

CHAPTER 133H

GENERAL PLACEMENT REQUIREMENTS

Authority

N.J.S.A. 30:4C-4(h), 30:4C-26a, and 30:4C-50 et seq.

Source and Effective Date

R.1994 d.532, effective October 17, 1994.
See: 25 N.J.R. 5752(a), 26 N.J.R. 4188(a).

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SUBCHAPTER 1. PLACEMENT SELECTION
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OUT-OF-HOME PLACEMENT

10:133H-3.1 Authority

The Division has the authority to promote the regular review of each child's out-of-home placement in order to provide the opportunity for eventual return to his or her home or out-of-home placement in an alternative permanent home, pursuant to N.J.S.A. 30:4C-50 et seq.

10:133H-3.2 Scope

The provisions of this subchapter shall apply to the Division and to each child placed by the Division, each parent, any legal counsel for the child, the parent or the Division, and each out-of-home placement provider. The provisions of this subchapter shall not apply to those situations cited in N.J.A.C. 10:133H-3.12.

10:133H-3.3 Definitions

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

10:133H-3.4 Purpose of the placement review

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

1. Whether the out-of-home placement should continue, consistent with the provisions of 10:133H-3.5; and
2. 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, in accordance with the considerations set forth in N.J.A.C. 10:133C-4.6;
 - 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, 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, 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;
 - v. Whether the Division has made diligent 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 of the child is in the best interest of the child.

10:133H-3.5 Determination of whether out-of-home
placement should continue

(a) In deciding whether the out-of-home placement should continue, the Division shall consider and determine the following:

1. Whether the circumstances and reasons originally necessitating the out-of-home placement of the child continue to exist or if additional or different circumstances have occurred which support continued out-of-home placement;
2. Whether the Division in the provision of services has made every effort 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-2;