

CHAPTER 133D
CASE MANAGEMENT

Authority

N.J.S.A. 9:6-8.15 and 30:4C-4(h) and 25.

Source and Effective Date

R.2009 d.318, effective September 22, 2009.
See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1(c)(2), Chapter 133D, Case Management, expires on March 21, 2017. See: 48 N.J.R. 2186(a).

Chapter Historical Note

Chapter 133D, Case Management, was adopted as R.1993 d.534, effective November 1, 1993 and R.1993 d.587, effective November 15, 1993. See: 25 N.J.R. 2209(a), 25 N.J.R. 4934(a), 25 N.J.R. 2210(a), 25 N.J.R. 5168(b).

Pursuant to Executive Order No. 66(1978), Chapter 133D, Case Management, was readopted as R.1998 d.523, effective October 8, 1998. As a part of R.1998 d.523, Subchapter 4, In-Person Visits With Clients and Substitute Care Providers, was recodified as Subchapter 3, effective November 2, 1998. See: 30 N.J.R. 2418(a), 30 N.J.R. 3963(b).

Chapter 133D, Case Management, was readopted as R.2004 d.162, effective March 26, 2004. See: 35 N.J.R. 5004(a), 36 N.J.R. 1925(a).

Chapter 133D, Case Management, was readopted as R.2009 d.318, effective September 22, 2009. As a part of R.2009 d.318, former Subchapter 3, In-person Visits with Clients and Out-of-home Placement Providers, was recodified as Subchapter 2; and former Subchapter 2, Case Plan, was recodified as Subchapter 1, which was reserved, effective October 19, 2009. See: Source and Effective Date. See, also, section annotations.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 133D, Case Management, was scheduled to expire on September 22, 2016. See: 43 N.J.R. 1203(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. CASE PLAN

- 10:133D-1.1 Purpose
- 10:133D-1.2 Scope
- 10:133D-1.3 Definitions
- 10:133D-1.4 When a case plan is developed
- 10:133D-1.5 Participants in developing the case plan
- 10:133D-1.6 Process of developing the case plan
- 10:133D-1.7 Contents of the written case plan
- 10:133D-1.8 Notice of the case plan

**SUBCHAPTER 2. IN-PERSON VISITS WITH CLIENTS
AND OUT-OF-HOME PLACEMENT PROVIDERS**

- 10:133D-2.1 Authority
- 10:133D-2.2 Purpose
- 10:133D-2.3 Scope
- 10:133D-2.4 Definitions
- 10:133D-2.5 Purpose of in-person visits by the Division representative
- 10:133D-2.6 Establishing a schedule for in-person visits
- 10:133D-2.7 In-person visitation when a child is placed out of his or her own home
- 10:133D-2.8 Change in placement
- 10:133D-2.9 Placement in a treatment-based out-of-home placement program further than 50 miles from the New Jersey State border

- 10:133D-2.10 Initial in-person visit
- 10:133D-2.11 In-person visitation with a child alone

SUBCHAPTERS 3 THROUGH 4. (RESERVED)

SUBCHAPTER 1. CASE PLAN

10:133D-1.1 Purpose

The purpose of this subchapter is to describe the process of developing a case plan, to identify the participants in the development of the case plan, and to identify the contents of the case plan.

Recodified from N.J.A.C. 10:133D-2.1 by R.2009 d.318, effective October 19, 2009.
See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

10:133D-1.2 Scope

The provisions of this subchapter shall apply to each client, family member, out-of-home placement provider, Division representative, and other person participating in the case plan development.

Amended by R.1998 d.523, effective November 2, 1998.
See: 30 N.J.R. 2418(a), 30 N.J.R. 3963(b).

Substituted "out-of-home placement provider" for "caregiver" following "member."
Recodified from N.J.A.C. 10:133D-2.2 by R.2009 d.318, effective October 19, 2009.
See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

10:133D-1.3 Definitions

The definitions in N.J.A.C. 10:133-1.3, Definitions, are hereby incorporated into this subchapter by reference.

Recodified from N.J.A.C. 10:133D-2.3 by R.2009 d.318, effective October 19, 2009.
See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

10:133D-1.4 When a case plan is developed

(a) A case plan shall be developed with each family for whom services will be provided. The Division representative shall prepare the case plan:

1. Within 60 calendar days of receipt of a report, as defined at N.J.A.C. 10:129-1.3, or a child welfare services referral or application; or

2. Within 30 calendar days of a child entering or re-entering out-of-home placement.

(b) The Division representative shall also prepare the case plan at least once every six months after the previous case plan.

(c) The case plan shall be revised more often than the standard set forth in (a) and (b) above, if the case situation shows significant change.

Amended by R.1998 d.523, effective November 2, 1998.
See: 30 N.J.R. 2418(a), 30 N.J.R. 3963(b).

Rewrote the section.

Amended by R.2004 d.162, effective April 19, 2004.

See: 35 N.J.R. 5004(a), 36 N.J.R. 1925(a).

In (a), added "unless either (a)2 or 3 below applies" following "application" in 1, substituted "by court order; or" for "whichever comes sooner" in 2 and added 3; in (c), substituted "shows significant change" for "warrants" following "if the case situation".

Recodified from N.J.A.C. 10:133D-2.4 by R.2009 d.318, effective October 19, 2009.

See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

In the introductory paragraph of (a), substituted "with" for "for"; in (a)1, substituted "60" for "45", inserted "report, as defined at N.J.A.C. 10:129-1.3, or a child welfare services" and "or" at the end, and deleted ", unless either (a)2 or 3 below applies" following "application"; in (a)2, inserted "or reentering" and substituted a period for "by court order; or" at the end; deleted (a)3; and in (c), substituted "shall" for "may" and inserted "forth".

10:133D-1.5 Participants in developing the case plan

(a) The Division representative shall develop the case plan with the child's parent, unless he or she is unwilling to participate, any person identified by the parent to participate, any person appointed by the court for this purpose and the child, if the Division representative determines that the child is willing and able to participate in the development of the case plan, in accordance with this subchapter. Other interested parties or service providers may be invited to participate.

(b) In addition to (a) above, when the child lives in an out-of-home placement, the Division representative shall develop the case plan with the participation of each child's out-of-home placement provider.

Amended by R.1998 d.523, effective November 2, 1998.

See: 30 N.J.R. 2418(a), 30 N.J.R. 3963(b).

In (b), substituted "provider" for "caregiver" at the end.

Recodified from N.J.A.C. 10:133D-2.5 by R.2009 d.318, effective October 19, 2009.

See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

In (a), inserted "any person identified by the parent to participate,"; and in (b), deleted "in consultation" following "plan" and inserted "participation of each".

10:133D-1.6 Process of developing the case plan

(a) Participation in developing the case plan shall include providing information, identifying needs, outcomes, supports, services and tasks, which are needed to meet the needs and achieve the case goal, suggesting the time frames for beginning and completing the identified services and tasks and specifying who is responsible for completing the identified services and tasks.

(b) If the participants in the case plan development process are unable to participate in a family team meeting, they may participate by:

1. Meeting individually with the Division representative;
2. Providing written information to the Division representative; or

3. Talking with the Division representative by telephone.

(c) The Division representative shall prepare a written case plan.

Amended by R.2004 d.162, effective April 19, 2004.

See: 35 N.J.R. 5004(a), 36 N.J.R. 1925(a).

In (b), inserted "in descending order of preference" following "may participate" in the introductory paragraph.

Recodified from N.J.A.C. 10:133D-2.6 by R.2009 d.318, effective October 19, 2009.

See: 41 N.J.R. 1929(a), 41 N.J.R. 3930(b).

Rewrote (a) and (b).

10:133D-1.7 Contents of the written case plan

(a) The written case plan for a family with the child living at home shall include:

1. The reasons for the Division's involvement with the family;
2. The underlying needs of each family member;
3. The case goal for each family member receiving services;
4. 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;
5. The supports and services offered to, provided to and used by the family since the last case plan was developed, for each case plan after the initial case plan. If any service is court-ordered, the case plan shall contain that service;
6. The behavioral and other changes expected from each person;
7. The services or activities which are intended to facilitate the changes and who will accomplish or provide them; and
8. Progress toward achieving the case goal for each family member receiving services.

(b) The written case plan for a child in an out-of-home placement shall include:

1. The legal authority for the out-of-home placement;
2. 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;
3. The case goal for each child, the progress towards its achievement and any obstacles to reaching it;
4. An assessment of the safety and appropriateness of the current placement and the plan to assure that each child receives safe and appropriate care;
5. The efforts made to find a missing mother and father or relative, pursuant to N.J.S.A. 30:4C-12 et seq.;