

**CHAPTER 121C**  
**REQUIREMENTS FOR DYFS ADOPTIONS**

**Authority**

42 U.S.C. § 622(b) and § 670 et seq., N.J.S.A. 9:3-37 et seq., 9:6B-4 and 30:4C-4(h).

**Source and Effective Date**

R.2001 d.92, effective February 21, 2001.  
See: 32 N.J.R. 4181(a), 33 N.J.R. 1003(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 121C, Requirements for DYFS Adoptions, expires on February 21, 2006.

**Chapter Historical Note**

Chapter 121C, Requirements for DYFS Adoptions, was adopted as R.1996 d.172, effective April 1, 1976. See: 27 N.J.R. 5007(a), 28 N.J.R. 1856(b).

Pursuant to Executive Order No. 66(1978), Chapter 121C Requirements for DYFS Adoptions, was readopted as R.2001 d.92, effective February 21, 2001. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:121C-1.1 Purpose**

(a) The purpose of this chapter is to specify the process used by the Division to assure that each child who is under the supervision of the Division with a case goal of adoption is adopted.

(b) This chapter describes the following actions or circumstances necessary to complete the adoption process:

1. The recruitment program for adoptive homes for each child who is in need of an adoptive placement;
2. The conditions under which the Division accepts applications from persons seeking to become adoptive parents;
3. The Division's process for the study of adoptive applicants for the adoptive placement of children, in accordance with N.J.A.C. 10:121A-5.6, Home study services;
4. The Division's adoptive home selection and placement processes;
5. The Division's activities from the time a child is placed with an adoptive family through the adoption finalization;
6. The post-adoption services available through the Division; and
7. The registry services available through the Division.

Amended by R.2001 d.92, effective March 19, 2001.  
See: 32 N.J.R. 4181(a), 33 N.J.R. 1003(a).  
Rewrote (a).

**10:121C-1.2 Scope**

(a) The provisions of this chapter shall apply to:

1. The Division;
2. Each person who applies to the Division to be an adoptive parent;
3. Each person who is approved by the Division as an adoptive applicant;
4. Each person who adopts a child through the Division;
5. Each birth parent whose child's adoption is processed by the Division;

6. Each child placed in an adoptive home and supervised by the Division;
7. Each adoption agency seeking an adoptive home from the Division for a hard-to-place child;
8. Each private and public agency that may recruit adoptive homes for the Division; and
9. Each adult adoptee who may use the Division's registry services.

Amended by R.2001 d.92, effective March 19, 2001.  
See: 32 N.J.R. 4181(a), 33 N.J.R. 1003(a).  
Rewrote (a).

### 10:121C-1.3 Definitions

The following words and terms used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

“Adoptive applicant” means a person who has applied to the Division to adopt a child.

“Adoptive parent” means a person with whom a child has been placed by the Division for adoption or who has adopted a child.

“Adoptive placement” means the placement of a child in an adoptive home by the Division for the purpose of adoption. For foster home adoptions, the adoptive placement begins on the date the Division consent for adoption is signed by the office manager.

“Adult adoptee” means an individual 18 years of age or older whose adoptive placement was made by the Division or its predecessor agencies, that is, the Bureau of Children's Services, the State Board of Child Welfare or the State Board of Children's Guardians.

“Approved adoptive applicant” means a person who has an approved home study from the Division but who has not yet received a child for adoptive placement.

“Birth family member” means a person, or a relative of a person, whose child was placed for adoption through the Division or its predecessor agencies.

“Child” means any person under 18 years of age.

“Finalization” means the entry of a legal order of adoption issued by a court of competent jurisdiction, pursuant to N.J.S.A. 9:3-38 et seq.

“Hard-to-place child” means any child who the State of New Jersey has the legal right to place for adoption but who is reasonably expected not to be placed for adoption due to the lack of a prospective adoptive home for any of the reasons defined in N.J.A.C. 10:121-2.1, Definitions.

“Home study” means the Division's formal assessment of the capacity and readiness of prospective adoptive parents to adopt a child, including the Division's written report and recommendation.

“Post-adoption services” means all services, other than registry services, offered by or through the auspices of the Division to any party involved in an adoption after finalization of the adoption.

“Post-placement services” means any and all services offered by or through the auspices of the Division to any member of an adoptive family from the time of the adoptive placement of the child by the Division to the time of finalization of the adoption.

“Recruitment” means enhancing public awareness of issues related to adoption through the use of public service announcements, social events, newspaper series, videos, educational displays, public speaking engagements and the dissemination of literature for the purpose of developing new adoptive homes for children.

“Registry services” means services to an adult adoptee to find a member of his or her birth family; services to an adoptive parent of a minor adoptee to assist him or her in securing medical information or in dealing with identity issues related to adoption; or services to a birth family member who has a desire or need for knowledge of or contact with a child who was placed for adoption.

“Selected adoptive home” means an applicant who has been approved by the Division for the purpose of providing an adoptive home to a child who does not currently reside with the adoptive applicant.

Amended by R.2001 d.92, effective March 19, 2001.  
See: 32 N.J.R. 4181(a), 33 N.J.R. 1003(a).  
Rewrote the section.

### 10:121C-1.4 Application of rules

(a) The rules contained in N.J.A.C. 10:121A, Manual of Requirements for Adoption Agencies, shall apply to the Adoption Resource Centers of the Division of Youth and Family Services.

(b) Each rule contained in this chapter shall apply only to the adoption operations of the Division of Youth and Family Services.

### 10:121C-1.5 Service limitations

(a) The Division shall provide needed services within the limits of legislative appropriations to all eligible children, their adoptive families and their birth families in similar circumstances. The provision of services shall also be subject to limitations due to actual ability of the Division to provide such services directly or by purchasing such services from appropriate, certified privately sponsored agencies or institutions.