

STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES
DIVISION OF WELFARE

STATE BOARD OF CHILD WELFARE

REGULATION # 2

Issued: November 22, 1949

Supp.: November 28, 1950

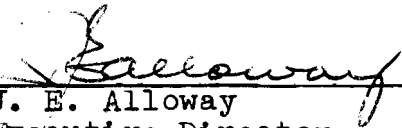
Reissued: January 22, 1952

TITLE: IMPORTATION OF DEPENDENT CHILDREN

SUBJECT: Procedures for approval of importation.

STATUTORY REFERENCE: Regulatory authority based upon R.S. 9:7-1.
See also R.S. 30:4C-4.

This regulation is issued pursuant to formal resolution
of the Board of Managers adopted April 29, 1949.



J. E. Alloway
Executive Director

Approved: January 22, 1952

by /s/ Geraldine L. Thompson
Geraldine L. Thompson,
Acting President
State Board of Control

RULES AND REGULATIONS PERTAINING TO THE BRINGING, SENDING, OR RECEIVING OF DEPENDENT CHILDREN INTO THE STATE OF NEW JERSEY
(New Jersey Revised Statutes Title 9 Chapter 7)

Statutory requirements with respect to the bringing of dependent children into the State of New Jersey (commonly referred to as "importation of children") are set forth in Revised Statutes Title 9 Chapter 7, as amended by Chapter 161, Laws of 1949. The following rules and regulations are adopted under the authority of R. S. 9:7-1, as amended, in order to facilitate compliance with statutory requirements.

1. The law shall be deemed to apply to all children brought, sent or received into the State of New Jersey for placement in this state. The purposes of the placement, whether for adoption or otherwise, are not material to the application of the statute. Exemption from the provisions of the law is granted to persons, including parents by adoption, who bring or receive into the state children for whom they are legally responsible, under New Jersey law, with respect to support and maintenance. This exemption, however, does not extend to other persons with whom such child may later be placed by the legally responsible relatives.
2. An application for the bringing, sending or receiving of a child into New Jersey shall be made in the form prescribed by the Department of Institutions and Agencies (Form CW14-66). The application form must be completed and signed by the agency, person or persons desiring to bring, send or receive the child into New Jersey. Applications should be mailed or delivered to the central office of the New Jersey State Board of Child Welfare.

The Commissioner of Institutions and Agencies is authorized to issue blanket consents and approvals to public or private agencies of other states. Such blanket consents and approvals will be limited to agencies which send children into New Jersey from time to time for temporary placement incident to vacation or health care.

3. An application for the bringing, sending or receiving of a child into New Jersey must be accompanied by the following:

- a. Health Certificate

The health certificate must be in the form prescribed by the Department of Institutions and Agencies (Form CW14-67). Completion of the health certificate and signing by a physician is the responsibility of the agency, person or persons desiring to bring, send or receive the child into New Jersey.

- b. Social History of Child

If the bringing, sending or receiving of the child is sponsored by a public or private agency, social histories are to be provided by that agency. Agencies in and out of the state which have been approved by the Department of Institutions and Agencies to make adoption placements are not required to file complete social histories. In such cases, these agencies may state that they have determined the child to be a fit subject for the desired placement in New Jersey, and that the necessary social history is available in their files if desired.

If the bringing, sending or receiving of the child is sponsored or applied for by a private individual, the filing of the required social history is the responsibility of the applicant, subject to approval and acceptability by the State Board of Child Welfare as to content.

RULES AND REGULATIONS PERTAINING TO THE BRINGING, SENDING, OR RECEIVING OF DEPENDENT CHILDREN INTO THE STATE OF NEW JERSEY
(New Jersey Revised Statutes Title 9 Chapter 7)

The social history need not be in any prescribed form, but its content should be in substantial compliance with the outline prescribed by the Department of Institutions and Agencies (Form CW14-68).

c. Indemnity Bond

The indemnity bond must be in the form prescribed by the Department of Institutions and Agencies (Form CW14-70); must be in the amount of \$1000, secured by a corporate surety; and must be filed in all cases before consent and approval to the bringing, sending, or receiving of the child can be given. The effectiveness of the indemnity bond must be maintained until the child reaches the age of 21, is adopted, or is removed from the state; and upon the happening of any of these circumstances the bond will be cancelled.

The Commissioner of Institutions and Agencies is authorized to approve the filing of blanket indemnity bonds by accredited public or private agencies of other states which place children in New Jersey from time to time.

The Commissioner of Institutions and Agencies is authorized to enter into reciprocal agreements with public welfare departments of other states, which agreements may serve in lieu of the filing of an indemnity bond.

d. License or Approval from Other State

Whenever the state from which the child is being removed requires a license or approval for deportation as a matter of state law or policy, then such license or approval must be obtained as a supplement to the application. The obtaining of such license or approval is the responsibility of the applicant. Those states which require or grant licenses or approvals for deportation of children will be made known upon inquiry to the New Jersey State Board of Child Welfare.

4. Applications, requests or inquiries relating to the bringing, sending or receiving of a child into New Jersey should normally be addressed to the New Jersey State Board of Child Welfare which has been assigned responsibility for administration of the statutory provisions. All forms required under these rules and regulations are obtainable from the central office or any district office of the New Jersey State Board of Child Welfare. (See Appendix 1 for list of addresses.)
5. It is recognized that institutions in the nature of maternity homes which are located in the State of New Jersey are frequently called upon to provide service for persons whose normal place of residence or domicile is outside of the state. For the purpose of these rules and regulations, the term "maternity home" shall apply to charitable institutions established for the purpose of providing service for unmarried mothers during the period of confinement.

In the administration of statutory requirements as set forth in Revised Statutes Title 9 Chapter 7, the following rules and regulations shall apply to maternity homes:

- a. Regularly established maternity homes shall not be considered subject to such statutory requirements to the extent that they shall not be required to file indemnity bonds with respect to unmarried mothers under 21 who enter New Jersey from other states to receive services provided by such

RULES AND REGULATIONS PERTAINING TO THE BRINGING, SENDING, OR
RECEIVING OF DEPENDENT CHILDREN INTO THE STATE OF NEW JERSEY
(New Jersey Revised Statutes Title 9 Chapter 7)

maternity homes. To the same extent, such maternity homes shall not be required to file indemnity bonds with respect to babies who are born to such unmarried mothers during the period of confinement at such maternity homes.

- b. When any babies as described in paragraph 1 hereof, are made the subject of plans for placement in New Jersey in a home other than that established by the mother, such maternity homes, prior to the release of the baby for placement, shall assure that the persons or agencies arranging such placement comply with the terms of the above cited statute to the same extent as required in the case of dependent children received into New Jersey by persons other than legally responsible relatives.

Notice is hereby given that under the provisions of the New Jersey Revised Statutes, Title 9, Chapter 7, any persons or agencies who are required to comply with the provisions of such law, but who do not so comply, are thereupon made liable for the support and maintenance of the child to the same extent as a parent. If these persons or agencies do comply with the law, and secure proper consent and approval for the bringing, sending or receiving of a child into New Jersey, then their financial responsibility for the child is limited to the terms and amount of the indemnity bond which they are required to file.

These rules and regulations republish, and continue in effect without change, previous rules and regulations approved by the New Jersey State Board of Control of Institutions and Agencies on November 22, 1949, and supplement 1 thereto approved by the New Jersey State Board of Control of Institutions and Agencies on November 28, 1950.

/s/ J. E. Alloway
J. E. Alloway
Executive Director
New Jersey State Board of Child Welfare

Approved

New Jersey State Board of Control of
Institutions and Agencies

By /s/ Geraldine L. Thompson
Geraldine L. Thompson,
Acting President

Dated January 22, 1952

NEW JERSEY
STATE BOARD OF CHILD WELFARE
Location of Offices

Central Office:

163 West Hanover Street
Trenton 7, New Jersey

District Offices:

119 Newkirk Street
Jersey City 6, New Jersey

East Commerce and Walnut Streets
Bridgeton, New Jersey

413 South Broadway
Camden 3, New Jersey

1516 Atlantic Avenue
Atlantic City, New Jersey

19 South Union Street
Elizabeth 4, New Jersey

Administrative Building
Hackensack, New Jersey

Park Square Building
Morristown, New Jersey

Paterson & Kirkpatrick Streets
New Brunswick, New Jersey

1060 Broad Street
Industrial Building
Newark 2, New Jersey

35 Church Street
Paterson 1, New Jersey

141 N. Riverside Avenue
Red Bank, New Jersey

600 Artisan Street
Trenton 8, New Jersey

STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES
DIVISION OF WELFARE

STATE BOARD OF CHILD WELFARE

REGULATION # 3

Issued: February 4, 1954

TITLE: ADOPTION

SUBJECT: Procedures for approval of agencies as qualified to place children for adoption.

STATUTORY REFERENCE: Regulatory authority based upon R.S. 9:3-19. See also R.S. 30:4C-4.)

This regulation is issued pursuant to formal resolution of the Board of Managers adopted December 28, 1953.



J. E. Alloway
Executive Director

Approved: February 4, 1954

by /s/ Barklie Henry
Acting for and in the absence of
Reeve Schley, President
State Board of Control.

STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES
BOARD OF CHILD WELFARE
163 West Hanover Street
Trenton 8, New Jersey

REQUIREMENTS COVERING APPROVAL OF AN AGENCY AS QUALIFIED TO PLACE
CHILDREN FOR ADOPTION

Agencies to be approved as qualified to place children for adoption in New Jersey shall be incorporated as a philanthropy under a responsible board of directors or diocesan authority; or shall be established by statute as a governmental unit on a state or county level.

An application for approval shall be submitted by the official representative of the agency on forms provided by the Department of Institutions and Agencies. This application, either by entries on the form provided or by attachments, shall include:

1. An excerpt from the corporate charter or statute covering the powers of the agency;
2. A list of Board members and their addresses; or the title and address of the Diocesan authority, or the office address of the Governmental agency with list of Board members, if any;
3. The sources of financial support;
4. The educational background and experience of the executive and staff, showing as a minimum that the case supervisor of the adoption service shall have a degree in social work and be experienced in adoption practice;
5. An analysis of the case load under supervision for the preceding year;
6. A brief summary statement of the social services, supervision and recording currently practiced by the agency; and
7. An understanding that periodic visits will be made by a professionally trained representative of the Department.

The completed application shall be forwarded to the Board of Managers of the State Board of Child Welfare, 163 West Hanover Street, Trenton, New Jersey, which agency has been assigned administrative responsibilities in such matters. If the application is approved, a formal certificate of such approval, effective for a period of one year, will be issued subject to renewal for further periods of one year upon submission of requested substantiating data and summary of the past year's activity. If the application is disapproved, the reasons therefor will be stated and the applicant will be accorded a hearing before the Board of Managers of the State Board of Child Welfare if desired.

STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES
BOARD OF CHILD WELFARE
163 West Hanover Street
Trenton 8, New Jersey

MINIMUM STANDARDS OF APPROVED ADOPTION PRACTICE

The principle which underlies approved adoption practice is that the child shall be placed in a home best suited to his needs. It is, therefore, necessary that (1) a comprehensive study should be made of the child and his parental background; (2) a comprehensive study should be made of the persons seeking a child to adopt; and (3) that from among those persons seeking to adopt a child, that home shall be chosen which shall be found most nearly to meet the needs of the child for his future development.

The policy and practices of an agency engaging in adoption placement should provide for the following minimum requirements;

1. Complete records of the child and his parents and of applicants seeking a child for adoption shall be kept in locked files available only to persons responsible for the services.
2. Consent to adoption shall be obtained from the parent, parents, legal guardian or other persons having custody and control of the child; or the agency shall be appointed as guardian or custodian of the child by a court of competent jurisdiction with authority to effect an adoption of the child.
3. Placement may be made in a potential adoptive home when the child's parental history, and its own development are known, and the child promises to be a fit subject for adoption as determined through consultation with competent child specialists. Interim boarding home care shall be provided for further study of infants when social history is lacking or inadequate, or where there is evidence of actual or potential physical handicap, mental deficiency or emotional instability.
4. During any period of study pending adoption, the child shall be under close observation by the case worker, pediatrician and foster mother, and such specialists as the agency deems necessary.
5. In no case shall a potential adoptive couple be permitted to pay any preplacement expenses (i.e. board, medical, psychological). This requirement does not prevent the establishment of a fee for adoption service regularly charged by the agency.

Persons seeking a child for adoption shall not be permitted to pay the medical and hospital bills of the natural mother.

After the child is placed in an adoptive home, all expenses shall be borne by the foster parents except where the agency agrees to payment, under certain circumstances, for any special care which may be indicated.

MINIMUM STANDARDS OF APPROVED ADOPTION PRACTICE (conc.)

6. Whenever possible, a child shall be placed in a home of the same religious faith as its parent or parents.
7. An unborn child shall never be considered as a subject for adoption planning to any specific family.
8. The study of the child for adoption shall be based on an evaluation of the child's fitness and suitability for adoption determined following an analysis of the child's physical, emotional and intellectual characteristics. The analysis shall include consideration of parental background including nationality antecedents of the parents, their physical characteristics, health history with special attention to chronic illness and defects, mental history including intelligence level and abnormal traits, religion, and emotional and social characteristics and adjustments.
9. The study of the prospective adoption home shall take into account not only such attributes as the physical surroundings, the family's economic and social status, religious affiliation and practice and their physical health, but also evaluation of the attributes which determine an individual's capacities as a parent and the motivation in wanting a child.
10. Before consummation of the adoption there should be a trial period of one year, or a minimum of six months under exceptional circumstances, during which the child lives with the adoptive parents. During this time visits shall be made as frequently as necessary to observe and assist the child's adjustment to the adoptive family, and to observe and assist the attitude and adjustment of the entire family group to the presence of the child in the home.