

Governor Phil Murphy

Governor Murphy Signs Legislation to Allow Caregivers to Make Alternative Child Care Arrangements for Their Children

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TRENTON – Governor Phil Murphy today signed legislation, A4640/S2886, amending New Jersey’s standby guardianship laws to expand caregivers’ ability to make prospective alternative arrangements for their children in case of an emergency. This new law will help streamline the process to allow parents and guardians to designate alternative caregivers temporarily without going to court.

“When parents are unable to care for their children due to unforeseeable or emergent circumstances, they should have right to choose their caregivers,” **said Governor Murphy**. “This legislation will help parents make these necessary arrangements and give them peace of mind knowing that their children are being cared for.”

“This new law will provide a real sense of security for parents or caregivers who are unable to care for their children due to unforeseen or emergency circumstances,” **said DCF Commissioner Christine Norbut Beyer**. “Families know best who in their social circle is ready, willing and able to provide temporary care to their child/ren without unnecessary agency or court involvement.”

“The sad reality is that many parents find themselves in situations where they could have to leave their children on a moment’s notice, be it the possibility of a military deployment or ICE detention,” **said Senator M. Teresa Ruiz**. “By expanding the existing standby guardian law, we can ensure these individuals are able to create an action plan ahead of time, so they are confident their children will be in good hands should they be unable to care for them. This important legislation will pave the way for that.”

“With this expansion, standby guardianship will provide peace of mind for countless residents who for one reason or another are unable to look after their children,” **said Senator Nellie Pou**. “This is one humane thing we can do for families living in uncertain times. Not only is it good for the parents, but it is good for the children, providing them with continuity during an otherwise stressful and scary period.”

“This law will ensure more children receive the proper care and supervision they need if their parent is unable to provide adequate care due to challenging circumstances outside of their control,” **said Assemblymembers Raj Mukherji and Carol Murphy, in a joint statement**. “Rather than limiting standby guardianship to situations involving chronic or fatal illnesses, we must also acknowledge the possibility of military service, incarceration and other life events to restrict a parent’s ability to care for their child. New Jerseyans deserve the opportunity to delegate parental powers to a trusted adult in these scenarios without encountering needless barriers. This is a common-sense law that will benefit families in difficult situations throughout our state.”

“Under the new law, children can now avoid emergency placements in group settings and/or in the households of strangers if their parents designate family or friends as caregivers,” **said Randi Mandelbaum, Professor of Law and Director of the Child Advocacy Clinic at Rutgers Law School**.

“The Consortium applauds the Governor, the Legislature, and the advocates for children who worked to make this bill a law,” **said Emily Chertoff, Executive Director of the New Jersey Consortium for Immigrant Children**. “Every family should be able to plan in case a parent or caregiver is detained, hospitalized, or otherwise incapacitated. A4640 will make it easier to give children the stability they deserve.”

"The bill will help ensure the safety and well-being of immigrant children by allowing their caregivers to quickly and easily make alternative arrangements for their care if the caregivers are facing deportation, grave illness, or other situations that leave them unable to care for the child," **said Gilda Holguin, Managing Attorney of Kids in Need of Defense (KIND), Newark.** "It will help ensure that immigrant children continue to receive the care they deserve and that alternative caregivers can advocate for the child's needs at school and for healthcare, among other key issues."

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