computer print-out which lists the children who are due to have their placements reviewed. CP&P Information Technology (IT) provides a copy of the print-out to the CPR Coordinator in each county.

When the Worker or CPRB member will be attending, the responsibility to notify the reviewing body of interest in attending lies with the attendee.

In preparation for the board review, or regional placement conference notification of interest in attending should include any issues of concern, e.g., questions about progress toward case goals, questions about the services being provided or request for advocacy. The name and telephone number of the attendee for scheduling and rescheduling purposes should also be provided.

To notify the person requesting to attend of the specific date and time of the board review, or regional placement conference, CP&P/CPRB sends him a copy of the notice to the parent (A.O.C. LR-39 or CP&P Form [5-20](#)).

There are times when the attendance of a Worker or a CPRB member is essential to the review. That person's presence may be specifically requested. CP&P staff attend CPRB reviews when requested to appear. For a dual management case, the Workers for the child and parents attend the CPR review voluntarily when possible. Either Worker attends when requested to do so by the CPRB. Attendance is mandatory when subpoenaed.

There are times when the presence of a Worker or a CPRB member would be counterproductive to the purpose of a particular part of a review. In such instances, the person may be excused from the proceedings at that time with an explanation.

Specific requests for attendance and exclusion are honored whenever possible.

In cases under dual management between Local Offices, both Workers attend if requested. Otherwise, the LO Worker supervising the child attends the review and obtains all necessary information from the LO Worker supervising the parent(s), or who has the litigation responsibility, prior to the review.

Parent Participation 9-20-2004

At the time of a child's placement, the CP&P Worker tells the parents about the CPRB reviews, court reviews, permanency hearings and CP&P regional placement conferences. The information shared includes the purpose, scheduling, who may participate, and that they will have an opportunity to review and discuss with those present the conditions that necessitated placement and the plan for return home or other permanent plan. The parent is told that information provided to CP&P and to the CPRB will be made known to the court and that he may request a hearing before the judge to make his case in person.

CP&P has the responsibility to insure that each parent has the opportunity to exercise his rights and responsibilities toward the child who has been placed in temporary substitute care. As part of that process, parent participation at the CPRB review and CP&P regional placement conferences is essential for sound planning and thorough assessment of case progress. Parents are given a copy of CP&P Form [18-33](#), A Guide for Parents: When Your Child is in Foster Care. See CP&P Form [18-33](#).

Every effort is made to have the parents attend the scheduled review. Regional placement conferences may be held in the parents' home, or after hours. It may be necessary for the Worker of the parents to arrange for transportation or provide the parents with transportation to the site of the review.

If the parents are unable, refuse, fail to appear or decline to attend the review, the Worker shares with them the issues that were reviewed. This discussion takes place within thirty days following the review during a face-to-face contact and is confirmed in writing by providing the parent with a copy of the case plan, CP&P 26-81, Case Plan section only.

If the parents are missing, the Worker documents on the CP&P Form [26-81](#) all efforts to search for and locate the parents. See [CP&P-III-B-2-100](#).

If needed, and after all other resources have been explored, the parents may be reimbursed for their transportation to the review. See [CP&P-IX-F-1-300](#).

Child Participation During CP&P Regional Placement Conferences 9-20-2004

Children three years of age or older are invited to attend regional placement conferences. The child's participation provides insight into case planning, assessment and case goal selection. Children are encouraged to share their feelings and perceptions about placement as well as their future. Children under the age of three years may attend whenever attendance would not be detrimental to the child. The older child is expected to attend the regional placement conference and provisions are made for his/her attendance whenever one or more of the following conditions exists:

- The child is 14 years or older
- The goal for the child is Independent Living
- The child is in an independent living arrangement
- The child expresses an interest or requests to attend
- The child's specific circumstances or input may directly affect the achievement of the stated case goal or plan

The regional placement conference is used as an opportunity to involve the child during the case planning assessment process (if age appropriate). Efforts are made to engage the child in age appropriate case activities whenever possible (i.e., voluntary participation in counseling, academic or future job preparation, self-sufficiency skills, training, etc.)

Like all children in placement who meet the above criteria, children from out-of-state in placement in New Jersey are encouraged to attend and participate in the regional placement conference.

Participation by the child during the review is recorded on the case plan, CP&P Form [26-81](#), and incorporated into the goal and case activities to be completed.

Notice of CP&P Placement Conference/Regional Placement Review 4-28-2008

In accordance with N.J.A.C. 10:133H-3.6:

- (a) “The Division shall provide adequate prior written notice of the date, time and location of the placement review to each of the following, if applicable:
1. The parent
 2. The out-of-home placement provider or relative providing care for the child
 3. The child, if age appropriate
 4. Legal counsel for the child, the parent and the Division
 5. The Child Placement Review Board
 6. The Case Assessment Resource Team Coordinator” [or Care Management Organization worker] and
 7. The Native American Indian Tribe (if applicable) -- In accordance with the provisions of the federal Indian Child Welfare Act, for Native American Indian children who are members of or eligible to become members of an Indian tribe, the tribe is notified of all court proceedings and invited to participate as a full party to the proceedings. See [CP&P-II-C-2-700](#), Requirements when Removing a Native American Indian Child.
- (b) “In addition to those persons cited in (a) above, the Division may provide prior written notice of the date, time and location of the placement review to another person(s) or professional(s) providing care or services to the child or parent beyond those services provided by the Division.
- (c) The out-of-home placement provider or relative providing care for the child shall have the opportunity to be heard at the placement review. Each other person invited to the placement review shall be entitled to attend and participate in the placement review to the extent deemed appropriate by the Division and in concert with the consent of the parent.
- (d) In the absence of personal attendance, each invited person may submit information in writing to the Division concerning the case goal and case plan for the child.”

When the child's caregiver is a resource family parent, the caregiver receives written notice of their right to be heard at the review in accordance with P.L. 2007, c.228.

- Have an understanding of the state and federal legislation regarding placement review
- Be able to document the discussion and outcome of the review, or ensure appropriate documentation

At the regional placement conference the Regional Reviewer serves as an independent and objective consultant to all parties regardless of his organizational title. In order to perform this role, the third party must:

- Conduct and take an active role in facilitating the review
- Hear the facts of the case as presented by all parties
- Ask questions for clarification and to ensure all aspects of the case are reviewed and all options considered
- Independently evaluate the facts and circumstances of the case
- Offer suggestions concerning the development and implementation of an appropriate case plan
- During the conference document or review the documentation of the review to ensure it is accurate and appropriate
- Raise concerns to the Office Manager about cases that do not seem to be moving appropriately toward permanency

Of particular concern to the Regional Reviewer (or his designee) is whether the out-of-home placement should continue. To this end the Division representatives, including the Regional Reviewer shall consider and determine the following:

1. "The safety of the child;
2. Whether the circumstances and reasons originally necessitating the out-of-home placement or care provided by a relative of the child continue to exist or if additional or different circumstances have occurred which support continued out-of-home placement or care provided by a relative;
3. Whether the Division in the provision of services has made reasonable efforts to return the child home and the failure to achieve that return home is not due to a lack of appropriate Division services or actions, as specified in the case plan, see N.J.A.C. 10:133D-1;

4. Whether the Division has provided ample opportunity for visitation between the child and parent, siblings and relatives, so as to maintain the parent-child and family relationships;
5. Whether continued out-of-home placement or care provided by a relative serves the best interest of the child;
6. Whether a less or more restrictive out-of-home placement would better meet the child's needs;
7. Whether an out-of-home placement or care provided by a relative in closer proximity to the child's family is available and if it would better serve the child's needs; and
8. Whether the child should be placed with any of his or her siblings and what efforts have been made to place siblings together.”

(N.J.A.C. 10:133H-3.4(a))

Suggestions or opinions offered by the Regional Reviewer are seriously considered by all present in formulating the case plan.

Convening and Conducting Placement Conferences 3-21-2005

The Regional Reviewer assigned to the child's office of supervision convenes and conducts the regional placement conferences. For out-of-state children residing in placement in New Jersey, the regional conference is held by the Regional Reviewer responsible for the LO which is providing courtesy supervision. The Regional Reviewer (or his designee) is responsible for assuring that all relevant issues are openly discussed and a sound case plan developed or reaffirmed for each child in placement being reviewed.

(a) “The purpose of a placement review shall be to determine:

1. The safety of the child;
2. Whether the out-of-home placement or care provided by the relative should continue, consistent with the provisions of N.J.A.C. 10:133H-3.4. See Third Party Representative, above;
3. If reasonable efforts to reunify are not required when a court has made a determination pursuant to N.J.S.A. 30:4C-11.3;
4. The extent of compliance with the case plan and the extent of progress made toward alleviating or mitigating the causes which necessitate placement;

5. Whether the placement plan required by N.J.S.A. 30:4C-55 is appropriate or should be revised, including specifically:
 - i. Whether the case goal is still appropriate or should be modified. See [CP&P-III-B-4-400](#);
 - ii. Whether the intermediate objectives relating to the case goal are appropriate or should be modified;
 - iii. Whether the statement of the duties and responsibilities of the Division, the parent, the out-of-home placement provider or relative providing care for the child, and the child, if age appropriate, including the services to be provided by the Division to the child, the parent, and the out-of-home placement provider or relative providing care for the child, should be modified;
 - iv. Whether the Division has made reasonable efforts to return the child home, including the provision of visitation in accordance with the applicable law unless (a)3 above applies;
 - v. Whether the Division has made reasonable efforts to locate family members who may be willing and able to care for the child; and
 - vi. Whether the continued out-of-home placement or care provided by a relative of the child is appropriate and in the best interest of the child.
6. A likely date by which the child can safely be returned home or, if the child cannot be returned home, placed for adoption or kinship legal guardianship or in another permanent living arrangement; and
7. Whether to prepare for a permanency hearing, pursuant to 42 U.S.C. § 675(5)(C).”

(N.J.A.C. 10:133H-3.3(a))

It is the responsibility of the Placement Review Coordinator and Regional Reviewer to assure that regional placement conferences are held according to the required time frames so that there is no more than six months between regional placement conferences and CPRB reviews and that regional placement conferences allow for the full participation of all parties.

For an out-of-state child residing in placement in New Jersey, hold a regional placement conference every six months. Hold the first regional review six months after the

Division's Interstate Services Unit approves the out-of-home placement. See [CP&P-VIII-D-2-200](#). (Such placements are not reviewable by the CPRB.)

Every effort to attend the review or conference is made by the parent's Worker. If he does not attend, he or his Supervisor must be available to take a telephone call during the conference.

The Regional Reviewer assures that the participants evaluate the points outlined in the Placement Review Outline. See [CP&P-III-B-4-400](#). The outline is used as a guide for conducting the regional placement conference.

The review is conducted in an atmosphere which allows all participants to share the responsibility to explore new alternatives for reaching the goal and to share in the decision-making process.

The parents are provided the opportunity to suggest, discuss or object to any changes (e.g., in the case plan or visitation schedule). If they believe that they or their children have not received the services as planned, or have not had prompt action from CP&P, they are provided an opportunity for an administrative review. See Informal and Formal Dispute Resolution Policy and Procedures.

“The Division shall inform the parent, in accordance with N.J.A.C. 10:133D-1.8(b), the child, if appropriate, and the Child Placement Review Board of the outcome of the Division's placement review, except that those persons cited in N.J.A.C. 10:133H-3.6(a)2 and 6 and (b) may receive only that information from the placement review, which has a direct effect on the care or services being provided by that person or professional. The Division shall inform legal counsel for the child, the parent, or the Division of the outcome of the placement review upon the request of each legal counsel.” (N.J.A.C. 10:133H-3.7(d))

Document the results of the regional placement conference on the CP&P Form [26-81](#), Family Summary/Case Plan, and provide copies to the CPR Board. Provide copies of the CP&P Form [26-81](#), Case Plan section only, to the parents, and make copies available to those who attend the conference. When the parent(s) does not attend or if the document is not completed at the review, the Supervisor ensures that the Case Plan section is sent to the parent(s). The Regional Reviewer documents all permanency activities. For out-of-state children in placement in New Jersey, the CP&P Interstate Services Unit forwards a copy of the CP&P Form [26-81](#), Case Plan section only, to the sending state, to serve as a progress report. Do not share administrative concerns with the sending state. See [CP&P-VIII-D-2-200](#).

Special Situations Affecting Regional Placement Conferences 4-28-92

Guardianship and Surrender with Legal Clearance 4-28-92

When CP&P has guardianship of a child or a surrender of custody with legal clearance, the placement conference is held to review the case plan and its status. Foster parents may be invited. The results of the conference are filed in the case record.

Papers Filed for Termination of Parental Rights or Otherwise in Litigation for Custody Determination 4-28-92

A court hearing may substitute for a regional placement conference, when the court hearing meets the frequency requirements indicated above. See Overview of CP&P Regional Placement Review Process for Children in out-of-Home Placement, above. If, in addition to the court hearing, the regional placement conference is held to review the case plan and its status, a notice of the regional placement conference is sent to the parties outlined in Notice of CP&P Placement Conference/Regional Placement Review, above, and to the attorney for the parents and appropriate DAG. See CP&P [Form 5-21](#) and CP&P [Form 5-21a](#). If the parents wish to participate, both the parents' attorney and the DAG should be present.

The results of the regional placement conference are sent to the parents and all attorneys involved.

Signed Surrender - No Legal Clearance 4-28-92

When CP&P has a signed surrender of custody for a child in placement but no legal clearance, the regional placement conference is held to review the case plan and its status. The parents must be invited if the surrender is more than six months old. The results of the regional placement conference are sent to the parents.

Parents Incarcerated or Institutionalized 9-20-2004

If none of the situations outlined above pertain and a parent is institutionalized, he must be notified of the regional placement conference and receive a copy of the completed case plan, CP&P [Form 26-81](#), Case Plan section only.

Out-of-State Children in Placement in New Jersey 9-20-2004

Although the out-of-home placement of a child in New Jersey by an out-of-state agency which retains legal and financial responsibility for the child is not subject to child placement review, the child's placement shall be reviewed by the Regional Reviewer (or his designee) once every six months while the Division provides courtesy supervision. The review serves as an added safeguard, to ensure that the child is safe and receiving appropriate supervision, permanency planning and needed services while residing in New Jersey. The review also gives the child and the resource family parent the right to question the plan established by the sending state. See [CP&P-VIII-D-2-200](#).

A representative from the sending state (e.g., the child's Worker, Social Worker, etc.) is encouraged to directly participate in the placement conference by way of attendance in

person (particularly when the child is from a state which borders New Jersey) or by telephone contact with the CP&P Worker assigned to the case (either during or in advance of the regional review). Written reports, sent in advance of the conference, are likewise welcome. The sending state maintains responsibility for the case goal, permanency time frames, CP&P visitation schedule, and other key topics discussed during the regional review.

New Jersey Children in Placement Out-of-State 8-30-99

In accordance with the established procedures and time frames of the Child Placement Review Act, the appropriate county court/Child Placement Review Board is notified when out-of-state placements subject to review occur (i.e., children from New Jersey who are in out-of-home placement in another state). Periodic reviews are scheduled and held on an on-going basis in accordance with the Act. See [CP&P-VIII-D-2-400](#).

Substitutions for Regional Placement Conferences 9-20-2004

Other professional case reviews may substitute for the regional placement conference/review only when all of the following conditions are met:

- Frequency requirements are met.
- Participation requirements are met. See Third Party Representatives, above.

The purpose of the review is the same as that of the placement conference/review.

- The case plan, CP&P 26-81, is completed documenting the discussion at the review and placed in the case record.

Notifications To and From the Court 9-20-2004

Notifying the Court of Out-of-Home Placements 2-6-2006

The Local Office notifies the court in the appropriate county of jurisdiction within five (5) calendar days after:

- A child is placed by an emergency removal without a court order pursuant to N.J.S.A. 9:6-8.29 and 9:6-8.30.
- A child is placed or replaced by a court order under Title 30, 9, or 2A.
- A child is placed or replaced pursuant to a parent's written consent, as documented on a Residential Placement Agreement (CP&P Form [25-59](#)) or a Consent to Independent Living (CP&P Form [10-8](#)).

- CP&P obtains placement authority for a boarder child (through a Surrender of Custody/Consent for Adoption, signed and executed CP&P Form [14-86](#) or CP&P [Form 14-86\(S\)](#), or court ordered custody or control), AND the child is medically clear for discharge.
- CP&P has placement authority for a Safe Haven infant, pursuant to a court order, and the infant is medically clear for discharge. See [CP&P-IV-C-5-100](#).

To notify the court of a replacement or placement, “the Division shall provide the following information in its notice of out-of-home placement (CP&P Form [5-47](#)) or care provided by a relative to the Family Court...:

1. The reasons for the out-of-home placement or care provided by a relative;
2. The Division's efforts to prevent out-of-home placement or care provided by a relative;
3. The short-term placement plan;
4. The case goal; and
5. The names and addresses of all parties, Division and non-Division, who have direct responsibility for or interest in the child.”

(N.J.A.C. 10:133H-3.8(a))

Although it is difficult to know the permanent placement plan at the time of placement, “the Division shall submit to the Child Placement Review Board complete and relevant case information for each review at least two weeks before the Board's review.”

(N.J.A.C. 10:133H-3.8(b))

Notification to the Review Board and Parent of Change in Placement 1-13-95

The Local Office notifies the court of a change in placement by sending a CPR Notice of Change, CP&P Form [18-35](#) to the Review Board within 72 hours of the change. The Worker notifies the child's parent of a change in placement in person whenever possible and in writing confirms the notice.

Notification to the Review Board of the Attainment of the Age of Majority 9-20-2004

When a child is in a reviewable placement and turns 18, the Division may notify the court that the child has reached the age of majority; that CP&P has terminated board payments; and that the Division will no longer submit to the Review Board information

about the child unless the Court indicates that it will retain jurisdiction of the case. If the court does not indicate that it will retain jurisdiction of the case, the Division will presume that Review Board reviews will terminate regarding that child; and therefore, no further information need be sent to the Review Board about the child. The Review Board may also agree to suspend jurisdiction of an 18 year old child for whom CP&P continues to pay board. The Division will continue to hold regional placement conferences for the child who has reached the age of majority at the established intervals or more frequently as the case may require.

Court Notification of Placement 9-20-2004

The court sends docketed copies of the Petition (Notice of Placement) to the CPRB, CP&P, the child, the parent/guardian and may also send copies to the foster parent, the residential caregiver, relatives or other interested parties as provided by law. CP&P supplies all necessary information so that proper notification to all parties can be made. See instructions for CP&P Form [5-47](#), Notice of Placement.

Notification of CPRB Reviews 4-28-2008

Each board provides written notice of the date, time and place of each review at least fifteen days in advance to the following, each of whom is entitled to attend the review and to submit information in writing to the board:

- The parents, including non-custodial parent or legal guardian
- The temporary caregiver
- CP&P
- Any other person or agency whom the board determines has an interest in or information relating to the welfare of the child
- Counsel for parent, child or other interested party who has provided or who is providing representation in the case before the board
- The child, age 14 or older

If the child's caregiver is a resource family parent, or the child resides in a residential facility, the caregiver receives written notice of the right to be heard at the review. However, these caregivers are present for informational purposes only, and are not made a party to the review action solely on the basis that they received notice of the review.

Notice to the child may be waived by the court when notice would be harmful to the child. The board may request or subpoena any person or organization to submit written information and/or attend the review session to assist the board in making its

recommendations. Results of the review are sent to the court and appropriate interested parties.

Court Reviews/Court Hearings 4-28-2008

The court may provide written notice and the results of its reviews and hearings to:

- The parent, guardian or person having custody of the child
- The child, age 14 or older
- CP&P
- Other interested parties such as the resource family parent, residential caregiver, relatives
- Counsel for parent, child or other parties providing representation in the case

The court includes copies of the board recommendation.

The court affords any party or persons entitled to notice the right to present his/her views and recommendations.

If the child's caregiver is a resource family parent, or the child resides in a residential facility, the caregiver receives written notice of their right to be heard at the review. However, these caregivers are present for informational purposes only, and are not made a party to the review action solely on the basis that they received notice of the review.

The court may request that parties submit written information.

The court may waive notice to the child.

The court may waive notice of findings to any of the above parties on the recommendation of the board or on the petition of other persons entitled to notice.

Initial Court Review of Placement by Parental Consent 4-6-2009

Effective May 2, 2005, the New Jersey Division of Child Protection and Permanency stopped seeking and/or accepting parental consent as authority to place a child into resource family care.

Parental consent - "voluntary consent" - is permitted, however, to authorize placing a child into residential care or independent living, providing that the child is not subject to abuse or neglect. CP&P may continue to seek and/or accept

parental consent, documented by the signing of a placement agreement, to place a child in a residential setting (i.e., congregate care, sign CP&P Form [25-59](#)), or an independent living program or arrangement (complete CP&P Form [10-8](#)), provided that the child has not been subject to child abuse or neglect. **On CP&P Form [25-59](#), indicate the placement is authorized by voluntary consent.** If the child was abused or neglected, which resulted in the need to remove and place the child, parental consent shall not be recognized as authority to place the child. CP&P petitions the court in such matters, under the authority of Title 9. Direct any questions about authority to place to the DAG.

Even when placing in a residential program by court order, ask that CP&P Form [25-59](#) be signed by the parent, guardian or legal custodian to "acknowledge" his or her responsibilities for the child while the child is in residential placement. See CP&P Form [25-59](#) form instructions. Check the box in the form to indicate that the placement is authorized by court order.

Consent forms to facilitate these placements, available in both English and Spanish, include:

- CP&P Form [25-59](#), Residential Placement Agreement and/or Acknowledgement Between the State of New Jersey Division of Child Protection and Permanency and Parent(s), Legal Guardian or Legal Custodian; and
- CP&P Form [10-8](#), Consent to Independent Living by Parent(s), Legal Guardian, or Legal Custodian.

Within fifteen days following the receipt of the Notice of Placement, CP&P Form [5-47](#), the court determines whether or not:

- The continuation of the child in his home would be contrary to his welfare.
- Reasonable efforts were made to prevent the (re)placement.
- To approve the (re)placement or to order the child's return to his home, except that lack of reasonable efforts to prevent (re)placement shall not be the sole basis for the court's order of a return of a child to his home.

When the court holds its initial review of the (re)placement, it examines the Notice of Placement, CP&P Form [5-47](#), and any other written material submitted by CP&P and other interested parties. Prior to its initial review, the court may also arrange for court staff to obtain information about the child by contacting the involved parties.

Review Board Sessions (Initial, Periodic, Others) 9-8-98

During the review board session, the written material submitted by CP&P and interested parties is carefully considered as well as any testimony taken from those parties attending the session. Materials submitted up to the beginning of the review or during the review may be considered. If testimony is tape-recorded by the board, the board so informs parties in attendance at the session at the time of the recording.

If interested parties do not appear before the board, the review consists of reviewing the written materials submitted.

Recommendations are decided and forwarded to the court. At the time the findings are made known to the court, the board may request that a summary hearing be held. The findings and reasons therefore are sent to the court and CP&P.

Upon receipt of the board recommendation, the court issues a court order and may forward a copy to the parents, child, foster parents and other interested parties, unless the court waives notification to such persons.

The board supplies documentation of the review to CP&P.

In any case where, following a court order for the implementation of a placement or replacement plan, the board determines upon re-review of the case that there has been insufficient effort on the part of CP&P or any other parties toward implementation of the court ordered plan, the board may petition the court for an order to show cause as to why the plan is not being implemented as ordered.

Board Considerations 9-20-2004

Pursuant to N.J.S.A. 30:4C-58, during the review, the board considers and evaluates:

- The appropriateness of the goal and objectives of the (re)placement plan, and anticipated date that the goal will be achieved
- The appropriateness of the services provided to the child and to the temporary caregiver
- Whether the child has siblings who are also placed outside of their home
- Whether the wishes of the child were considered regarding (re)placement and development of the (re)placement plan, when appropriate
- Whether the Division, parents or legal guardian and the temporary caregiver are fulfilling their respective responsibilities in accordance with the (re)placement plan
- Whether the parents or legal guardian were afforded the opportunity and encouraged to participate in a program of regular visitation with the child

- Whether there are obstacles which hinder or prevent the attainment of the (re)placement plan objectives and goal
- The circumstances surrounding the (re)placement
- The appropriateness of the services provided to the parent or legal guardian or the circumstances which do not require the Division to make reasonable efforts toward family reunification in accordance with section 25 of P.L. 1999, c. 53 (N.J.S.A 30:4C-11.3).
- The appropriateness of the Division's permanency plan and the Division's reasonable efforts to achieve that plan, if an exception to the requirement to provide reasonable efforts toward family reunification has been established in accordance with section 25 of P.L. 1999, c. 53 (N.J.S.A 30:4C-11.3) or the child has been in placement for 365 days

The board also reviews the following in accordance with the federal requirements for placement reviews:

- The safety of the child
- The continuing need for placement
- The appropriateness (least restrictive and close proximity) of the placement
- Progress made to alleviate or improve the causes necessitating placement
- The extent of compliance with the case plan
- The projected date for return home or other permanent plan

Board Recommendations 12-27-2004

Within ten days after completion of a review, the board submits a report to the court with a copy to CP&P, the parent, the child (if appropriate) and interested parties. The report includes one of the following findings and the specific reasons upon which the board based its findings:

For a Child in an Initial Placement

- Recommendation A: that 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 weeks and that the Division should provide reasonable and available services which are necessary to implement the return home

- Recommendation B: that continued placement outside of the home is in the child's best interest on a temporary basis until one of the following permanency goals is achieved:
 - (1) Return to the child's parents or legal guardian
 - (2) Adoption
 - (3) Permanent placement with a relative or family friend (such as kinship legal guardianship or relative with custody)
 - (4) Independent living
 - (5) Institutionalization (other long-term specialized care)
- Recommendation C: that continued placement outside of the home on a temporary basis is in the child's best interest, but that there is insufficient information for the board to make a recommendation. The board then either:
 - (1) requests the court to order the Division or designated agency, as appropriate, to provide the needed information within two weeks of the court order. A special review or a Summary Hearing is scheduled; or
 - (2) requests that the Division provide the needed information within a few days in order that the Board Review can proceed within the 15 day time frame.
- In addition to its finding, the board states the reasons and additional factors it deems appropriate to explain its conclusions. When any change in the plan or situation of the child is recommended, the board states its specific recommendations and the factual basis for the recommendations.

Review of Board Recommendations 9-20-2004

Court Review of Board Recommendations 9-20-2004

The Family Court, within twenty-one calendar days of receipt of the board recommendations, reviews the recommendations and any other information which has been received by the court. The court makes a determination which best serves the health, safety and interests of the child and issues an order unless the court schedules a summary hearing. The court orders one of the following:

- The return of the child to his parents/guardian within two weeks and orders appropriate, reasonable and available services necessary to implement return home

- Continued placement on a temporary basis until the long term goal is achieved
- Continued placement on a temporary basis; the Division provides further information within two weeks to the court; the information is reviewed by the board within 30 days of receipt
- That the placement plan be modified or that a new plan be developed within 30 days

In addition, the Court may order that the Division not return the child home prior to review by the board and order of the court.

CP&P Review of Board Recommendations 9-20-2004

Upon receipt of the copy of the board's recommendation and the court order, the Worker and Supervisor review both documents and develop a plan for compliance with the court order.

Development of a plan is particularly critical, for example, to cases in which the court has ordered the return home of a child within two weeks, or those in which a plan must be developed/modified within a short time frame. The plan may require that supportive services be arranged, or that a parent be assisted in securing household goods or food. It may necessitate notification to other agencies or service providers involved with a family of an order which will affect their service provision, and arranging for transfer of records from schools or health care providers.

Once the recommendation and court order have been reviewed, the plan is documented on the Contact Sheet, CP&P Form [26-52](#). Both the Contact Sheet and the court order are then filed in the case record.

CPRB recommendations and the court order are reviewed for compliance during the next semi-annual placement review which is documented in the case record.

Additional Reviews by Child Placement Review Boards 4-28-92

Although additional reviews are permitted at the discretion of the review board, efforts are made to limit the number of additional reviews through mutual cooperation between CP&P and the CPRB. Those efforts include but are not limited to:

- CPRB identifying areas of concern that might be addressed at the regional placement conference
- CPRB members attending CP&P regional placement conferences

- CP&P sharing case information and regional placement conference outcomes with CPRB
- CPRB seeking relevant information from all appropriate sources in preparation for board reviews, especially orders/complaints pursuant to Title 9 and Title 30 hearings
- CPRB and CP&P encouraging full participation by all interested parties during review
- CP&P representatives being present at board reviews for clarification and interpretation of case information, policy and procedural matters

Child Placement Review of Division Regional Review

9-20-2004

The Division submits a report of the regional placement review to the CPRB. The CPRB conducts a Status Review one month after the receipt of the regional placement conference report. There is no notice to parties in the case. The CPRB examines the Division report and other information in the CPRB case file to ensure that the case is on track to permanency. The CPRB shares the results of its review with the Division.

Summary Hearings

4-28-2008

A summary hearing enables the court to receive additional information from CP&P, the parent/guardian and other interested parties who are notified of the hearing. The hearing does not require the parties to have legal representation, although any party may be represented by an attorney. The court may schedule a summary hearing for any of the following reasons:

- The court has conflicting information before it which cannot be resolved without a hearing
- The child, him or herself, the child's parent, legal guardian, or any party to the case requests a hearing
- The court concludes that the interests of justice require that a hearing be held
- There is a lack of compliance with the placement plan, including failure to achieve permanent placement
- The Division has documented an exception to the requirement to provide reasonable efforts toward family reunification
- The review is to serve as the permanency hearing. See [CP&P-IV-A-3-100](#)

Notice of the hearing is provided to:

- The Division
- The child
- The child's parents, including a non-custodial parent or legal guardian
- The CPRB
- The temporary caregiver
- The counsel for any parent, child or other interested party who has or is providing representation in the case before the board
- The CMO worker, when appropriate

If the child's caregiver is a resource family parent, or the child resides in a residential facility, the caregiver receives written notice of their right to be heard at the hearing in accordance with P.L. 2007, c.228, but these caregivers are present for informational purposes only, and are not made a party to the hearing action solely on the basis that they received a notice of the review.

Notice is provided to the persons listed unless the court determines that it is not in the best interests of the child.

Upon review of the written material and completion of the testimony, the court makes its determination regarding the child's placement.

Return Home Review 1-13-95

The purpose of the return home review is to ensure the safety of children who were placed in substitute care because of serious risk. Regardless of the reason for return home, the court must be notified. Sometimes a review by the review board is required.

The law states: "If the division proposes to return a child home although the return home is either prohibited by the placement plan approved by the court or expressly contingent upon certain conditions in the placement plan that have not been met, the division shall promptly notify the board and the court in writing." It further states, "The division shall not return the child home unless the court approves the division's proposed action and orders the return home of the child."

Therefore, when return home is the current and immediate plan for the child and:

- The case goal has been adoption, permanency with a relative or family friend or independent living; or

- The goal is return home and there are stipulations or special requirements which have not been fulfilled; then

CP&P must notify and receive court approval prior to the child's return home.

Children may be returned home before the forty-five day review without a return home review.

In cases where there is a standing order under N.J.S.A. 30:4C-12, N.J.S.A. 9:6-8.21 et seq., or N.J.S.A. 2A:4A, procedures outlined in [CP&P-I-A-1-100](#) are also followed.

Non-Emergency Return Home Contrary to Plan Approved by the Court 9-20-2004

When CP&P determines that it is in the child's best interest to return a child to his natural home, but to do so would be contrary to the plan as indicated by the goal approved by the court, CP&P notifies the review board and the court in writing of the intent to return by completing and sending to the board the Child Placement Review Notice of Change, CP&P Form [18-35](#). Immediately upon receipt of the notice, the CPRB schedules a return home review and advises interested parties. The review is held within fifteen calendar days of receipt of notice of return to consider and evaluate the proposed return. Within five calendar days of the return home review, the board submits its recommendation to the court.

The court reviews the proposed return within ten days of the board's report and issues an order unless a summary hearing is scheduled. If a summary hearing is requested it shall be held within 15 days of receipt of the board recommendation. The court issues its order within five days of the hearing. CP&P receives a copy of the order and complies with it.

Parent Requests Return 2-6-2006

When a parent requests a child's return, but CP&P believes that return home is not the appropriate plan for the child because it would place the child at risk, the Worker/Supervisor consults the Litigation Specialist and/or the DAG, and considers whether to use the return home CPRB review process or request a review by the court. The Worker informs the parent of his or her right to request a summary hearing.

If a) the child is placed by parental consent (signed CP&P Form [10-8](#), to authorize placement in independent living, or signed CP&P Form [25-59](#), to authorize placement in a residential setting/congregate care), b) the parent requests the child's return (or asks to revoke the agreement/terminate the placement), c) CP&P concurs with the plan to return the child, and d) there is no court order or CPRB order awarding CP&P custody of the child or otherwise precluding the child's return, CP&P must return the child within

five (5) business days (as explained in the body of both CP&P Form [10-8](#) and CP&P Form [25-59](#)).

Runaway Home 9-20-2004

If a child runs away from his placement and returns home contrary to a determination of the court, CP&P notifies the court and the review board immediately by sending the Child Placement Review Notice of Change, CP&P Form [18-35](#).

The Worker and Supervisor determine the appropriate action based on an assessment of the case circumstances. The following criteria are used:

- Age of the child
- Reason for placement
- Safety of the child
- Risks to the child
- Caregiver's willingness and ability to provide protection and care
- Case plan and objectives
- Existing court order of custody

If the Worker and Supervisor determine that the child can remain home safely, the Worker takes the following steps to ascertain the continued health, safety and welfare of the child:

- Conduct a minimum of two on-site visits to the home of the child within the first ten days of the return; the first visit must be within 24 hours of the child's return
- Determine whether support services are needed, and arrange for them
- Advise the caregiver that return home is temporary, pending court approval

The Worker makes a detailed report of each on-site visit on the Contact Sheet, CP&P Form [26-52](#), and promptly submits a copy to the review board.

The Worker documents the on-site visits:

- Dates of visits
- Indications of abuse or neglect

- Child's adjustment
- Caregiver's adjustment
- Supportive services provided
- Case goals and objectives

If the Worker and Supervisor determine that the child cannot remain home during the interim period, the child is returned to placement. If the parent(s) disagrees with the return of the child to placement, the parent is advised of his right to petition the court for a hearing.

The CPRB conducts a review of the child's situation within fifteen days of the child's return and makes recommendations to the court. The court reviews the recommendations and issues a court order. CP&P complies with the court order.

The court retains jurisdiction over the placement of the child for up to six months after the child has returned home unless there is a subsequent court hearing or court order.

Adoption Placement Reviews by Child Placement Review Boards 9-20-2004

The regular review process and schedule is altered based on the adoption status of a child. If a child is placed in an adoption home prior to the completion of the initial court review, the court shall retain jurisdiction to complete the review.

“When a child is legally available for adoption and in a selected adoption home or the consent to foster parent adoption is signed by the office manager, the Division shall continue to conduct a placement review no less frequently than once every six months, until the final judgment of adoption is entered by the Family Court. Since the Child Placement Review Board shall suspend its review, the Division shall submit to the Child Placement Review Board a status report pursuant to N.J.S.A. 30:4C-58.1 once every four months stating the progress being made toward adoption finalization.” (N.J.A.C. 10:133H-3.9)

The LO sends notice of the child's adoption status to the court immediately. The child's schedule for review by the CPRB then changes to the following:

- A CPRB review without notice to interested parties four months after placement in a selected adoption home or consent to foster parent adoption
- A noticed review eight months after placement in a selected adoption home or consent to foster parent adoption if the complaint for adoption has not been filed

The regional placement conference takes place according to the child's regular review schedule.

When the Complaint for Adoption has been filed, the LO notices the court. No further board reviews are held while the action is pending.

Appendices - Placement Review Guidelines 12-3-2007

Purpose and Use

The Placement Review Guidelines are used by the Administrative Placement Reviewer or third party in conjunction with CP&P Form [26-81](#), Case Plan Assessment, when conducting a regional placement conference. The Guidelines ensure that essential information is obtained and considered. It also ensures continuity in the provision and management of service regardless of changes in Worker or office of service provision.

The Placement Review Guidelines focus on information needed to ensure:

- the welfare and safety of the child;
- appropriate permanency planning;
- that federal requirements have been met; and
- that necessary services are being provided to all parties.

Placement Review Guidelines

Introduction

Explanation of reason and purpose of the review for clarification for the parties including the difference between the CP&P Placement Review and the CPR review.

If the parents, guardians, or other responsible parties are not present, the Worker explains why they could not attend, as well as what efforts were made to encourage their participation.

If either parent's or relatives (paternal and maternal grandparents or siblings) whereabouts are unknown, the Worker explains how long they have been missing, as well as what efforts have been made to find them. If efforts have not been made, or have been inadequate, a plan is made at this time.

For matters regarding children from out-of-state in placement in New Jersey under the Interstate Compact on the Placement of Children, input from the sending state is discussed. If a representative of the sending state failed to provide input or could not be

successfully contacted, the Worker explains what efforts were made to establish contact. If efforts have not been made, or have been inadequate, a plan is made at this time.

Discuss Need and Continuing Need for Placement

If present, the parents are asked to state briefly their understanding of the reason for placement, why the child is still in placement and what their goals are for the child.

The Worker briefly states the reason for placement, why the child is still in placement and what the goal is. Any differences are discussed so that all in attendance are clear about the continuing need for placement.

Discuss Appropriateness of This Placement

Length of time the child has been in placement. Total time in placement.

Number of moves the child has made since the original placement.

Accessibility of the child to the natural parent, to his community, and other natural supports. Proximity of dwellings, phone contact, written correspondence, transportation.

Discuss whether, given availability and the needs of the child, this is the closest placement to the parent's home. Discuss whether a closer placement should be sought.

The reasons why this particular placement was chosen for the child and how it continues or fails to be the most appropriate placement and how the caregivers are meeting the needs of the child and working with the agency and child's family.

Special needs of this child.

Is this the least restrictive setting appropriate to the child's needs? If the current placement is not the least restrictive, discuss more appropriate and less restrictive alternatives. Determine if the child should be moved to a less restrictive setting. If the child is in a foster home or a more restrictive setting, discuss whether there are relatives, i.e., parents, grandparents, aunts, uncles, siblings, or friends with whom the child would be more comfortable and where his needs could be met.

What are the positive and negatives of return home now?

If the child cannot return home or be moved to a less restrictive placement, what is the possibility of the child's continued stay in this placement?

If the child is from another state, and is residing in placement in New Jersey under the Interstate Compact, with CP&P providing courtesy supervision, discuss how this came to be, and how this arrangement serves the needs of the child.

Review Compliance with Case Plan and Progress Made to Alleviate or Remove the Causes Necessitating Placement

Review the case goal for the child, why it was chosen and the continued appropriateness of that goal. If there is a need to change the goal, state the more appropriate goal.

For matters regarding children from out-of-state in placement in New Jersey under the Interstate Compact on the Placement of Children, discuss the status of the case plan developed by the sending state. Is the case goal appropriate now? Is the child's need for permanency recognized?

Review Appropriateness of Services

The services offered to the child (see [CP&P-IV-B-8-100](#), Services to Children in Foster Home Placement) and to the parents and to the foster parents/caregiver during the last six months.

Are services appropriate to the identified need?

“The services that the Division shall provide to a child in out-of-home placement in its efforts to” (are intended to):

- “Provide the child with safe home care while in out-of-home placement;
- Meet the child's physical, psychological, and other developmental needs;
- Assure the child's well-being;
- Help the child to understand the reasons for his or her out-of-home placement, the case goal, and to adjust to being a child in out-of-home placement; and
- Achieve the case goal, which reflects the permanency plan for the child.”
(N.J.A.C. 10:122D-2.1)

“The provisions of this subchapter (N.J.A.C. 10:122D-2) shall apply to each child in out-of-home placement, his or her out-of-home placement provider, his or her family and the Division.” (N.J.A.C. 10:122D-2.2)

If the child is 14 years of age or older, the services being provided to prepare him for self-sufficiency in accordance with the policies and regulations discussed in [CP&P-VI-B-1-300](#), Adolescent Services Toward Self-Sufficiency.

The services which will continue, and how they will help.

The services which would allow the return of the child.

The availability of the services.

“When there are insufficient child welfare services available to meet the child's needs, the Division is responsible for encouraging and promoting the development of the needed services in accordance with the provisions of N.J.S.A. 30:4C-1, 3 and 4.” (N.J.A.C. 10:122D-2.8(c))

If services are not available that would allow the child's immediate return, what new services will be offered, and how they will help.

The involvement of parents and family members in services to the child.

The involvement of family members in services to the parents.

The involvement of the sending state in adhering to CP&P recommendations by funding services for the child (for children from out-of-state residing in placement in New Jersey).

The date by which return home might be expected.

Review and/or Adjust Case Plan or Service Agreement

Review the case plan or service agreement signed by the Worker and parent and the date it was signed.

“The Division representative (Worker) shall...develop, implement and update a case plan which includes the permanency plan by assessing case needs, identifying services to meet those needs, including the role and responsibility of each party regarding the services, and establishing the case goal and assessing progress toward achieving the case goal in a timely manner.” (N.J.A.C. 10:122D-2.4(a)1)

The problems which are addressed by the service agreement and the desired outcomes.

The specific activities which have occurred to overcome the problems.

The obstacles to overcoming the problems.

The alternatives to overcoming the obstacles.

The necessity of negotiating a new service agreement. (If needed, and the parents are in attendance, a new service agreement could be developed at this conference.)

Review Visitation Schedule/Plan

Do the parents have a copy of the written Visitation Plan, CP&P Form [26-83](#), and Visitation Plan?

Review the written plan.

Do the parents have an address and/or phone number where they can reach their child? Do the parents regularly call their child?

For a child from another state residing in placement in New Jersey, are child-parent visits being held? Where? Arrangements? CP&P role in visitation?

The number and frequency of visits between the parents and child since the placement or the last regional placement conference?

Persons who initiated the visits.

Number of visits scheduled that did not take place. Reasons.

Location of the visits.

Possibility of the child visiting in his own home.

Involvement of the other family members and other relatives in visitation.

Dates and/or frequency of the visitation schedule planned for the next six months - with whom.

Review Contact Schedule

Number of contacts the Worker has had with the parent since the placement or the last regional placement conference. Person who initiated them. The quality and content of those contacts.

Number of appointments not kept. Reason.

Number of contacts the Worker has had with the child since the placement or the last regional placement conference. The quality and content of those contacts.

Number of contacts the Worker has had with the substitute care provider since the placement or the last regional placement conference. The quality and content of those contacts.

For a child from another state residing in placement in New Jersey, the number of contacts the Worker (or the Division's Interstate Services Unit) has had with

representatives from the sending state since the placement or the last regional placement conference. The quality and content of those contacts.

The contact schedule planned for the next six months.

“The Division representative (Worker) shall have face-to-face and other contact with the child, out-of-home placement provider, parent and other interested parties according to N.J.A.C. 10:133D and which is written in the case plan.” (N.J.A.C. 10:122D-2.4(a))

Discuss Outcome of This Conference

The new or continued goal for this child.

Based on this conference, summarize any significant changes in the case plan, need for services, the visitation schedule/plan, or in person visit schedule.

The expected date for the child's return home or fulfillment of the stated case goal.