

# "Child Placement Review Act."

New Jersey Statutes Annotated Currentness

Title 30. Institutions and Agencies

Subtitle 1A. Division of Family Development ([Refs & Annos](#))

↳ [Chapter 4C.](#) Dependent and Neglected Children ([Refs & Annos](#))

→ Article V. Placement Review ([Refs & Annos](#))

Current through New Jersey 217th Second Annual Session, L. 2017, c. 38, and J.R. 1 \*\*\*

## **30:4C-50. Short title**

This act shall be known and may be cited as the "Child Placement Review Act."

# EXCERPTS

## **30:4C-51. Legislative declarations**

The Legislature declares that it is in the public interest, whereby the safety of children shall be of paramount concern, to afford every child placed outside his home by the Division of Child Protection and Permanency with the opportunity for eventual return to his home or placement in an alternative permanent home; that it is the obligation of the State to promote this end through effective planning and regular review of each child's placement; and that it is the purpose of this act to establish procedures for both administrative and judicial review of each child's placement in order to ensure that such placement ensures the safety and health and serves the best interest of the child.

## **30:4C-57. Child placement review boards; training sessions; support services; county plan; annual report; rules; coordinator**

a. The assignment judge in each county shall establish as an arm of the family part of the Chancery Division of the Superior Court one or more child placement review boards. The number of review boards in each county shall be based on the number of reviews conducted in the previous calendar year, so that, where practicable, there shall be at least one review board for each 200 reviews. Each board shall consist of five members to be appointed by the judge from among the residents of such county. The judge also shall appoint to each board two alternate members, who shall serve as regular members when regular members are not present. Each member shall be a person who has either training, experience or interest in issues concerning child placement or child development. Each board shall, to the maximum extent feasible, represent the various socioeconomic, racial, and ethnic groups of the county in which it serves. The judge shall annually appoint one of the regular members of the board as chairperson.

Members shall be initially appointed for a provisional term of one year and may be reappointed for subsequent terms of three years. Alternate members shall fill any vacancy until a regular board member has been appointed. Alternate members may be appointed as regular members. The appointed member shall serve for the duration of the unexpired term or for a provisional term of one year, whichever is less. If a board member does not serve satisfactorily, the assignment judge may remove that member pursuant to standards developed by the Child Placement Advisory Council and the Administrative Office of the Courts. When a vacancy occurs, the judge shall appoint a new member within 30 days. Members shall serve without compensation but shall be reimbursed for such reasonable and necessary expenses, including but not limited to child care expenses incurred in the performance of their official duties. The governing body of the county in which the board serves may provide for reimbursement to review board members for such additional and reasonable expenses as the governing body may determine.

In accordance with guidelines and procedures established by the Supreme Court, members shall attend initial training sessions before being sworn in as a regular member or as an alternate. A regular member or alternate member shall not serve until that person has completed the required training.

The assignment judge, in consultation with the family part judges and review board members, shall ensure that reviews are held at those times necessary to meet the requirements of P.L.1977, c. 424 (C. 30:4C-50 et seq.) and court directives related thereto. The assignment judge shall ensure that each family part of the Chancery Division of the Superior Court shall provide its board with reasonable and necessary administrative and clerical support services to facilitate the operation of the board and to meet the requirements of P.L.1977, c. 424 (C. 30:4C-50 et seq.) and any court directives related thereto. These services shall include, but are not limited to, obtaining and reviewing information requested by the board, preparing and dispatching all notices and reports required under P.L.1977, c. 424 (C. 30:4C-50 et seq.), arranging for board meetings and maintaining a permanent record of all board proceedings, collecting statistical data and serving as a liaison to the division.

b. The assignment judge and family part judges, in consultation with the board in each county shall develop annually a county child placement review plan for the delivery of review services. The county plan shall be prepared in a format prescribed by the Administrative Office of the Courts and the Child Placement Advisory Council established pursuant to section 13 of P.L.1977, c. 424 (C. 30:4C-62) and shall contain a budget and narrative for review services and identify resource needs for the county review

system. The assignment judge is responsible for final county review and approval of the county plan and for forwarding the plan to the Child Placement Advisory Council and the Administrative Office of the Courts for their review. The budget contained in each county plan shall be part of the Judiciary budget submitted by the assignment judge to the freeholders or county executive.

The assignment judge shall report to the Administrative Office of the Courts and the Child Placement Advisory Council any significant variation in implementation of the county plan.

c. The board in each county, with the assistance of that county's child placement review coordinator, shall annually prepare a report which specifies issues, needs and service gaps affecting the children under review by the board and, where appropriate, make recommendations as to needed changes or services. The board shall submit the report to the Child Placement Advisory Council established pursuant to section 13 of P.L.1977, c. 424 (C. 30:4C-62) for review. The council may include the stated needs in its annual report to the Supreme Court, the Governor and the Legislature.

d. The Supreme Court may issue rules concerning the duties, responsibilities, training and practices of the boards consistent with the provisions of P.L.1977, c. 424 (C. 30:4C-50 et seq.), but the minimum qualifications for a person employed as a county child placement review coordinator and hired after the effective date of P.L.1987, c. 252 shall not be less than a bachelor's degree from an accredited institution of higher education and two years' experience working with children and their families and relevant training, knowledge or experience in working with volunteers.

*N.J. Stat. § 30:4C-58 (2017)*

### **§ 30:4C-58. Review of placements.**

Each board shall act on behalf of the Family Part of the Chancery Division of the Superior Court in reviewing the case of every child placed outside the child's home pursuant to a voluntary agreement, to determine whether the best interests and safety of the child are being served by such placement. Each board shall also act on behalf of the Family Part of the Chancery Division of the Superior Court in reviewing the case of each child placed outside the child's home by the division in accordance with a court order pursuant to P.L.1974, c.119 (C.9:6-8.21 et seq.), section 12 of P.L.1951, c.138 (C.30:4C-12), section 24 of P.L.1982, c.77 (C.2A:4A-43) or section 25 of P.L.1982, c.77 (C.2A:4A-44). The division or designated agency shall submit to the board within 30 days of a child's placement, a placement plan prepared in accordance with the provisions of P.L.1977, c.424 (C.30:4C-50 et seq.).

A board shall initiate a review of a placement pursuant to a voluntary agreement or in accordance with a court order within **60 days** following the initial or repeated placement and shall complete the review within 15 days thereafter. A periodic review shall take place at least every 12 months thereafter. The board may schedule additional reviews on its own motion, upon the request of any person listed in section 5 of P.L.1977, c.424 (C.30:4C-54) or upon an order of the court.

Notwithstanding the provisions of section 3 of P.L.1977, c.424 (C.30:4C-52) to the contrary, if a child placed outside the child's home attains 18 years of age or older and the child's out of home placement costs are being paid by the division, the board shall continue to conduct periodic reviews until the division terminates supervision.

All such reviews shall include, but not necessarily be limited to, the consideration and evaluation of such matters as:

- a. The appropriateness of the goal and objectives of the placement plan and anticipated date that the goal will be achieved;
- b. The appropriateness of the services provided to the child and to the temporary caretaker;
- c. Whether the child has siblings who are also placed outside of their home;
- d. Whether the wishes of the child were considered regarding placement and development of the placement plan, when appropriate;
- e. Whether the division, the parents or legal guardian and the temporary caretaker are fulfilling their respective responsibilities in accordance with the placement plan;
- f. Whether the parents or legal guardian have been afforded the opportunity and been encouraged to participate in a program of regular visitation with the child;
- g. Whether there are obstacles which hinder or prevent the attainment of the placement plan objectives and goal;
- h. The circumstances surrounding the placement;

i. 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 (C.30:4C-11.3); and

j. 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 (C.30:4C-11.3) or the child has been in placement for 12 months.

In the case of a child in placement outside of the child's home on the effective date of this act, the first review shall be completed as soon as possible, but not later than 12 months following such effective date.

## **NEW CASE(S)**

### **30:4C-62. Child placement advisory council; members; budget; clerical support; reimbursement of expenses; responsibilities**

There is hereby established a Child Placement Advisory Council to consist of one member from each of the child placement review boards to be selected annually by the chairman of each review board. The Director of the Administrative Office of the Courts and the council shall jointly develop a budget which shall provide the council with reasonable and necessary administrative and clerical support services adequate to enable the council to carry out its responsibilities and shall reimburse the members of the council for reasonable and necessary expenses incurred in the performance of their official duties.

The council shall have the authority, consistent with the funds appropriated to the Administrative Office of the Courts for the purposes of this act, to determine annually its program and budget. The council shall, in consultation with the Administrative Office of the Courts, develop guidelines for its annual programs and other aspects of this act.

It shall be the responsibility of the council to:

- a. Advise the Supreme Court with respect to the issuance of rules governing the duties, responsibilities and practices of the review boards;
- b. Review the policies, practices and procedures of the division with respect to the placement of children;
- c. Monitor and evaluate the effectiveness of this act in promoting the welfare of children placed outside their home. These activities may be carried out through the regular collection of data from each county, as well as through other appropriate means;
- d. Advise the Supreme Court with respect to the establishment of guidelines and procedures for the training of placement review board members;
- e. Advise the Supreme Court with respect to the establishment of reporting procedures to be followed by the review boards for the provision of data for the evaluation of this act;
- f. Make an annual report on the effectiveness of the implementation of this act to the Supreme Court, the Governor and the Legislature and such other reports as it may deem proper or as may be requested from time to time by the Supreme Court, the Governor or the Legislature; and
- g. Review county plans and reports pursuant to section 8 of P.L.1977, c. 424 (C. 30:4C-57).

### **30:4C-62.1. Grants or contributions; acceptance**

The Child Placement Advisory Council may accept from any governmental department or agency, public or private body or any other source, grants or contributions to be used for carrying out its responsibilities under P.L.1977, c. 424 (C. 30:4C-50 et seq.).

### **30:4C-63. Rules for conduct of review boards; promulgation by Supreme Court**

The Supreme Court, in consultation with the Child Placement Advisory Council, shall: issue such rules governing the duties, responsibilities and practices of the board as it deems necessary to effectuate the purposes of this act; establish guidelines and procedures for the training of placement review board

members; and establish reporting procedures to be followed by the review boards for the provision of data for the evaluation of this act.

**30:4C-64. Joint legislative committee to monitor and evaluate act; report**

The Institutions, Health and Welfare committees of the Senate and General Assembly, or their respective successors, are constituted a joint committee for the purposes of monitoring and evaluating the effectiveness of the implementation of this act.

At least 3 months prior to the date of expiration of this act, the Joint Committee shall report to the Legislature as to whether this act shall be extended, in either its present or modified form, or whether it shall be permitted to expire.

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