

NEW JERSEY JUDICIARY

JUVENILE/FAMILY CRISIS OPERATIONS MANUAL



**Approved by the Judicial Council
June 29, 2005**

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

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MEMORANDUM

TO: Assignment Judges
Trial Court Administrators

FROM: Philip S. Carchman, J.A.D. 

SUBJECT: Juvenile Family Crisis Intervention Unit (FCIU) Operations
Manual; Plan for Implementation of Out-of-Court FCIUs

DATE: July 15, 2005

FCIU Operations Manual

I am pleased to provide you with the *Juvenile Family Crisis Intervention Unit Operations Manual*, as approved by the Judicial Council at its June 29, 2005 meeting.

This Manual supersedes the prior version of the Manual, which was first issued in 1985. It has been rewritten in its entirety and provides legal, procedural, and operational guidance for staff and agencies in the management of Family Crisis cases. Family Crisis Intervention Units (FCIUs) were first established in 1982 pursuant to N.J.S.A. 2A:4A-76, which required that each county have a crisis intervention unit. The FCIU, whether run by the court or by an agency under an agreement with the AOC, attends to and stabilizes juvenile family crises on a 24-hour-a-day basis. The procedures for family crisis matters are set forth in Rules 5:15-1 through 5:18-3.

This new edition of the Manual was necessitated by numerous federal and state statutory enactments in the twenty years since the issuance of the first edition, e.g., the Adoption and Safe Families Act (ASFA) (1997), the Homeless Youth Act (1999), and the Health Insurance Portability and Accountability Act (HIPAA) (1996), as well as by organizational and case processing changes required by the New Jersey Child Welfare Reform Plan. Prior to their approval by the Judicial Council, the proposed revisions were forwarded for review to the Department of Human Services (DHS), the Juvenile Justice Commission, the

Public Defender, the Attorney General, the Juvenile Officers Association and AOC Probation Services.

The Manual incorporates updated Operational Standards (Appendix B) and an updated "Affiliation Agreement" (Appendix C) that defines the interagency relationships and responsibilities between the Judiciary and the Department of Human Services, Office of Children's Services and its subsidiary divisions.

Out-of-Court FCIUs

Last year, the Judicial Council approved the concept of moving the remaining court-run FCIUs to non-Judiciary entities. To guide the transfer of all current in-court FCIUs to out-of-court agencies, a memorandum of understanding (MOU) was executed by (a) the New Jersey Judiciary, (b) the Department of Human Services, Office of Children's Services, and (c) the Juvenile Justice Commission (JJC). Under the MOU, funds will be allocated by the JJC to the county Youth Services Commissions (YSC) to establish and maintain these new out-of-court FCIUs. The AOC will provide technical assistance and information to YSC Administrators concerning program requirements as they finalize the process to select an out-of-court agency to serve as the FCIU in the county. Family Division Managers will conduct meetings with newly contracted FCIU staff to finalize operational details with all appropriate agencies at the local level.

In counties where the FCIU is currently an in-court service, the YSC will contract with an appropriate non-Judiciary entity to provide the FCIU service. FCIUs and the Mobile Response and Stabilization Services (MRSS) of the Department of Human Services will be responsible for communicating and working together to define their respective roles and to coordinate their responsibilities. Counties may choose to utilize MRSS as a resource to FCIU or they may choose to integrate FCIU with MRSS. The Affiliation Agreement (Appendix C) outlines the structure for collaborative arrangements.

Despite this change in the FCIU program – that is, situating all of the FCIUs out-of-court – the Judiciary retains overall responsibility for and authority over the FCIU process as provided in statute and court rules. Accordingly, the present oversight of the FCIU Directors by the AOC will not change. The meetings between AOC's Family Practice Division staff and the FCIU Directors will continue, as will the training provided to the FCIUs by the AOC, including training on the revised Manual that will be offered in late 2005 to new or existing FCIU staff. Judiciary staff will remain responsible for filing juvenile family crisis petitions and out-of-home placement petitions. Judges will continue to hear these matters and make all necessary ASFA-related findings in these cases.

In addition to this hard copy distribution, an electronic version of the revised Manual, as well as any future updates, will be posted on the Judiciary's Infonet. Questions or comments concerning this Manual may be addressed to Assistant Director Harry T. Cassidy at (609) 984-4228 or Janis Alloway of the Family Practice Division at (609) 984-4227.

P.S.C.

enclosure

c: (with enclosure)
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NOTICE

This Manual is intended to provide procedural and operational guidance for staff in the operation of Family Crisis Intervention Units. It is intended for FCIU staff, whether they are employed by the Judiciary or by an agency that has an agreement with the judiciary authorizing it to operate a local FCIU. The Manual was prepared under the supervision of the Conference of Family Division Presiding Judges, along with the Conference of Family Division Managers and the Family Practice Division of the Administrative Office of the Courts (AOC). It is intended to embody the policies adopted by the New Jersey Supreme Court, the Judicial Council and the Administrative Director of the Courts, but does not itself establish case management policy. It has been approved by the Judicial Council on the recommendation of the Conference of Family Division Presiding Judges, in order to promote uniform case management statewide. As such, staff in the judiciary or in outside agencies performing the duties of the FCIU staff are required to adhere to its provisions.

While the Manual reflects court policies existing as of the date of its preparation, in the event that there is conflict between the Manual and any statement of policy issued by the Supreme Court, the Judicial Council, or the Administrative Director of the Courts, that statement of policy, rather than the Manual, will be controlling. Other than in that circumstance, however, this Manual is binding on FCIU staff in the judiciary and in outside agencies performing the functions of the FCIU.

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INTRODUCTION

On July 23, 1982 a new Code of Juvenile Justice and related legislation was approved (N.J.S.A. 2A:4A-20 *et seq.*) The law became effective December 31, 1983 and changed many legal principles and procedures in cases involving children and their families. The Code required that each county have one or more crisis intervention units that will attend to and stabilize juvenile family crises on a 24-hour a day basis. The Code defines a "juvenile family crisis" as:

behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in

(1) *a serious threat to the well-being and physical safety of a juvenile,*
or

(2) *a serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by a parent or guardian, or*

(3) *unauthorized absence by a juvenile for more than 24 hours from his home, or*

(4) *a pattern of repeated unauthorized absences from school by a juvenile subject to the compulsory education provisions of Title 18A of the New Jersey Statutes.*

(N.J.S.A. 2A:4A-22g)

The definition encompasses many situations that, before the effective date of the new Code and related legislation, were known as "juvenile in need of supervision" or "status offense" cases. Excluded from the definition are child abuse, child neglect and domestic violence cases. A Senate Judiciary Committee Statement to the legislature summarizes legislative intent at that time:

Essential in the reasoning underlying a family court is the recognition that a vast majority of juvenile misconduct is a result of troubled family circumstances. Critical in dealing with this situation is a mechanism, which will provide troubled juveniles and their families a non-coercive opportunity to resolve conflicts and receive needed services. These juvenile family crisis intervention units which, in most cases, would be operative under present court intake systems, provide a procedure to deal with those juvenile matters which do not result in delinquent acts, but which are sufficiently serious to necessitate intervention. Behavior by a juvenile which under present law identifies him as "in need of supervision," will, in many but not all cases, warrant a crisis intervention response under this bill. Presently, the determination that a juvenile is in need of supervision is based totally on the conduct of the juvenile. This bill, however, views the juvenile's conduct as part of the family condition and therefore, it is structured to treat juvenile problems within the family context.

The legislation provides that each unit:

shall operate either as a part of the court intake service, or where provided for by the county, through any other appropriate office or private service pursuant to an agreement with the Administrative Office of the Courts, provided that all such units shall be subject to the Rules of Court.

(N.J.S.A. 2A:4A-76)

In each of the county units that operate outside of Family Division Intake, the judiciary has signed an agreement that requires it to comply with the legislation and with implementing Supreme Court Rules, Administrative Office of the Courts (AOC) Directives and Manuals.

This Manual, the second edition of the original issued by the AOC in July 1985, contains information on the Rules, standards and procedures governing Juvenile Family Crisis Intervention Units (FCIUs). References to the Operational Standards are cited within the Manual where appropriate. (See Appendix B.)

This Manual is divided into several chapters, each of which discusses a particular aspect of juvenile family crisis unit operation.

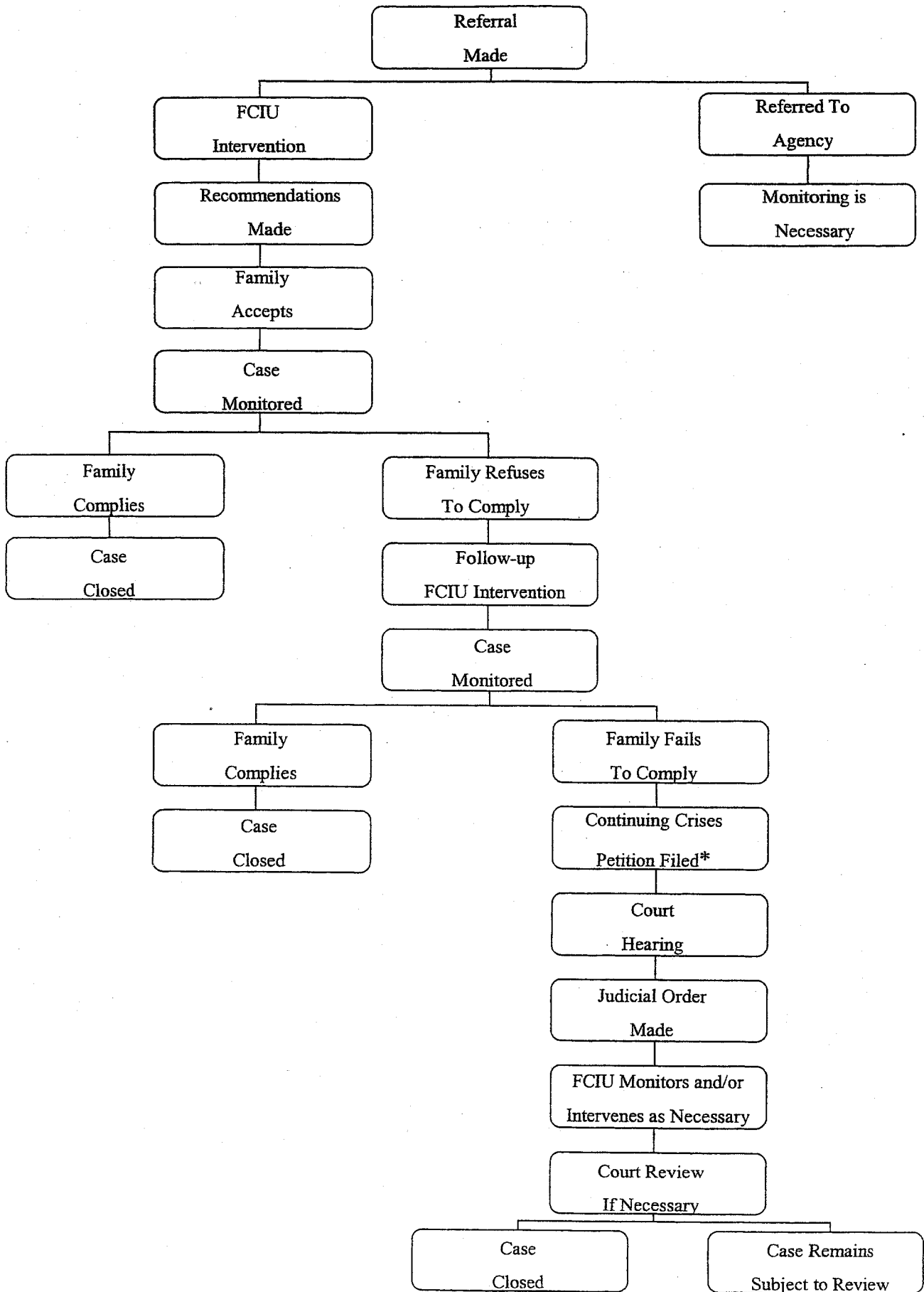
FOREWORD

The first Crisis Intervention Manual, prepared by the Supreme Court Crisis Intervention Task Force, was approved by the New Jersey Supreme Court on July 10, 1985 for immediate use on a statewide basis. The Manual was conformed and updated to become a Best Practices Manual in 2005. The Manual provides invaluable legal and practical guidance to persons charged with implementing those provisions of the Code of Juvenile Justice and related legislation which relate to the operation of county juvenile family crisis intervention units.

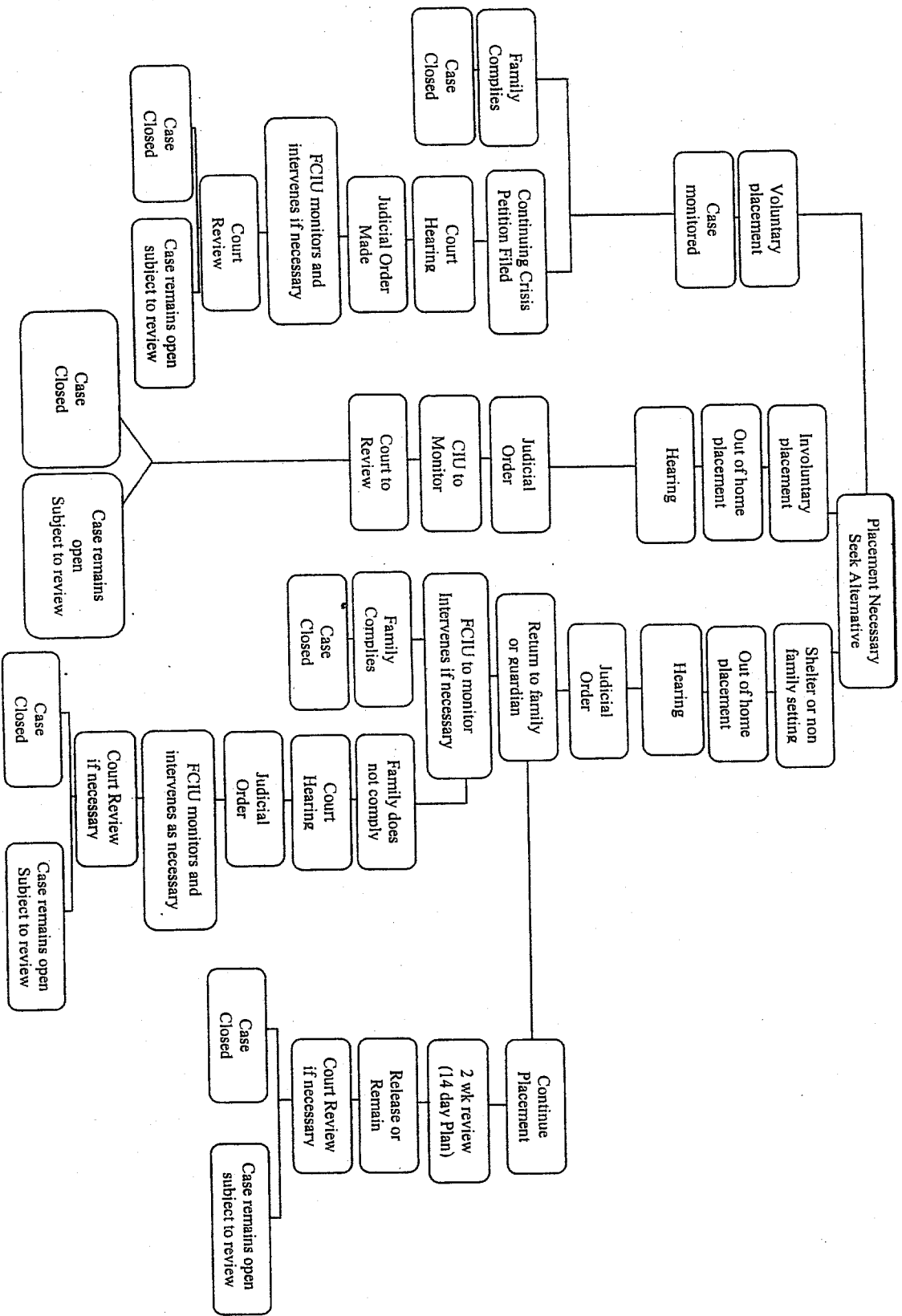
This revised Manual and Operational Standards were a collaborative effort of Family Crisis Intervention Unit workers and AOC staff. The revised Affiliation Agreement which in the past was between the Division of Youth and Family Services (DYFS) and Family Crisis Intervention Units (FCIUs) was changed to now be among FCIU, Department of Human Services (DHS) and the AOC concerning the Juvenile Family Crisis Intervention Units. Work on the revisions included FCIU staff, DHS staff from DYFS and the Division of Child Behavioral Health Services. This Manual, including the Operational Standards and Affiliation Agreement, was then approved by the Conference of Family Division Managers, the Juvenile Committee of the Conference of Family Division Presiding Judges and the Conference of Family Division Presiding Judges. It was then forwarded to stakeholders for comment before presentation to the Judicial Council. We are grateful to the many people who collaborated on this project.

The AOC will distribute copies of the Manual to Family Division Judges and Managers, Juvenile Family Crisis Intervention Counselors and others involved in the crisis intervention process.

FLOWCHARTS



* All available resources must be utilized to address the crisis prior to the filing of a petition.



I. Legislative Authority/Purpose/Definition/Required Training

A. AUTHORITY/ESTABLISHMENT OF FCIU

FCIUs are established and governed by *N.J.S.A. 2A:4A-76 et seq.* (See Appendix A) and Rule 5:15-1 through 5:18-3.

“There shall be established in each county one or more juvenile family crisis intervention units. Each unit shall operate either as a part of the court intake service, or where provided for by the county, through any other appropriate office or private service pursuant to an agreement with the Administrative Office of the Courts, provided that all such units shall be subject to the Rules of Court.”

N.J.S.A. 2A-4A-76

B. PURPOSE OF FCIU - PURSUANT TO *N.J.S.A. 2A:4A-77*

The purpose of the unit shall be to provide a continuous 24 hour on-call service designed to attend and stabilize juvenile family crises.

C. DEFINITION OF FAMILY CRISIS-PURSUANT TO *N.J.S.A. 2A:4A:22g*

“ ‘Juvenile family crisis’ means behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in:

- (1) A serious threat to the well-being and physical safety of a juvenile, or
- (2) A serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by a repeated disregard for lawful parental authority by a parent or guardian, or
- (3) Unauthorized absence by a juvenile for more than 24 hours from his home, or
- (4) A pattern of repeated unauthorized absences from school by a juvenile subject to the compulsory education provisions of Title 18A of the New Jersey Statutes.”

D. FCIU WORKERS REQUIRED TRAINING AND SKILLS – PURSUANT TO *N.J.S.A. 2A:4A-79* AND OPERATIONAL STANDARDS

“The juvenile family crisis intervention unit shall have knowledge of community services and agencies and shall be specially trained in family counseling and crisis stabilization skills. The Supreme Court may issue rules concerning the duties, responsibilities, training and practices of the juvenile family crisis intervention units consistent with the provisions of this act, but in no instance shall the minimum qualifications for personnel employed as counselors and hired after the effective date of this act be less than a master’s degree from an accredited institution in a mental health or social or behavioral science discipline including degrees in social work, counseling, counseling psychology, mental health or education. Equivalent experience is acceptable when it consists of a minimum of an associate’s degree with a concentration in one of the behavioral sciences and a minimum of 5 years’ experience working with troubled youth

and their families or a bachelor's degree in one of the behavioral sciences and 2 years' experience working with troubled youth and their families."

Operational Standard 1 (See Appendix B) states:

Juvenile Family Crisis Intervention Units shall select and maintain a staff of trained and qualified counselors to intervene in juvenile family crises.

In addition, Operational Standard 2 provides:

Training for counselors in Juvenile Family Crisis Intervention Units should include, but is not limited to, the following subjects.

- Juvenile Family Crisis Intervention statutes

- The Family Court System

- Relevant court rules and the Crisis Intervention Manual

- Crisis stabilization techniques and Intervention strategies

- Family Dynamics

- Normal adolescent development

- Child abuse statutes and procedures

- Office of Children's Services including DYFS and SPRU (Special Protection Response Unit) Procedures as well as Child Behavior Health Services.

- County specific shelter and other placement requirements

- Resource availability and use.

In counties where it is necessary to expand the pool of counselors by using people outside the unit to provide twenty-four hour response, these additional people must also receive the training.

In addition, Operational Standard 3 requires: FCIU Administrators shall monitor and evaluate worker's counseling activities at stated intervals and provide additional training where needed.

Operational Standard 5 requires: Juvenile Family Crisis Intervention Units should plan, implement, and participate in training programs for law enforcement personnel concerning the operations and philosophy of Juvenile Family Crisis Intervention Units as needed.

The Administrative Office of the Courts may provide training for FCIUs periodically and training is often available at little or no cost through other community agencies and institutions that have expertise in dealing with families in crises. It is essential to the functioning of the FCIUs that initial and continuing education and training be available for all staff on a regular basis.

II. GOALS AND OBJECTIVES OF THE FCIUS/OPERATIONAL STANDARDS

Goals and objectives were originally established for Family Crisis Intervention Units in both the 1985 Crisis Manual and the Operational Standards document (See Appendix B). Each entry in the goals contains a source citation to indicate where it can be found in the Operational Standards which were developed subsequent to the 1985 Crisis Manual. The goals appear below while the Operational Standards can be found in Appendix B.

A. GOALS

Goal #1

To divert cases involving juvenile family crises from the courts through counseling and referral services.

Objective 1.1 (See also Operational Standard (OS) 7)

County FCIUs shall establish and maintain a 24 hour per day crisis intervention response capacity.

Objective 1.2 (See OS 1)

County FCIUs shall select and maintain a staff of trained and qualified counselors to intervene in juvenile family crises.

Objective 1.3 (See OS 4)

County FCIUs shall establish and maintain a network of services and agencies to which referrals may be made.

Objective 1.4 (See OS 4)

County FCIUs shall establish and maintain open communication systems with police departments, family service agencies, mental health agencies, public youth services programs and other pertinent court related and social service agencies.

Goal #2

To provide families with the counseling, guidance and/or referral assistance needed to stabilize the immediate juvenile family crisis. (See OS 8)

Objective 2.1

County FCIUs shall identify or hire family counselors who will perform crisis intervention and longer term counseling. (See OS 1 and OS 8)

Objective 2.2 (See OS 8)

County FCIUs shall identify qualified service providers who will:

- conduct family/juvenile assessments and diagnostic testing
- provide long term counseling or therapy
- provide drug and alcohol rehabilitation counseling
- provide career training
- provide guidance for learning success in schools
- provide guidance for health and nutrition problems

Objective 2.3 (See OS 2)

County FCIUs shall establish and maintain training and supervision procedures to enhance the capacity of crisis intervention workers.

Objective 2.4 (See OS 3)

County FCIU administrators shall monitor and evaluate worker counseling and therapy activities at stated intervals and recommend training where needed.

Objective 2.5 (See OS 15)

County FCIUs shall establish and maintain a monitoring and evaluation mechanism for all cases.

Objective 2.6 (See OS 5)

County FCIUs shall plan, implement and participate in counseling-related training programs for all court and law enforcement personnel concerning the diversion of juvenile/family cases from court as needed.

Goal #3

To participate in the identification and development of needed services through active membership on the county Youth Services Commission. Note: The Administrative Code regarding Youth Services Commissions mandates that the Director of Family Crisis or designee be included in the membership of each County Youth Services Commission. See *N.J.A.C.13:90-2.4(b)14* and OS 6 in Appendix B.

B. OPERATIONAL STANDARDS

The Operational Standards provide uniformity to the delivery of Family Crisis services statewide. Each of the standards apply to all Juvenile Family Crisis Intervention Units, regardless of unit type or organization. Moreover, they build upon and provide clarity to the goals and objectives presented in the Crisis Intervention Manual. The Operational Standards can be found in Appendix B of this document.

III. GENERAL PRACTICE ISSUES

A. CLIENT CONFIDENTIALITY

The substance of discussions which take place during the crisis intervention process between a worker and involved family members, including the juvenile, is confidential; provided, however, that the following disclosures may be made in connection with the referral of the case to a community agency or the formal processing of the case in the Family Division. Sharing of information must be done in accordance with the provisions of the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936 (codified as amended in scattered sections of 18, 26, 29, and 42 U.S.C.)

1. Pertinent information regarding the nature of the crisis may be provided to a community agency for the purpose of determining the appropriateness of, and securing an agreement with, the community agency to provide services to the family. However, the client's name and other identifying information shall not be disclosed prior to obtaining both (1) formal written consent from the family, and (2) an agreement to the provision of services. Once such an agreement is reached and the involved family member(s) provide written authorization to disclose by way of a signed Release of Information form, additional facts may be provided to the community agency. Again, the Health Insurance Portability and Accountability Act provisions must be observed.

2. Where, pursuant to the requirements of *N.J.S.A. 2A:4A-86* (for family crisis cases) and *N.J.S.A. 2A:4A-89* (for out of home placement cases), a family crisis or out of home placement petition is filed with the Family Division, the court may request pertinent information regarding the nature of the crisis and the parties involved. This release of information is necessary to facilitate the court's consideration of appropriate dispositions in these matters that reflect the best interests of the child and other involved family members. However, no confidential information that is revealed during the crisis intervention process, or any juvenile family crisis proceedings that result, may be used in subsequent cases or matters against the interests of involved family members. The strict limitation on the disclosure of confidential information is essential to the ongoing credibility of the crisis intervention process.

The above discussion does not apply to information regarding child abuse, neglect or homicidal/suicidal ideation. When a crisis worker has reason to suspect child abuse and neglect, such suspicions must be reported immediately to DYFS pursuant to law. When suicidal/homicidal ideations are expressed, the family must be referred to the appropriate mental health screening agency.

B. FAMILY INFORMATION SHARING

The Family Crisis Intervention Unit shall have access to information regarding the pendency of Family Division court matters (other than crisis matters) that involve juveniles and other family members. This information, which may be obtained through the Family Division Manager or designee, shall extend to all matters within the jurisdiction of the Family Division and shall include information regarding the existence of confidential proceedings but shall not extend to information regarding their substance, except upon approval of the court.

Where a FCIU responds to a referral regarding a juvenile family crisis, it shall intervene in and stabilize, or attempt to stabilize, that crisis according to the procedures stated in Chapter IV of this Manual. This process may include where necessary, the overnight, out of home placement of a child either in a family type setting or through an involuntary placement. On any involuntary placement or any shelter placement, the FCIU staff shall communicate with the Intake Services Unit of the Family Division.

C. STATEMENT OF RIGHTS, COMPLAINT PROCEDURES

The intention of the law establishing the Family Crisis Intervention Units is to encourage cooperative efforts among family members in resolving family crisis situations. An important feature of this law was the recognition that juvenile misconduct is a family problem and responsibility. In some cases, it will not be possible to resolve the crisis without the cooperation of all family members, and the law provides a vehicle for bringing these situations before the court for resolution. Therefore, crisis workers must deal with family members in such a way as to encourage their collective pursuit of a solution without compromising the rights of family members if the matter should go to court. Operational Standard 17 requires FCIUs to distribute to all incoming clients a statement explaining what clients should expect from the Family Crisis Intervention Unit. The statement should be prepared by each unit and should be tailored to the services and procedures used by that unit. Additionally, the statement may include a complaint procedure for families that are dissatisfied with the FCIU.

In establishing a relationship with the juvenile, the parents or guardian, and any other family member involved in the crisis, the crisis worker should set forth all the possible ramifications of the crisis intervention process. In the first instance, the crisis worker should explain that the crisis intervention process is aimed at helping the family recognize and cope with their own problem. The worker must also inform the family that where the behavior or conduct continues (despite appropriate interventions) to present or result in one of the four factors defining a crisis, (serious threat to juvenile's well-being/physical safety, serious conflict between parent/guardian and juvenile, runaway behavior, and truancy) the matter must be referred to court. This could include situations where there is a failure of family members to participate in or adhere to family service agreements. Therefore, family members must be advised that at the appropriate time, information may ultimately be disclosed to the court. The following is an example of the type of statement that must be made to family members by the FCIU worker upon their first meeting:

"The purpose of this intervention process is to assist you in dealing with a problem in your family that has endangered your child or created a risk for the family unit. The crisis intervention unit is here to provide needed emergency counseling and to serve as your link to community resources. This process is voluntary, although you should know that if you choose not to participate either now or after the process has begun, we may determine that for the protection of your child, the matter must go to court anyway. If this is the case, you will be given due notice, and all of your rights will be protected in the court process. Similarly, if we attempt to resolve the matter and it becomes apparent that all available resources in the community have been exhausted and are not sufficient to resolve the crisis, the matter may also be brought to court.

I encourage you to be open and frank. This is the only way that we can attempt to remedy a very serious problem in a way that is most agreeable to everyone involved. However, I must tell you that if this matter ultimately results in a court petition and is heard by the Family Part of the Superior Court, I may have to disclose what goes on in our attempts to deal with the crisis. In such a case, I would be asked to inform the court of the nature of the crisis resolution efforts and of the attempts to use community resources. It is possible that I might be called upon to indicate what some member of the family said about something that relates directly to the crisis or other possible solution of it.”

D. FEES

Operational Standard 16 mandates that FCIUs shall not charge fees for the initial intervention or for time spent in court. Furthermore, no family should be denied access to the FCIU for failure or inability to pay for services. Out-of-court FCIUs may charge on a sliding scale for treatment provided only after the unit has completed its statutory duty to stabilize the initial crisis.

IV. PROCEDURAL INFORMATION

A. WHO CAN MAKE A REFERRAL

1. Law Enforcement – Pursuant to *N.J.S.A. 2A:4A-80*

The statute states that a law enforcement officer taking a juvenile into short-term custody shall immediately notify the juvenile family crisis intervention unit and shall promptly bring the juvenile to the unit or place designated by the unit when:

- a. The officer has reason to believe that it is not in the best interests of the juvenile or the family for the officer to return the juvenile to his home;
- b. The juvenile resides in another county and the officer is unable to make arrangements to return the juvenile to his home;
- c. The juvenile resides in another state;
- d. The juvenile has run away from a placement and the juvenile refuses to return home or the juvenile, through his past behavior, has demonstrated an inability to remain at home;
- e. The law enforcement officer is unable, by all reasonable efforts to identify or locate a parent, relative or other such appropriate person;
- f. The juvenile requires immediate emergency services, such as medical or psychiatric care; or
- g. No identification can be obtained from the juvenile.”

2. Other Referrals – Pursuant to *N.J.S.A. 2A:4A-81*

Referrals may be received from DHS (Department of Human Services), schools, family, or other agencies or organizations. *N.J.S.A. 2A:4A-81* states:

“a. The juvenile-family crisis intervention unit shall also receive referrals on a continuous basis in situations where a juvenile-family crisis exists and there has been either:

- (1) A request by a parent or juvenile for intervention; or
- (2) A referral by a public or private agency, educational institution, or any other organization serving children, which has contact with the juvenile or family, and has reasonable cause to believe that a family crisis exists.

b. Any agency or organization making such a referral shall indicate whether their agency is capable of providing the appropriate services to the family or juvenile and indicate their present ability and willingness to do so in the particular case referred.

- c. Any public agency making the referral which is under legal obligation to provide services to the family or juvenile, shall where it is unable to provide appropriate services in the particular case referred, state the reasons therefor.”

B. CRISES REPORTED TO THE POLICE

1. Receipt and Referral to FCIU

Crises may be reported by any source to the police. The police should be encouraged to stabilize or resolve crises using resources available to them. When this is possible, referral to the FCIU is not necessary.

2. Actions by Police for Referral to Other than FCIU

After responding, the police officer determines what other immediate action(s) may be necessary such as:

- a. Referral to emergency health or mental health services.
- b. Immediate referral to DYFS for any suspected child abuse or neglect by contacting the Statewide Central Registry at 1-877-NJAbuse or 1-877-652-2873.
- c. Referrals pursuant to the Prevention of Domestic Violence Act.
- d. Referral to Family Intake where acts constitute juvenile delinquency.
(i.e. where police, Intake or FCIU determine that the juvenile family crisis involves alleged acts of delinquency, or that there are pending delinquency charges against the juvenile who is involved in the family crisis.)
- e. Referrals to other agencies as necessary.

3. Short-Term Custody

Short-term custody is not appropriate whenever the police can return the child to his or her home or can take the child to another person's home, provided that the juvenile's safety can be assured. In any case, the police must notify the FCIU of the action taken as soon as possible in that such an arrangement is only an interim one, pending further action by the FCIU or Intake. If, however, short-term custody is necessary, then the police are to take the juvenile into custody and call the FCIU immediately to arrange for an interview between the FCIU, the juvenile and the parent/guardian.

Note: In no event shall a juvenile taken into short-term custody be held for more than six hours. A juvenile taken into short-term custody shall not be retained in a detention facility or jail. *N.J.S.A. 2A: 4A-32(a).*

C. FCIU ASSESSMENT OF THE CRISIS/24 HOUR CRISIS INTERVENTION CAPACITY

1. Interview Parties to Determine Appropriateness of Case/Follow Up

FCIU should interview parties and the juvenile to determine if there is DYFS involvement, and if so, contact DYFS immediately and make a referral to DYFS. When in the judgment of the FCIU worker, the juvenile/family is in need of services that may be obtained only through the Department of Human Services, Office of Children's Services, FCIU will contact the Statewide Central Registry (SCR) on behalf of the juvenile/family, if there is suspicion of abuse and/or neglect. The reporting number is 877-NJ-ABUSE or 877-652-2873. FCIU could provide services while DYFS is investigating the child abuse or neglect. If allegations are substantiated,

DYFS will become the primary case manager. Where there are child behavioral health issues, the FCIU will call Value Options (the Contracted Systems Administrator for the Division of Child Behavioral Health Services) at 877-652-7624.

When the FCIU learns that a child is under DYFS supervision, DYFS will be notified. When FCIU learns that a child is receiving services through the Division of Child Behavioral Health Services, the appropriate service provider will be contacted. FCIUs must maintain a 24 hour intervention capacity. (OS 7)

a. Appropriate cases for FCIU

1. A serious threat to the well-being and physical safety of a juvenile, or
2. A serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by a repeated disregard for lawful parental authority by a parent or guardian, or
3. Unauthorized absence by a juvenile for more than 24 hours from his home, or
4. A pattern of repeated unauthorized absences from school by a juvenile subject to the compulsory education provisions of Title 18A of the New Jersey Statutes.

b. Inappropriate Cases for FCIU

1. Generally, DYFS cases, (See DHS/FCIU Affiliation Agreement section V.B. in Appendix C.)
2. Homicidal or suicidal ideation or behavior
3. Custody/visitation matters
4. Developmentally disabled
5. Crisis arising out of DHS/OCS placements – The Office of Children’s Services is ultimately responsible for the placement and removal of juveniles in their residential settings, group homes, foster homes, etc. If removal of these juveniles is necessary, such removal should be managed and coordinated by DHS, OCS and does not constitute a juvenile family crisis. Similarly, running away from a DHS, OCS placement does not constitute a juvenile family crisis and remains a DHS/OCS responsibility. (See DHS/FCIU Affiliation Agreement, Appendix C.)

c. In-State/Out-of-County-Runaway

When a non-delinquent child who resides in the county is found in another county in New Jersey, the police will contact the parents to pick up the juvenile. If the parents refuse, FCIU in the county where the child is picked up will be contacted. If the juvenile is retained in the shelter, a hearing will be held within 24 hours of the filing of the out of home placement petition. If the parents still cannot be located, are not in attendance, or are refusing to take the juvenile back at the time of the hearing, DYFS will be contacted or ordered by the court to follow up. When a delinquent who resides in the county is found in another county in New Jersey, the Family Court will make a determination about whose responsibility it is to return the child.

d. Out-of-State Runaway

When the juvenile family crisis unit receives a report of an out-of-state runaway found within the county, the FCIU counselor shall immediately attempt to determine whether or

not the youth has been found to be a delinquent, usually through information obtained by the police. Following a determination of non-delinquency, the FCIU worker will determine if this matter is appropriate for referral to DYFS. Appropriate referrals to DYFS include those matters where there is an active child protective services case or cases or where there are current allegations of abuse/neglect by the parent or caregiver. If DYFS referral is not warranted, and the police or the FCIU cannot arrange for safe return of the juvenile within 24 hours, the FCIU will place the juvenile in shelter care, draft an out of home placement petition and arrange for a court hearing. At the hearing the judge may order the OCS to prepare a plan or return the juvenile to his or her home.

In cases deemed appropriate for DYFS, the DYFS worker will proceed to handle the situation in accordance with established DYFS procedures. If the DYFS worker is unable to make necessary arrangements on the same day, and all other less restrictive placement alternatives have been exhausted, he/she may contact FCIU/Family Court Intake directly to request overnight shelter care. FCIU/Family Court Intake will then arrange such placement, if available, and will draft an out of home placement petition. If the FCIU is unable to arrange a temporary shelter bed, DYFS and Mobile Response Stabilization Services agree to explore options to provide an emergent placement when available. When an out of home petition is required, it may be withdrawn if the child is returned to the home within the first 24-hour period following pick up. For out-of-state runaways, it is DYFS' responsibility to return the child home or find an alternative placement until such time as a due process hearing pursuant to the Interstate Compact on Juveniles (ICJ) is held. Initially, DYFS, FCIU, or the police shall attempt to return the child to his/her legal guardian within the first 24-hour period following the state's initial contact with the juvenile. Article II, under the Interstate Compact on Juveniles, applies only to non-delinquent runaways. Consequently, no due process rights are required prior to the expiration of the first 24-hour period. This article states that the ICJ does not take precedence over parental rights and responsibilities within the first 24-hour period following pick-up. If the juvenile is still in custody after the expiration of the specified time period, (whether it is an appropriate DYFS case from the start or a judge has ordered DYFS into the case), DYFS should make arrangements with the Family Court for a voluntary consent to return (Form III) emergent hearing, whether or not the hearing is held.

A non-delinquent juvenile runaway is taken into custody and brought before a Family Division Judge for the purposes of a Form III (Voluntary Consent to Return) hearing. Form III is located in this manual. (See Form # 9.) The Family Division Judge informs the juvenile of his/her rights. (An optional Juvenile Rights form (see form #10) is attached to the Form III document. The judge may appoint counsel or a guardian ad litem. In the presence of the Family Division Judge, and counsel or guardian ad litem (if appointed), the juvenile signs ICJ's Form III, Consent for Voluntary Return of Runaway, Escapee or Absconder. The Family Division Judge and guardian ad litem, if appointed, sign the ICJ Form III (See Form #9). The Family Division Judge may order that the juvenile be delivered to the offices of his/her home state or may order for the juvenile to be unaccompanied if asked to do so by the home state. The Family Division Staff shall forward the properly completed and signed Form III and notification of juvenile's rights

to the holding state's ICJ office (New Jersey in this case) via electronic format. New Jersey's ICJ Office can be reached by calling 609-421-5143. The ICJ office will advise regarding how to forward documents. The juvenile's home state's ICJ Office is responsible for the costs of transportation, for coordination of transportation arrangements and for the return of juveniles within five (5) working days of being notified by New Jersey's ICJ Office that the juvenile's due process rights have been met. Juveniles are to be returned to the home/demanding state in a safe and expedient manner. If a non-delinquent runaway refuses to voluntarily consent to return to the home/demanding state, New Jersey's ICJ Office must be immediately notified of the current status. The demanding state's ICJ Office will in turn be advised of the requirement for a Requisition. A juvenile may be held up to a maximum of 90 days awaiting receipt, judicial review, and approval of the Requisition by New Jersey.

D. NON-POLICE REFERRALS AND FCIU RESPONSES TO ALL REFERRALS

The FCIU may receive referrals from any individual or agency that becomes aware of a crisis involving a juvenile and his/her family. If the FCIU finds the matter as presented is appropriate for another type of handling, it must consider referral in accordance with the standards described for the police. See Section IV.B. Crisis Reported to the Police.

The type of FCIU response (telephonic or in person) will be determined by the FCIU. When a telephone intervention yields no progress, a face to face session should be scheduled. Telephonic interventions which stabilize a family crisis situation without the removal of the juvenile from his/her home are acceptable as long as a follow up interview is conducted the next day (within 24 hours). Also, cases where a family-type alternate living arrangement (with a family member, or neighbor or friend) is agreed to by all parties involved (juvenile and family), corroborated by a neutral third party (police officer), and approved by Intake, telephonic management of the situation is acceptable. In these situations a FCIU follow-up interview within 24 hours is required, but the filing of an out of home placement petition is not necessary.

In cases where an out of home placement into a non-family setting (including county shelter facilities) is required, either because of a failure of all involved parties to agree to an alternate living arrangement or because no such living arrangement is available, an in person or telephone interview with the juvenile and other family members involved in the crisis is required prior to such placement. Such a placement must be authorized by Family Court Intake and must be accompanied by the filing of an Out of Home Placement Petition which will be heard by the court within 24 hours.

The FCIU must monitor the implementation of family service agreements. Such monitoring must include following up on referrals to other agencies/individuals, and should continue until the crisis appears to be resolved. At such time, the case should be closed by FCIU.

Regardless of where the Family Crisis Intervention Unit has been located, Intake is responsible for the filing of the Juvenile Family Crisis Petition. The FCIU instructs Family Court Intake as to the nature of the petition, and provides supporting documentation for same.

E. RECORDING INFORMATION/INTAKE RECORDKEEPING

Upon the receipt of any referral, the Family Crisis Intervention Unit shall request information through the use of a form provided by the Administrative Office of the Courts concerning the juvenile family crisis. The Intake form shall provide, but shall not be limited to, the following information: (See OS 19.)

Juvenile's date of birth, gender, race/ethnicity
Source of the referral to FCIU
Date of first contact
Date of case closing
Residence of juvenile
Juvenile's current living arrangement
Juvenile's family constellation
Juvenile's employment status
Juvenile's school status, including highest school grade completed and child study team classification, if any
Family's source of income
Past intervention history
Contributing factors for referral to FCIU
Primary reason for referral to FCIU
Actions taken by FCIU
Who contact is with
The type of contact involved
Where the contact took place
Number of contacts with the family

Facts concerning the conduct of the juvenile or family, which may contribute to the crisis, will be recorded. Form #3 is the mandated uniform Intake form.

OS 19 requires all FCIUs to maintain and keep accurate records and case notes and use the uniform forms provided by the Administrative Office of the Courts.

F. JUVENILE FAMILY CRISIS STABILIZATION

Once it has been determined that a case is appropriate for the FCIU and information has been recorded, the FCIU should interview and counsel children and their families who are involved in the crisis situation. A statement regarding FCIU procedures should be shared and a standard intake form filled out. (See Form #3) Upon in-person contact, a release of information form should be signed. The FCIU should collect, analyze, interpret data and prepare an individualized plan to meet the family's needs. When necessary, the FCIU will refer the family to appropriate service providers after stabilization of the initial crisis. Pursuant to OS 10, FCIUs should contact schools, the court and any agencies the family may have been involved with to obtain necessary background information. The FCIU should require that the family sign forms authorizing service providers to release confidential information to the FCIU. All service providers must adhere to the Health Insurance Portability and Accountability Act. The FCIU should request that the court use the FACTS system (Family Automated Case Tracking System) to determine what, if any, prior/pending contacts the family has had with the Family Court.

Juvenile Family Crisis Stabilization – Pursuant to *N.J.S.A. 2A:4A-82*

“When the juvenile-family crisis has been stabilized and the juvenile is residing in the home, the crisis intervention unit shall arrange a second interview session with the family as soon as practicable and preferably the day following the initial intervention, for the purpose of monitoring the family situation. The crisis intervention unit may, in appropriate cases, continue to work with the family on a short-term basis in order to stabilize the family situation.”

G. WHAT CONSTITUTES THE NEED FOR A REFERRAL TO COURT

When, in the judgment of the Family Crisis Intervention Unit worker, a juvenile family crisis continues to exist despite the provision of crisis intervention services and the exhaustion of appropriate community services, court intake services shall, by filing a petition (See Form #1), refer the case to court.

The FCIU is required to have exhausted all appropriate community services prior to filing a court petition. The term “exhausted” describes situations where the FCIU has contacted all relevant agencies, explored all admissions criteria, determined the availability of services and facilitated the client’s access to such facilities. If, in spite of these efforts, the needed services cannot be secured, then the court, through the submission of a Juvenile Family Crisis petition (See Form #1) may have to secure such services as would otherwise be unavailable. If the parent, guardian, or juvenile is not cooperative, the matter should be brought to the court through the filing of a juvenile family crisis petition.

Regardless of where the Family Crisis Intervention Unit has been located, Family Court Intake is responsible for the filing of the petition. The FCIU instructs Intake as to the nature of the petition, and provides supporting documentation for it.

1. Two Types of Petitions: Juvenile Family Crisis Petition/Out of Home Placement Petition

There are two types of petitions that Intake may file: an Out of Home Placement Petition or a Juvenile Family Crisis Petition. Both types are incorporated into Form #1. Check off the appropriate block on Form #1. A Juvenile Family Crisis Petition is used whenever the case does not involve an out of home placement of the juvenile. However, if during the pendency of a Juvenile Family Crisis Petition, it is felt that an out of home placement is required, the court will treat the matter as an out of home placement case.

Hearings are held on the two types of petitions because judges must consider different factors for each. These factors are spelled out specifically in the statutes in sections *N.J.S.A. 2A:4A-86* (for family crisis cases), and *N.J.S.A. 2A:4A-89* (for out of home placement cases).

a. Filing Juvenile Family Crisis or Out of Home Placement Petition/Recommendations to the Court

When a juvenile family crisis continues to exist, the case shall immediately be referred to Court Intake for the filing of a petition. The petition will be prepared by the FCIU/Juvenile Family Court Intake Unit but must be filed through the Juvenile Intake

Unit of the Family Court. Upon the filing of the petition, the jurisdiction of the court shall extend to the juvenile, parent, guardian, or any family member found by the court to be contributing to the crisis. See *N.J.S.A. 2A:4A-24*.

Court intake services shall submit with its petition facts as to the nature of the juvenile family crisis and its recommendations for resolving the crisis, including recommendations as to community services or programs which are necessary to accomplish this purpose.

b. Out of Home Placement Requirements – Pursuant to *N.J.S.A. 2A:4A-87*

“When, despite provision of crisis intervention services and the exhaustion of all alternative services, there is a refusal on the part of the juvenile to stay in or return to the home or a refusal on the part of the parents to allow the juvenile to stay in or return home, or the physical safety of the juvenile is threatened, or the juvenile is in need of immediate care such that it is necessary to make an out of home placement of the juvenile, court intake services shall:

a. Arrange, when agreed to by the parent or guardian and juvenile, alternate living arrangement for the juvenile with a relative, neighbor, or other suitable family setting. It shall not be necessary for a court hearing to approve the living arrangement and the arrangement may continue as long as there is agreement; or

b. Arrange, when no alternate living arrangement can be agreed to and when all possible resources for alternate living arrangements as set forth in subsection a. of this section have been exhausted, temporary out of home placement prior to the placement hearing. Court intake services shall immediately file a petition for out of home placement which shall include documentation of the attempts made to provide alternate living arrangements including, but not limited to, the names of persons contacted, their responses and the lack of agreement by the juvenile or the juvenile’s parents if the persons contacted are willing to take the juvenile with the court. The crisis intervention unit shall inform the juvenile and parent or guardian that an out of home placement determination may be made by the court where an alternate living arrangement cannot be agreed to.”

1. Temporary Placement – Pursuant to *N.J.S.A. 2A:4A-88*

“Placement of the juvenile prior to the placement hearing or pending determination by the court concerning placement under a family service plan, pursuant to ... [*N.J.S.A.*] 2A:4A-89, shall be made in a host shelter, resource family or group home, a county shelter care facility as defined by law, or other suitable family setting. In no event shall such placement be arranged in a secure detention or other facility or in a secure correctional institution for the detention or treatment of juveniles accused of crimes or adjudged delinquent.”

2. Out of Home Placement – Pursuant to N.J.S.A. 2A:4A-89 and the Child Welfare Reform Plan

Note: The passage below reflects not only the current applicable statute, but also the Child Welfare Reform Plan.

When intake has filed with the court a petition for out of home placement, the court shall, within 24 hours, conduct a hearing on the petition. The court shall notify the parents, the juvenile and his counsel and, if indigent, have counsel appointed by the court. The hearing shall be conducted in accordance with the Rules of Court and shall be attended by the parents, the juvenile, and when requested by the court, a representative of the Division of Youth and Family Services. The following procedure shall be followed for the hearing:

a. The court shall hold the hearing to consider the petition and may approve or disapprove the temporary out of home placement. The court may approve the temporary out of home placement if either of the following factors exists:

(1) A serious conflict or other problem between the parent and the juvenile which cannot be resolved by delivery of services to the family during continued placement of the juvenile in the parental home; or

(2) The physical safety and well-being of the juvenile would be threatened if the juvenile were placed in the parental home.

b. If the court disapproves a petition for an out of home placement, a written statement of reasons shall be filed, and the court shall order that the juvenile is to remain at or return to the parental home.

c. Temporary out of home placement shall continue until otherwise provided by the court. The order approving the temporary out of home placement shall direct the Department of Human Services Office of Children's Services which includes the Division of Youth and Family Services and the Division of Child Behavioral Health Services and its contracted entities or other service or agency to submit a family service plan that is designed to resolve the family crisis consistent with the well-being and physical safety of the juvenile. The court may order the completion of a 14 day plan and forward that order to the DYFS Court Liaison who will then review the order and route it to the appropriate Office of Children's Services entity, either DYFS or Youth Case Management. The court shall direct such division,

service or agency to make recommendations as to which agency or person shall have physical custody of the child, the extent of the parental powers to be awarded to such agency or person and parental visitation rights.

d. Within 14 days of the date of the order approving the petition for temporary out of home placement is entered, unless for good cause shown, but no later than 30 days, the division, service or agency shall submit to the court a family service plan, which shall be presumed valid, detailing the specifics of the court order. The plan shall be developed within the limits of fiscal and other resources available to the division, service or agency. If the court determines that the service plan is inappropriate, given existing resources, the division, service or agency may request a hearing on that determination.

e. At the hearing held to consider the family service plan presented by the division or other service or agency, the court, shall consider all such recommendations included therein. The court, consistent with this section, may modify such plan and shall make its dispositional order for the juvenile. The court's dispositional order shall specify the responsibility of the Department of Human Services or other service with respect to the juvenile who shall be placed, those parental powers temporarily ordered to the department or service and parental visitation rights. Where placement cannot be immediately made, the division or other service or agency shall report to the court every 14 days on the status of the placement and progress toward implementation of the plan.

3. Long-term Placement – Pursuant to *N.J.S.A. 2A: 4A-90*

“In considering whether to approve or disapprove out of home placement under a family service plan on a long term basis, the court shall consider whether placement in the home would fail to provide adequate physical protection, shelter or nutrition or would seriously obstruct the juvenile's medical care, education or physical and emotional development as determined according to the needs of the juvenile. Upon making an order approving a long-term out of home placement plan, the matter shall be reviewed pursuant to the provisions of the “Child Placement Review Act...”

2. Information Required in Crisis Petition

Upon requesting the filing of a petition (See Form #1) by Family Court Intake Services the Juvenile Family Crisis Intervention Unit shall provide Intake with the information needed to complete the petition.

When in the judgment of the Juvenile Family Crisis Intervention Unit, a juvenile family crisis continues to exist, Court Intake Services shall file a petition. Pursuant to R. 5:15-2, the petition shall include:

- The name, address and date of birth of the juvenile
- The name, address, and date of birth of the juvenile's parents, guardian or custodian and any other family member believed to be contributing to the juvenile family crisis
- A statement of facts describing the nature of the juvenile family crisis
- The recommendations of Court Intake Services for resolving the crisis, including recommendations regarding community services or programs which are necessary to implement the recommendations
- The services, if any, previously provided by the Crisis Intervention Unit, the community services to which the family has previously been referred, if any, and a statement that these services have not resolved or stabilized the crisis
- If Court Intake Services has reason to believe that a parent or guardian of the juvenile is an alcoholic as defined by N.J.S. 26:2B-8, or drug dependent, as defined by N.J.S. 24:21-2, the petition shall state the basis for this determination and provide recommendations to the court. (See R. 5:15-2 and *N.J.S.A. 2A:4A-84* and *85*.)

Further requirements in *N.J.S.A. 2A:4A-85(b)* and *N.J.S.A. 2A:4A-85c.(1)* require:

- "When, as a result of any information supplied by the crisis intervention unit, court intake services has reason to believe that a juvenile is an "abused or neglected child," as defined in ...[*N.J.S.A.*] 9:6-8.21, they shall handle the case pursuant to the procedure set forth in that law. The Division of Youth and Family Services shall, upon disposition of any case originated pursuant to this subsection, notify court intake services as to the nature of the disposition.
- When, as a result of any information supplied with regard to any juvenile by the crisis intervention unit or from any other source, court intake services has reason to believe that the juvenile may have an auditory or vision problem, intake services shall state the basis for this determination and provide recommendations to the court. Before arriving at its determination, intake services may request the court to order any appropriate school medical records of the juvenile. On the basis of this recommendation or on its own motion, the court may order any juvenile concerning whom a complaint is filed to be examined by a physician, optometrist, audiologist, or speech language pathologist."

OS 12 requires the following:

- FCIUs should also make note of services that might be necessary for families with mental health concerns or history of other dysfunction.

3. Who Appears in Court for Juvenile Family Crisis Petition or Out of Home Placement Petition

A Juvenile Family Crisis Intervention Unit staff person should appear at each juvenile family crisis or out of home placement hearing to provide the court with information and recommendations. The Family Division Judge may also indicate a preference for who should be present in the courtroom.

H. COURT FINDING OF EXISTENCE OF JUVENILE FAMILY CRISIS

Once a judge determines that a juvenile family crisis exists, he or she will order an appropriate disposition after hearing testimony offered by any of the affected parties, as well as the facts and recommendations submitted by Intake (after consulting with the FCIU). The judge may choose from the dispositions provided for in paragraphs (2), (4), (5), (6), (7) and (13) of subsection b. of *N.J.S.A. 2A:4A-43* as provided in *N.J.S.A. 2A:4A-46*. Further, *N.J.S.A. 2A:4A-24(a)* permits the judge to order a parent, guardian or any family member found to be contributing to the family crisis, to participate in appropriate programs or services where needed to effectuate the dispositions specifically aimed at the juvenile.

I. COURT FINDING OF EXISTENCE OF FAMILY CRISIS WITH OUT OF HOME PLACEMENT PETITION

After a judge has determined that a juvenile family crisis exists in an out of home placement matter, he or she will decide on the appropriateness of the temporary out of home placement arranged by the FCIU through Intake. Where the judge approves the temporary out of home placement, he or she must direct DYFS or another service or agency to prepare a family service plan that addresses the needs of the juveniles and families in crisis.

This plan, which must be submitted to the court for review within 14 days of the order (unless good cause is shown, but no later than 30 days after a petition is filed) will be reviewed by the court.

Where the court does not approve the plan, the preparing agency must either revise the plan to correct whatever inadequacies are pointed out by the court, or may request a hearing on the plan and the court's disapproval of it. Following such a hearing, the court will issue a dispositional order implementing the plan or any portion of it.

J. JUVENILE CRISIS HEARING DISPOSITIONS— PURSUANT TO *N.J.S.A. 2A:4A-86*

“Whenever the court receives a petition from court intake services stating that a juvenile-family crisis may exist the court shall hold a hearing and consider the facts and recommendations submitted by intake services in order to determine the appropriate disposition to be made. The court shall notify the juvenile, his parent or guardian or other family member alleged in the petition as contributing to the family crisis, that a juvenile family crisis may exist. The juvenile, parent, guardian, or other family member may present witnesses and evidence to rebut the determination. If the court finds that there is not enough information to make a disposition it may continue the matter and hold one or more additional hearings. The court shall enter an order of disposition [See Form #6] if it finds that a juvenile-family crisis exists as provided in ... *N.J.S.A. 2A:4A-46*. In support of any such order, the court may require the juvenile, parent, guardian or family member contributing to the crisis, to participate in appropriate programs and services consistent with the disposition. The court may dismiss the petition upon a finding that based upon the preponderance of the evidence presented the petition is not sufficient to establish that a juvenile-family crisis exists. The court shall state the grounds for any disposition made pursuant to this section. In the case of failure of any person to comply with any orders entered pursuant to this section, the court may proceed against such person for the enforcement of litigants' rights.”

K. ADOPTION AND SAFE FAMILIES ACT (ASFA) REQUIREMENTS

ASFA requires that findings be made whenever a child is removed from the home, except when an alternate living arrangement is made for the juvenile with a relative, neighbor, or other suitable family setting and agreed to by the parent or guardian and the juvenile. When the juvenile is placed with a relative, neighbor or other suitable family member, *N.J.S.A. 2A:4A-87* states "It shall not be necessary for a court hearing to approve the living arrangement and the arrangement may continue as long as there is agreement." In Family Crisis cases, ASFA requirements apply to all other cases which require an out of home placement. See *N.J.S.A. 2A:4A-87b* on out of home placement requirements, *N.J.S.A. 2A:4A-88* on temporary placement, *N.J.S.A. 2A:4A-89* on out of home placement hearing and *N.J.S.A. 2A:4A-90* on long-term placement. All cites are found in Appendix A. There are two findings which must be made for out of home placements. The first is a contrary to the welfare finding. This is a finding made by the Family Court Judge at the out of home placement hearing. The finding is that it is contrary to the welfare of the child to remain in the home with a statement of reasons therefor. The next finding is a reasonable efforts finding which must be made between 30 to 45 days after the out of home placement hearing, if the child remains in placement. The reasonable efforts finding is a statement that reasonable efforts were made to prevent the placement or that one of the statutory exceptions exists.

1. Contrary to the Welfare Findings

Contrary to the Welfare findings must be made by a judge for all out of home placements. Findings must be made at the out of home placement hearing. This will be documented by Family Court on the standard juvenile dispositional order form (See Form #6).

a. Examples of Appropriate Contrary to the Welfare Findings

- Risk to self (must state specific facts constituting risk to self)
- Behavioral mental health concerns
- Lack of supervision in the home
- Lack of appropriate services in place to maintain child safely in the home
- Family dysfunction
- Substance abuse issues posing risk to self
- Out of control behavior posing risk to self
- Emotional issues posing risk to self

b. Examples of Inappropriate Contrary to the Welfare Findings

Judges should never cite risk to the community or seriousness of offenses. The key is that it is contrary to the welfare of the child not to be in placement.

2. Reasonable Efforts Findings

Reasonable efforts findings must be made within 30-45 days of the child being in placement. The Family Court will use one of two forms

- Civil action, in chambers order (used when judge is in chambers and not in court room, see form #7)
- Civil action, reasonable efforts to prevent placement (used when judge is in the court room, see form #8)

On the form, the court must choose either the first block indicating that reasonable efforts to prevent placement were made “as follows _____”, or the second block indicating that pursuant to *N.J.S.A. 30:4C-11.2* that “reasonable efforts to prevent placement prior to removal were not required because _____.” If the second block is selected, the Judge must then choose a,b,c or d indicating why reasonable efforts are not needed. The court must check off the block with a check or an “x” to indicate the decision.

a. Examples of Reasonable Efforts Findings

Findings by the court may include but are not limited to:

- Drug screening
- Past supervision
- Counseling
- Child study team evaluation
- Drug program attendance
- Mental health interventions
- After school programs

In addition to information from other agencies, parents may be a valuable source of information. If they have sought professional counseling or ministerial counseling, this can be documented as a reasonable effort. Keep in mind, this must pertain to efforts made prior to the out of home placement date.

b. Examples of Reasonable Efforts Exceptions Findings

Listed below are the reasons, pursuant to *N.J.S.A. 30:4C-11.2*, that reasonable efforts to prevent placement are not required, and a reasonable efforts exception finding is made on the appropriate Reasonable Efforts Court Order.

- The removal of the child(ren) was required due to imminent danger to the child(ren)’s life, safety or health, as follows _____ and efforts to prevent placement were not reasonable due to risk of harm to the child’s health or safety, OR,
- The parent(s) has/have subjected the child(ren) to aggravated circumstances of abuse, neglect, cruelty, or abandonment, as follows, _____ OR,
- The parent(s) has/have been convicted of a crime specified in *N.J.S.A. 30:4C-11.2*, as follows _____ OR,
- The rights of the parent(s) to another of the parent(s) children have been involuntarily terminated, and other due cause existing.

3. Responsibility for ASFA Findings

Family Court staff is responsible for ensuring that ASFA findings are made by a Judge within the appropriate timeframes. This includes contrary to the welfare and reasonable efforts findings. The reasonable efforts determinations may be made at a hearing scheduled for this explicit purpose or in conjunction with any other hearing. These determinations can also be a paper review, not connected with a court event. In this case, the in-chambers order is used. Family court staff has the responsibility for providing the judge with the appropriate order and

supporting documentation within the proper timeframes. Court staff is charged with the responsibility of obtaining information (via FCIU, Basic Shelter Center, DHS, Office of Children's Services which includes DYFS and the Division of Child Behavioral Health Services, or any other source) and preparing a report which documents the efforts made to prevent the placement or the existence of an exception. This information should be listed on the Reasonable Efforts Order. The responsibility to prepare the Reasonable Efforts Report/Order is that of the Juvenile Delinquency team of the Family Court.

Orders containing contrary to the welfare and reasonable efforts findings must be kept in hard copy in the juvenile's file and not purged as they are subject to audit by the federal government.

L. FOLLOW UP/HANDLING OF NON-COMPLIANCE AFTER PETITION AND COURT ORDER

Once an FCIU worker is assigned, the worker should follow up to see that all family members or individuals listed in the order are in compliance with the terms of the judge's order. Where an individual does not comply, his or her noncompliance should be reported to the court.

When bringing a case before the court for enforcement of a prior order, the Juvenile Family Crisis Intervention Unit should prepare a plan for review by the judge. The plan will include services to meet the family's needs. The judge shall consider, among other options, the use of dispositions provided for in (b) (2), (4), (5), (6), (7) and (13) from *N.J.S.A. 2A:4A-43*, as provided in *N.J.S.A. 2A:4A-46*. The judge shall also consider the use of enforcement of litigant's rights proceedings pursuant to *R. 1:10-3* for failure of a juvenile or family member to comply with the terms of a prior order. In addition to ordering alternative dispositions as recommended by the FCIU plan for services, the judge may enforce the original order of the court through use of *R. 1:10-3* (Relief to Litigant).

M. MONITORING OF CASE OUTCOMES/CLOSED CASES

The FCIU must monitor the implementation of family service agreements. Such monitoring must include following up on referrals to other agencies/individuals, and should continue until the crisis appears to be resolved. At such time, the case should be closed by FCIU.

OS 15 mandates that FCIUs establish and maintain a monitoring mechanism for all closed cases. A case should be closed when the unit is no longer actively seeing a family. Closed cases, where the family has been referred to one or more service providers, should be monitored for 30 days following closing of the case and as necessary. Monitoring should consist of contacting the family, or where appropriate, the school and/or service provider agency. The goal of this process is to ensure that the family has completed the program or is attending sessions. Crisis Units should prepare a monitoring form (see Form #4) and a closing form (see Form #5).

Note: OS 7 through 15 provide additional guidance on service issues from initial response through monitoring of closed cases. (See Appendix B.)

N. MENTAL HEALTH CRISIS PROCEDURES

In addition to working with the Community Mental Health Centers, it is necessary for the FCIU to establish and maintain close working relationships with both the Designated Screening Unit

for the county and with Children's Crisis Intervention Services (CCIS). The Designated Screening Unit for each county is responsible for making the determination whether a juvenile is dangerous to him/herself or others and therefore in need of psychiatric hospitalization. In most instances the psychiatric hospitalization will occur in the CCIS that has the responsibility for acute psychiatric admissions in that county or otherwise determined jurisdiction (municipality or multi-county area).

When any FCIU staff member encounters a situation in which a juvenile is making threats of dangerous behavior to self or others, FCIU should immediately direct the parties to contact the Designated Screening Unit for evaluation, intervention and possible hospitalization. In addition, any suicidal threat or threat to harm others should be reported immediately to the police. Documentation of these circumstances is essential and follow up should also be recorded. If the Screening Unit determines that the juvenile does not meet the criteria for further intervention on their part, the case may revert to the FCIU for additional services. In instances where a FCIU client is admitted to the CCIS, the FCIU may be called upon to assist with securing outpatient services following discharge.

O. HOMELESS YOUTH ACT PROCEDURES

The Homeless Youth Act applies to individuals 21 or younger, however youth served by Family Crisis include youth under the age of 18. (See Appendix D.)

If a homeless youth under the age of 18 presents himself or herself to a basic center for homeless youth, the shelter shall attempt to contact the youth's parent or legal guardian within 24 hours after the youth's admission.

If the homeless youth is admitted to the basic center shelter, the shelter shall notify DYFS within 24 hours to determine if the youth is in the legal care or custody of DYFS. If yes, DYFS, in consultation with the basic center shelter, shall determine what services shall be provided to the youth. The services may include but are not limited to: crisis intervention services, continued temporary placement in the basic center shelter for up to 30 days, placement in an alternative living arrangement or referral to a transitional living program established pursuant to section 7 of the act or to other appropriate organizations and agencies.

When the basic center shelter has reason to believe that the youth is abused or neglected, the basic center shelter shall report the allegation to DYFS. A homeless youth may remain at a basic center shelter for up to 30 days pending DYFS' disposition of the case.

If the homeless youth under the age of 18 is not in the legal care and custody of DYFS and there is no report to DYFS based on an allegation or suspicion of abuse and neglect, the basic center shelter shall notify the Juvenile Family Crisis Intervention Unit in the county of residence of the homeless youth, within 24 hours of the youth's admission to the basic center shelter, that a juvenile family crisis exists pursuant to *N.J.S.A. 2A:4A-22*.

In the event that a basic center shelter notifies a Juvenile Family Crisis Intervention Unit, the homeless youth may remain at the basic center shelter for up to 10 days without the consent of the youth's parent or legal guardian. During this time, the Juvenile Family Crisis Intervention Unit and the basic center shelter shall help to reunite the youth with his parent or legal guardian.

If a juvenile family crisis continues to exist for ten days, the FCIU petitions the court for a juvenile family crisis/out of home placement hearing. The court will determine services which may include, but are not limited to: crisis intervention services and continued temporary placement in the basic center shelter for up to an additional 20 days for a total of 30 days. The court may order a 14 day Family Service plan. An ASFA "contrary to the welfare" finding must be made at the out of home placement hearing. The finding is recorded on the juvenile dispositional order form (see Form #6.) Between the 30 to 45th day after the out of home placement petition, a "reasonable efforts" finding will be necessary if the juvenile remains in out of home placement. The finding shall be made on one of two forms depending on whether the matter is an in-court event or a paper review in chambers. For an in-chambers event, use form # 7 and for an in-court event, use form # 8. See Section IV. K. ASFA Requirements. Review hearings must be conducted in accordance with *N.J.S.A. 2A:4A-38* which provides that a review hearing must be held within 14 court days of the prior hearing and, if placement is continued, review hearings shall be held thereafter at intervals not to exceed 21 court days. Ensuring that ASFA requirements and review requirements are met is the responsibility of the Juvenile Team in the Family Court.

If the FCIU is notified regarding a non-DYFS case and the basic center shelter staff advises that they have a juvenile family crisis but that all parties are in agreement that steps are being taken to resolve the issues, the matter will be reviewed by the FCIU and the basic center shelter at ten days. If at the ten day point, all parties continue to be in agreement with the child remaining at the basic center shelter and continuing to receive services, an agreement can be reached that services may continue for an additional 20 days for a total of 30 days.

In the case of a homeless youth from another state who is under the age of 18, a basic center shelter or DYFS shall attempt to reunite the juvenile with his/her legal guardian within the first 24 hour period following initial contact with the juvenile. Article II under the Interstate Compact on Juveniles does not take precedence over parental rights and responsibilities. There is no due process associated with this article. If the juvenile is still in the care of a basic shelter or DYFS after the expiration of the first 24 hour period, due process rights prevail, and the non-delinquent runaway is brought before a Family Division Judge for the purposes of a Form III (Voluntary Consent to Return) Hearing. The Family Division Judge informs the juvenile of his/her rights. (An optional Juvenile Rights form which will be provided by Interstate Compact is attached.) The judge may appoint counsel or a guardian ad litem. In the presence of the Family Division Judge, and counsel or guardian ad litem (if appointed), the juvenile signs the Interstate Compact on Juveniles Form III, Consent for Voluntary Return of Runaway, Escapee or Absconder. The Family Division Judge and guardian ad litem, if appointed, sign the ICJ (Interstate Compact on Juveniles) Form III. The Family Division Judge may order that the juvenile be delivered to the offices of his/her home state or may order for the juvenile to be unaccompanied if asked to do so by the home state. The Family Division Court shall forward the properly completed and signed Form III and notification of juvenile's rights to the holding state's ISC office via electronic format. The home state's ICJ Office is responsible for the costs of transportation, for coordination of transportation arrangements and for the return of juveniles within five (5) working days of being notified by the holding state's ICJ Office that the juvenile's due process rights have been met. Juveniles are to be returned to the home/demanding state in a safe and expedient manner. If a non-delinquent runaway, absconder, or escapee refuses to voluntarily

consent to return to the home/demanding state, the holding state's ICJ Office must be immediately notified of the current status by the demanding state. The demanding state's ICJ Office will in turn be advised of the requirement for a Requisition. A juvenile may be held up to a maximum of (90) days awaiting receipt, judicial review and approval of the Requisition by the holding state.

P. AOC Statistical Reporting Requirements

Juvenile Family Crisis Intervention Units are required to maintain all information necessary to complete the monthly statistical report (Form #2) A copy of the completed monthly report must be provided to the Family Division Manager of the court by the 2nd working day following the last day of each month and to the Administrative Office of the Courts by the 5th working day following the last day of each month. Forms should be mailed to the Family Division Manager at the Family Division Manager's address and to the AOC at the following address:

Family Division Statistics
PO Box 983-7 North
Richard J. Hughes Justice Complex
Trenton, NJ 08625

Q. Court Staff/FCIU Staff Responsibility for FACTS Entries

Court staff are responsible for docketing FF (Family Crisis) petitions and closing those cases in FACTS upon conclusion of the FCIU's intervention. FCIU staff are responsible to notify the court, not only of the need for an FCIU petition, but to notify the court upon completion of any docketed cases (FCIU Petition and Out of home Petition cases) that have been resolved so that judiciary staff can dispose of the cases in FACTS.

V. FCIU RELATIONSHIPS WITH OTHER AGENCIES

A. RELATIONSHIPS WITH OTHER AGENCIES

In order for Family Crisis Intervention Units to carry out their mandate and to function maximally, it is necessary for them to develop relationships with many agencies and organizations in the community. Some of these relationships may be informal, while others should be formalized through written agreements.

Because the FCIU must work very closely with DHS and Family Division Intake, and, there appears to be overlapping jurisdiction, it will be necessary for written agreements to be developed among these groups. Included in Appendix C is the approved core agreement between DHS, Office of Children's Services and the AOC concerning the Juvenile Family Crisis Intervention Units.

Other arrangements may be made between major service providers in each county as necessary. Groups that may be involved include; community mental health centers, private social services agencies, prosecutors, regional offices of the Public Defender, police, etc.

Procedures for handling school related matters should also be established on the local level. A brief discussion regarding the development of such procedures is included at the end of this section.

Operational Standards 4 through 6 provide guidance on inter-agency relationships between FCIUs and community service providers and are summarized below for convenience. Please refer to the source document (Appendix B) for further discussion of Standards. Because coordination efforts between FCIUs and the Department of Human Services, as well as local school systems, require a more formalized process, procedures for these provider groups will be discussed under separate headings.

Operational Standard 4

Juvenile Family Crisis Intervention Units shall establish and maintain open communication systems with police departments, family service agencies, mental health agencies, public youth service programs and other pertinent court-related and social service agencies. FCIUs shall establish and maintain a network of services and agencies to which referrals may be made.

Operational Standard 5

Juvenile Family Crisis Intervention Units should plan, implement, and participate, as needed, in training programs for law enforcement personnel concerning the operations and philosophy of FCIUs.

Operational Standard 6

The Juvenile Family Crisis Intervention Unit Director shall participate in the identification and development of needed services through active membership on the County Youth Services Commission. Please note, pursuant to *N.J.A.C. 13:90-2.4(b)14*, membership of any County Youth Services Commission must include the Director of the Juvenile Family Crisis Intervention Unit.

B. KEY COMPONENTS OF THE CHILD BEHAVIORAL HEALTH SYSTEM OF CARE

The Division of Child Behavioral Health Services, created in 2004, envisions a comprehensive system of care for all New Jersey children and families. The Division is implementing reforms to create a system of care that supports the efforts of families, caregivers and communities to keep children at home, in school and out of trouble. At the heart of this system of care is the fundamental principle that children and adolescents have the greatest opportunity for stable and healthy development when ties to community and family are maintained. The key areas of reform include increasing the availability of community based services so children can receive treatment at home, increasing the case management capacity to assist children and families to assess appropriate services, and coordinating the delivery of child behavioral health services with other children's services.

Mobile Response and Stabilization Services (MRSS): Children's MRSS is a single integrated comprehensive system of mobile response, stabilization intervention and transition to community supports. This system will be available to children and youth whose escalating emotional or behavioral issues require timely interventions to prevent disruption of their current living arrangement, including out of home placement. MRSS dispatches are requested through the Division of Child Behavioral Health Services (DCBHS) Contracted Systems Administrator, and are designed to occur within one hour of a request for MRSS services. Mobile Response Services require the consent of a parent or guardian in order to access the services. The mobile response system is a face-to-face delivery of service at the site of the escalating behavior whether this is the child's home, a group home or another living arrangement, including resource and foster family homes. Mobile Response Services are focused, time limited, intensive and preventive and include behavioral and rehabilitative interventions designed to specifically diffuse, mitigate and resolve a crisis. The initial phase of Mobile Response Services are offered for up to 72 hours after the dispatch request and include de-escalation, assessment and crisis planning services. Based on the child's and family's need following the 72 hour initial response, MRSS may remain involved with the child and family for up to 8 weeks of stabilization management, during which time MRSS staff will coordinate formal and informal services, including rehabilitation services, for the child and family. At the end of the child's and family's stabilization period, MRSS staff will work with the family to ensure a proper transition/discharge plan is in place for the child and family.

Youth Case Management: Provides case management services for children and families with moderate behavioral and mental health needs.

Out of home Treatment Settings: If a child must be placed in an out of home treatment setting, the goal is to utilize the least restrictive and most appropriate setting.

Family Support Organization: Connects families receiving behavioral health services to other parents and support services.

Care Management Organization: Provides individual care management for children and youth with complex behavioral and mental health needs.

Contracted System Administrator: Coordinates the care needs of children, adolescents and their families across all child-serving systems.

C. FCIU/DHS/OCS/FAMILY DIVISION AGREEMENT

A formal agreement has been made between the Department of Human Services, Office of Children's Services, and the AOC for the handling of family crisis matters. The agreement can be found in Appendix C.

D. SCHOOLS AND THE FCIU

Local school districts and the FCIU must work together on various types of family crises. An especially common and usually difficult issue to deal with is truancy, that is, the repeated unauthorized absence of a juvenile from school.

Under *N.J.S.A. 2A:4A-22g*, truancy is addressed by Family Court as a juvenile family crisis matter. Along with other agencies, the schools must demonstrate their exhaustion of community resources before the FCIU can accept the referral of the matter as a juvenile family crisis. The FCIU's determination of what constitutes exhaustion is a difficult one in light of the variety of the techniques used by local school officials to enforce school attendance laws. Past examples of the latter, include:

- ✓ Five-day notices
- ✓ Student/parent conferences
- ✓ Involvement with truant officer
- ✓ Municipal Court hearings
- ✓ Child study team involvement

When the FCIU is satisfied that a reasonable attempt at exhaustion has been made, it shall accept the matter as a juvenile family crisis and shall intervene as it would with other crises.

In many cases, the FCIUs are successful in the handling of truancy situations; however, there are times when these crises cannot be resolved voluntarily and will require the court's involvement through the filing of a Juvenile Family Crisis Petition by Intake at the request of the FCIU. The input of school personnel is critical and their presence should be requested at the hearing. Upon completion of the hearing, the disposition ordered by the court should be communicated to the school.

Many FCIUs have found that the development of FCIU/school referral procedures has helped to clarify respective roles and responsibilities.

VI. RELATED ISSUES

A. YOUTH SERVICES COMMISSIONS AND THE FCIUs

The 1985 edition of *The Crisis Intervention Manual* noted that "a strong relationship between the FCIU and the county Youth Services Commission is essential, based on their joint and separate responsibilities." One of the FCIUs primary functions is the referral of children and families in crisis to appropriate supportive community services. In order to perform this function, FCIU staff must keep a current inventory of such services, and will, therefore, be aware of gaps or duplication of those services.

The county Youth Services Commission (YSC), which is comprised of public and private service providers and agencies which serve constituents of the Family Division, serves as a forum for addressing such gaps, and as an information clearing house for troubled youth and their families. The YSC is also mandated to do ongoing youth services planning.

In December 1995, this relationship was strengthened through legislation reforming the juvenile justice system. The resulting legislation consolidated all aspects of the juvenile justice system under one centralized authority, the Juvenile Justice Commission. Moreover, it established the State/Community Partnership Grant Program (SCPGP) as the primary mechanism for establishing and implementing a community based comprehensive program of sanctions, services and delinquency prevention programs.

Each county's Youth Services Commission (YSC) was identified as the unit of government responsible for planning, implementation, monitoring and evaluation under the SCPGP, and Juvenile Family Crisis Intervention Unit Directors were mandated to be included in the membership of all YSCs. Because of the FCIUs' direct contact with at-risk youth and families, their input is key to the development of effective planning for this population.

B. JUVENILE FAMILY CRISIS DIRECTORS ASSOCIATION

A Directors Association of Family Crisis Intervention Units was established enabling each of the State's twenty-one FCIUs to work together towards the fulfillment of their statutory mandate and to foster better communication with other governmental entities. Most importantly, the Directors Association provides a forum through which FCIUs can formally present information on issues impacting its client population and advocate for services on behalf of juveniles and families in crisis.

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VII. APPENDICES

APPENDICES

- APPENDIX A** *N.J.S.A. 2A:4A-76 et seq.*
- APPENDIX B** **Operational Standards for Juvenile Family Crisis Intervention Units**
- APPENDIX C** **Affiliation Agreement Between Division of Human Services, Office of Children's Services and The Administrative Office of the Courts Concerning the Juvenile Family Crisis Intervention Units**
- APPENDIX D** **NJ Homeless Youth Act**

Appendix A
N.J.S.A. 2A:4A-76 et seq.

N.J.S.A. 2A:4A-76. Juvenile-family crisis intervention units established

There shall be established in each county one or more juvenile-family crisis intervention units. Each unit shall operate either as a part of the court intake service, or where provided for by the county, through any other appropriate office or private service pursuant to an agreement with the Administrative Office of the Courts, provided that all such units shall be subject to the Rules of Court. In any county where a crisis intervention service system, designed to attend and stabilize juvenile and family problems on a county-wide basis, is in operation as of the effective date of this act, such service shall satisfy all the provisions of this act and may continue in its present form and under its present procedures, provided that it is operating in substantial compliance with the specific requirements and goals set forth in this act.

L.1982, c. 80, § 1, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-77. Call service to attend and stabilize juvenile-family crises; referrals; information; form

The purpose of the unit shall be to provide a continuous 24-hour on-call service designed to attend and stabilize juvenile-family crises as defined pursuant to section 3 of P.L. 1982, c. 77.¹ The juvenile-family crisis intervention unit shall respond immediately to any referral, complaint or information made pursuant to section 5 or 6 of this act,² except if, upon preliminary investigation, it appears that a juvenile-family crisis within the meaning of this act does not exist or that an immediate referral to another agency would be more appropriate.

Upon the receipt of any referral pursuant to section 5 and 6 of this act, the crisis intervention unit shall request information through the use of a form developed by the unit and approved by the Administrative Office of the Courts concerning the juvenile-family crisis. The form shall provide but shall not be limited to the following information:

- a. The name, address, date of birth, and other appropriate personal data of the juvenile and parents or guardian;
- b. Facts concerning the conduct of the juvenile or family which may contribute to the crisis, including evidence of alcoholism as defined in section 2 of P.L. 1975, c. 305 (C. 26:2B-8), drug dependency as defined in section 2 of the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c. 226 (C 24:21-2) or that a juvenile is an "abused or neglected child" as defined in P.L.1974, c. 119 (C. 9:6-8.21).

L.1982, c. 80, § 2, eff. Dec. 31, 1983.

¹ N.J.S.A. § 2A:4A-22

² N.J.S.A. § 2A:4A-80 or 2A:4A-81.

N.J.S.A. 2A:4A-78. Intervention unit response

A crisis intervention response shall consist of immediate interviews with the parents and juvenile involved by one or more crisis intervention workers. Where the juvenile is not in the home, or in the custody of the police, the intervention workers shall attempt to interview the juvenile wherever the juvenile may be found. The juvenile and family shall be advised of the purpose of the unit and of the emphasis upon the voluntary exhaustion of community services prior to court involvement. The unit shall make all reasonable efforts to keep the family intact consistent with the physical safety and mental well-being of the juvenile by obtaining, where possible, written agreement of the family to accept recommendations which may include, but are not limited to, referral to appropriate services and agencies.

L.1982, c. 80, § 3, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-79. Intervention unit training and skills

The juvenile-family crisis intervention unit shall have knowledge of community services and agencies and shall be specially trained in family counseling and crisis stabilization skills. The Supreme Court may issue rules concerning the duties, responsibilities, training and practices of the juvenile-family crisis intervention units consistent with the provisions of this act, but in no instance shall the minimum qualifications for personnel employed as counselors and hired after the effective date of this act be less than a master's degree from an accredited institution in a mental health or social or behavioral science discipline including degrees in social work, counseling, counseling psychology, mental health or education. Equivalent experience is acceptable when it consists of a minimum of an associate's degree with a concentration in one of the behavioral sciences and a minimum of 5 years' experience working with troubled youth and their families or a bachelor's degree in one of the behavioral sciences and 2 years' experience working with troubled youth and their families.

L.1982, c. 80, § 4, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-80. Law enforcement referral

A law enforcement officer taking a juvenile into short-term custody pursuant to section 12 of P.L. 1982, c. 77¹ shall immediately notify the juvenile-family crisis intervention unit and shall promptly bring the juvenile to the unit or place designated by the unit when:

- a. The officer has reason to believe that it is not in the best interests of the juvenile or the family for the officer to return the juvenile to his home;

¹N.J.S.A. §2A:4A-31

- b. The juvenile resides in another county and the officer is unable to make arrangements to return the juvenile to his home;
- c. The juvenile resides in another state;
- d. The juvenile has run away from a placement and the juvenile refuses to return home or the juvenile, through his past behavior, has demonstrated an inability to remain at home;
- e. The law enforcement officer is unable, by all reasonable efforts to identify or locate a parent, relative or other such appropriate person;
- f. The juvenile requires immediate emergency services, such as medical or psychiatric care; or
- g. No identification can be obtained from the juvenile.

L.1982, c. 80, §5, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-81 Other referrals

- a. The juvenile-family crisis intervention unit shall also receive referrals on a continuous basis in situations where a juvenile-family crisis exists and there has been either:
 - (1) A request by a parent or juvenile for intervention; or
 - (2) A referral by a public or private agency, educational institution, or any other organization serving children, which has contact with the juvenile or family, and has reasonable cause to believe that a family crisis exists.
- b. Any agency or organization making such a referral shall indicate whether their agency is capable of providing the appropriate services to the family or juvenile and indicate their present ability and willingness to do so in the particular case referred.
- c. Any public agency making the referral which is under a legal obligation to provide services to the family or juvenile, shall, where it is unable to provide appropriate services in the particular case referred, state the reason therefor.

L.1982, c. 80, § 6, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-82. Juvenile-family crisis stabilized

When the juvenile-family crisis has been stabilized and the juvenile is residing in the home, the crisis intervention unit shall arrange a second interview session with the family as soon as practicable and preferably the day following the initial intervention, for the purpose of monitoring the family situation. The crisis intervention unit may, in appropriate cases, continue to work with the family on a short-term basis in order to stabilize the family situation.

L.1982, c. 80, § 7, eff. Dec. 31 1983.

N.J.S.A. 2A:4A-83. Juvenile-family crisis referral to the court; continuing crisis

When, in the judgment of the crisis intervention unit, a juvenile-family crisis continues to exist despite the provision of crisis intervention services and the exhaustion of appropriate community services, court intake services shall, by filing a petition, refer the case to the court. In counties where the crisis intervention units are not part of intake and a juvenile-family crisis continues to exist, the court shall immediately refer the case to intake for the filing of a petition pursuant to this section. Upon the filing of the petition, the jurisdiction of the court shall extend to the juvenile, parent or guardian, or other family member contributing to the crisis.

L.1982, c. 80, § 8 eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-84. Juvenile-family crisis recommendations

Court intake services shall submit with its petition facts as to the nature of the juvenile-family crisis and its recommendations for resolving the crisis, including recommendations as to community services or programs which are necessary to accomplish this purpose.

L.1982, c. 80, § 9, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-85. Alcoholic, drug-dependent parent; belief juvenile abused or neglected; juvenile with auditory or vision problem; examination, records and recommendations to court

- a. When a petition is filed and as a result of any information supplied on the family situation by the crisis intervention unit, court intake services has reason to believe that the parent or guardian is an alcoholic, as defined by P.L. 1975, c. 305 (C. 26:2B-8), or a drug-dependent person, as defined by section 2 of the "New Jersey Controlled Dangerous Substances Act," P.L. 1970, c.226 (C. 24:21-2), intake

services shall state the basis for this determination and provide recommendations to the court.

- b. When, as a result of any information supplied by the crisis intervention unit, court intake services has reason to believe that a juvenile is an "abused or neglected child," as defined in P.L. 1974, c.119 (C. 9:6-8.21), they shall handle the case pursuant to the procedure set forth in that law. The Division of Youth and Family Services shall, upon disposition of any case originated pursuant to this subsection, notify court intake services as to the nature of the disposition.
- c.
 - (1) When, as a result of any information supplied with regard to any juvenile by the crisis intervention unit or from any other source, court intake services has reason to believe that the juvenile may have an auditory or vision problem, intake services shall state the basis for this determination and provide recommendations to the court. Before arriving at its determination, intake services may request the court to order any appropriate school medical records of the juvenile. On the basis of this recommendation or on its own motion, the court may order any juvenile concerning whom a complaint is filed to be examined by a physician, optometrist, audiologist, or speech language pathologist.
 - (2) Any examination shall be made and the findings submitted to the court within 30 days of the date the order is entered, but this period may be extended by the court for good cause.
 - (3) Copies of any reports of findings submitted to the court shall be available to counsel for all parties prior to an adjudication of whether or not the juvenile is delinquent.

L.1982, c. 80, § 10, eff. Dec. 31, 1983. Amended by L.1985, c. 437, §1, eff. Jan. 13, 1986.

N.J.S.A. 2A:4A-86. Juvenile-family crisis hearing; disposition

Whenever the court receives a petition from court intake services stating that a juvenile-family crisis may exist the court shall hold a hearing and consider the facts and recommendations submitted by intake services in order to determine the appropriate disposition to be made. The court shall notify the juvenile, his parent or guardian or other family member alleged in the petition as contributing to the family crisis that a juvenile-family crisis may exist. The juvenile, parent, guardian, or other family member may present witnesses and evidence to rebut the determination. If the court finds that there is not enough information to make a disposition it may continue the matter and hold one or more additional hearings. The court shall enter an order of disposition if it finds that a juvenile-family crisis exists as provided in section 27 of P. L. 1982, c. 77 (C. 2A:4A-46). In support of any such order, the court may require the juvenile, parent, guardian or family member contributing to the crisis, to participate in appropriate programs and services consistent with the disposition. The court may dismiss the petition upon a

finding that based upon the preponderance of the evidence presented the petition is not sufficient to establish that a juvenile-family crisis exists. The court shall state the grounds for any disposition made pursuant to this section. In the case of failure of any person to comply with any orders entered pursuant to this section, the court may proceed against such person for the enforcement of litigants' rights.

L.1982, c. 80, §11, eff. Dec. 31, 1983.

N.J.S.A. 2A:4A-87. Juvenile-family crisis referral to courts; out of home placement

When, despite provision of crisis intervention services and the exhaustion of all alternative services, there is a refusal on the part of the juvenile to stay in or return to the home or a refusal on the part of the parents to allow the juvenile to stay in or return home, or the physical safety of the juvenile is threatened, or the juvenile is in need of immediate care such that it is necessary to make an out of home placement of the juvenile, court intake services shall:

- a. Arrange, when agreed to by the parent or guardian and juvenile, alternate living arrangement for the juvenile with a relative, neighbor, or other suitable family setting. It shall not be necessary for a court hearing to approve the living arrangement and the arrangement may continue as long as there is agreement; or
- b. Arrange, when no other alternate living arrangement can be agreed to and when all possible resources for alternate living arrangements as set forth in subsection a. of this section have been exhausted, temporary out of home placement prior to the placement hearing. Court intake services shall immediately file a petition for out of home placement which shall include documentation of the attempts made to provide alternate living arrangements including, but not limited to, the names of persons contacted, their responses and the lack of agreement by the juvenile or the juvenile's parents if the persons contacted are willing to take the juvenile with the court. The crisis intervention unit shall inform the juvenile and parent or guardian that an out of home placement determination may be made by the court where an alternate living arrangement cannot be agreed to.

L.1982, c. 80, §12, eff. Dec 31, 1983. Amended by L.1989, c. 305, § 1, eff. Feb. 11, 1990.

N.J.S.A. 2A:4A-88. Temporary placement

Placement of the juvenile prior to the placement hearing or pending determination by the court concerning placement under a family service plan, pursuant to section 14 of P.L.1982, c. 80 (C. 2A:4A-89), shall be made in a host shelter, resource family or group home, a county shelter care facility as defined by law, or other suitable family setting. In no event shall such placement be arranged in a secure detention or other facility or in

a secure correctional institution for the detention or treatment of juveniles accused of crimes or adjudged delinquent.

L.1982, c. 80, § 13, eff. Dec. 31, 1983. Amended by L.1995, c. 280, § 17, eff. Dec. 15, 1995; L.2004, c. 130, § 7, eff. Aug.27,2004.

N.J.S.A. 2A:4A-89. Out of home placement hearing

When intake has filed with the court a petition for out of home placement, the court shall, within 24 hours, conduct a hearing on the petition. The court shall notify the parents, the juvenile and his counsel and, if indigent, have counsel appointed by the court. The hearing shall be conducted in accordance with the Rules of Court and shall be attended by the parents, the juvenile, and when requested by the court, a representative of the Division of Youth and Family Services. The following procedure shall be followed for the hearing:

- a. The court shall hold the hearing to consider the petition and may approve or disapprove the temporary out of home placement. The court may approve the temporary out of home placement if either of the following factors exists:
 - (1) A serious conflict or other problem between the parent and the juvenile which cannot be resolved by delivery of services to the family during continued placement of the juvenile in the parental home; or
 - (2) The physical safety and well-being of the juvenile would be threatened if the juvenile were placed in the parental home.
- b. If the court disapproves a petition for an out of home placement, a written statement of reasons shall be filed, and the court shall order that the juvenile is to remain at or return to the parental home.
- c. Temporary out of home placement shall continue until otherwise provided by the court. The order approving the temporary out of home placement shall direct the Division of Youth and Family Services, or other service or agency to submit a family service plan that is designed to resolve the family crisis consistent with the well-being and physical safety of the juvenile. The court shall direct such division, service or agency to make recommendations as to which agency or person shall have physical custody of the child, the extent of the parental powers to be awarded to such agency or person and parental visitation rights.
- d. Within 14 days of the date of the order approving the petition for temporary out of home placement is entered, unless for good cause shown, but no later than 30 days, the division, service or agency shall submit to the court a family service plan, which shall be presumed valid, detailing the specifics of the court order. The plan shall be developed within the limits of fiscal and other resources

available to the division, service or agency. If the court determines that the service plan is inappropriate, given existing resources, the division, service or agency may request a hearing on that determination.

- e. At the hearing held to consider the family service plan presented by the division or other service or agency, the court shall consider all such recommendations included therein. The court, consistent with this section, may modify such plan and shall make its dispositional order for the juvenile. The court's dispositional order shall specify the responsibility of the Department of Human Services or other service with respect to the juvenile who shall be placed, those parental powers temporarily ordered to the department or service and parental visitation rights. Where placement cannot be immediately made, the division or other service or agency shall report to the court every 14 days on the status of the placement and progress toward implementation of the plan.

L.1982, c. 80, §14, eff. Dec. 31, 1983

N.J.S.A. 2A:4A-90 Long-term placement

In considering whether to approve or disapprove out of home placement under a family service plan on a long-term basis, the court shall consider whether placement in the home would fail to provide adequate physical protection, shelter or nutrition or would seriously obstruct the juvenile's medical care, education or physical and emotional development as determined according to the needs of the juvenile. Upon making an order approving a long-term out of home placement plan, the matter shall be reviewed pursuant to the provisions of the "Child Placement Review Act," P.L. 1977, c. 424 (C. 30:4C-50 et seq.)

L.1982, c. 80, § 15, eff. Dec. 31, 1983.

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Appendix B
Operational Standards for Juvenile Family Crisis Intervention Units

Operational Standards for Juvenile Family Crisis Intervention Units (FCIU's)

Goal

Juvenile Family Crisis Intervention Units shall seek to stabilize cases involving juvenile-family crises in a non-coercive manner, thereby diverting such cases from the Family Court.

Standards

ORGANIZATION AND TRAINING

- 1. Juvenile-Family Crisis Intervention Units shall select and maintain a staff of trained and qualified counselors to intervene in juvenile-family crises.**

Commentary

Juvenile-Family Crisis Intervention counselors must, at a minimum meet the requirements of *N.J.S.A. 2A:4A-79* for education and experience. Counselors in the Juvenile-Family Crisis Intervention Unit should have wide knowledge of the methods, techniques and principles used in counseling troubled youth and their families. They should be familiar with the workings of the Family Court, the juvenile justice system and the social service agencies in their area. They should have knowledge of family system dynamics, socioeconomic stress on families and the cultural context in which their client families exist.

- 2. A. Training for counselors in Juvenile Family Crisis Intervention Units should include the following subjects:**

- Juvenile-Family Crisis Intervention statutes
- The Family Court system
- Relevant court rules, and the Crisis Intervention Manual
- Crisis stabilization techniques and intervention strategies
- Family dynamics
- Normal adolescent development
- Child abuse statutes and procedures
- Office of Children's Services including DYFS and SPRU (Special Protection Response Unit) procedures as well as Child Behavioral Health Services
- County specific shelter and other placement requirements
- Resource availability and use

- B. In counties where it is necessary to expand the pool of counselors by using people outside the unit to provide twenty-four hour response these additional people must also receive this training.**

Commentary

It is primarily the responsibility of the Juvenile Family Crisis Intervention Unit to ensure that newly hired counselors are trained in the Juvenile Family Crisis Operations Manual, applicable court rules and statutes, crisis stabilization techniques, family dynamics, normal adolescent development and related fields. This training should be completed within six months after the hiring of a new counselor. All on-call personnel should receive basic training in FCIU and placement procedures before being assigned to after hours duty.

The Administrative Office of the Courts may provide training for FCIU counselors on relevant topics which may include FCIU legislation, Court Rules and Manual.

- 3. FCIU Administrators shall monitor and evaluate worker counseling activities at stated intervals and provide additional training where needed.**

Commentary

The FCIU director, senior counselor, or other designated administrator shall periodically review a random sample of each counselor's files and with the consent of the client family, observe the counseling activities of each staff member at regular intervals. Where necessary, the FCIU should provide additional training to remedy any observed deficiencies.

Each FCIU shall develop a written policy setting forth review intervals and procedures.

INTERAGENCY RELATIONSHIPS

- 4. Juvenile Family Crisis Intervention Units shall establish and maintain open communication systems with police departments, family service agencies, mental health agencies, public youth services programs and other pertinent court related and social service agencies. Juvenile Family Crisis Intervention Units shall establish and maintain a network of services and agencies to which referrals may be made.**

Commentary

As part of this process each unit should maintain a current list of service providers and update the list regularly. Where possible, a representative of the Juvenile Family Crisis Intervention Unit should visit annually each service provider to which the unit regularly makes referrals. The unit should seek either affiliation agreements or

memoranda of understanding with the major agencies it deals with setting forth criteria for referrals between the parties, and governing interagency relationships.

5. **Juvenile Family Crisis Intervention Units should plan, implement and participate in training programs for law enforcement personnel concerning the operations and philosophy of Juvenile Family Crisis Intervention Units as needed.**
6. **The Juvenile Family Crisis Intervention Director shall participate in the identification and development of needed services through active membership on the county Youth Service Commission.**

Commentary

Juvenile Family Crisis Intervention Units, through their constant contact with troubled families and youth have expert knowledge of the services and service gaps in their counties. FCIUs shall participate in the Youth Services Commissions in their counties to develop needed services. Enabling legislation and rules promulgated for the creation of the Juvenile Justice Commission require that the membership of any county Youth Services Commission include the Director of Family Crisis. (See *N.J.A.C.* 13:90-2.4(b)14).

SERVICES

7. **Juvenile Family Crisis Intervention Units shall maintain a 24 hour crisis intervention response capacity. This response shall consist of either a telephone intervention or an in-person intervention.**

Commentary

Juvenile Family Crisis Intervention Units shall maintain a 24-hour crisis intervention response capacity as required by *N.J.S.A.* 2A:4A-77. In smaller units with only one to three full time counselors this necessitates the use of an expanded pool of people to provide 24-hour coverage since it would be otherwise impossible for such units to provide 24-hour coverage. This is a sound solution to this problem, but people working in this expanded pool should receive the same training as the unit's full time counselors.

8. **Juvenile Family Crisis Intervention Units should provide families with the counseling, guidance, or referral assistance as needed to stabilize the immediate juvenile family crisis.**

Commentary

FCIUs should provide crisis counseling to troubled youth and their families in order to stabilize the immediate juvenile family crisis. Depending on the type of unit the

FCIU may continue to provide counseling aimed at resolving the family's problem, or refer the family to further services once the immediate crisis has been stabilized.

If not available within the unit itself, FCIUs shall also identify qualified service providers who will provide services including, but not limited to, conducting family/juvenile assessments and diagnostic testing, providing longer term counseling or therapy and providing drug and alcohol rehabilitation counseling.

9. **Juvenile Family Crisis Intervention Units should interview and counsel children and their families who are involved in a crisis situation, in person or by telephone. When a telephone intervention yields no progress, a face-to-face session should be scheduled and the telephone intervention may be ended. Although in person interventions are preferred, telephone interventions are often the only possible alternative and must be considered as equivalent to face-to-face interventions for the purposes of evaluating workloads and performance within FCIUs.**

Commentary

Although face-to-face interventions are to be preferred, they are not always possible due to the family's unwillingness to attend a counseling session, or other circumstances. Because of this, telephone intervention must be considered the equivalent of face-to-face interventions for managerial purposes such as evaluating workloads and performance. There cannot be a mandatory time limit as the counselor must always consider the needs of the family and the current situation before ending a telephone intervention.

10. **Juvenile Family Crisis Intervention Units should collect, analyze and interpret data concerning the juvenile and the family needed to prepare an individualized plan to meet the family's needs while complying with any applicable provisions of the HIPAA (Health Insurance Portability and Accountability Act). The Juvenile Family Crisis Intervention Unit should develop individualized plans for troubled youth and their families and, when necessary, refer juveniles and their families to appropriate service providers after stabilization of crisis situations.**

Commentary

FCIU should contact schools, the court, and any agencies the family may have been involved with to obtain necessary background information. The FCIU should require that the family sign forms authorizing service providers to release confidential information to the FCIU. FCIUs should comply with any applicable provisions of the HIPAA (Health Insurance Portability and Accountability Act). The FCIU should request

that the court use the FACTS system (Family Automated Case Tracking System) to determine what, if any, prior contacts the family has had with the family court.

PRESENTATION OF CASES TO THE FAMILY COURT

11. **When in the judgment of the Juvenile Family Crisis Intervention Unit, a juvenile family crisis continues to exist that requires court intervention, court intake services shall file a petition to refer the case to court. Prior to filing a petition, the FCIU shall exhaust all appropriate community services in its effort to resolve the crisis. The duty to exhaust community resources before filing a petition shall not prevent the filing of a petition with regard to a family that refuses such services.**

Commentary

Juvenile Family Crisis Intervention Units should make every effort possible to avoid referring cases to court. The FCIU should exhaust appropriate community services in its effort to resolve the crisis without court intervention. Where the family refuses to cooperate with the FCIU the unit must balance the intrusiveness of referring the case to court with the potential harm of not intervening. In some cases where the crisis alleged to exist seems minor, or the family denies that a crisis exists, the FCIU may wish to close the case rather than refer it to court.

12. **The Juvenile Family Crisis Intervention Unit shall provide information to the court regarding family related matters, upon filing a petition, and as requested. The FCIU shall provide specific suggestions for a service plan to be ordered by the court, and juvenile intake may provide a proposed order that the judge may sign immediately following the hearing.**

Commentary

Upon requesting the filing of a petition by Family Court Intake Services the Juvenile Family Crisis Intervention Unit shall provide Intake with the information needed to complete the petition.

1. When in the judgment of the Family Crisis Intervention Unit, a juvenile family crisis continues to exist, Court Intake Services shall file a petition. Pursuant to R. 5:15-2, the petition shall include:
 - a. The name address and date of birth of the juvenile.
 - b. The name address and date of birth of the juvenile's parents, guardian or custodian and any other family member believed to be contributing to the juvenile-family crisis.
 - c. A statement of facts describing the nature of the juvenile family crisis.

- d. The recommendations of Court Intake Services for resolving the crisis, including recommendations regarding community services or programs which are necessary to implement the recommendations.
 - e. The services, if any, previously provided by the Crisis Intervention Unit, the community services to which the family has previously been referred, if any, and a statement that these services have not resolved or stabilized the crisis.
 - f. If Court Intake Services has reason to believe that a parent or guardian of the juvenile is an alcoholic, as defined by *N.J.S.A.* 26:2B-8 or drug dependent, as defined by *N.J.S.A.* 24:21-2, the petition shall state the basis for this determination and provide recommendations to the court. (see R. 5:15-2 and *N.J.S.A.* 2A:4A-84 and 85.)
2. Further requirements in *N.J.S.A.* 2A:4A-85 require:
 When as a result of any information supplied with regard to the juvenile by the crisis intervention unit, Court Intake Services has reason to believe that a juvenile is an "abused or neglected child", as defined in P.L.1974, c. 119 (C.9:6-8.21), they shall handle the case pursuant to the procedure set forth in that law. The Division of Youth and Family Services shall, upon disposition of any case originated pursuant to *N.J.S.A.* 2A:4A-85b, notify Court Intake Services as to the nature of the disposition.
- When, as a result of any information supplied with regard to any juvenile by the crisis intervention unit or from any other source, Court Intake Services has reason to believe that the juvenile may have an auditory or vision problem, Intake Services shall state the basis for this determination, and may request the court to order any appropriate school medical records of the juvenile. On the basis of this recommendation, or on its own motion, the court may order any juvenile concerning whom a complaint is filed to be examined by a physician, optometrist, audiologist or speech language pathologist.
3. In addition to the information required by the rule and *N.J.S.A.* 2A:4A-85: FCIUs should also make note of services that might be necessary for families with mental health concerns or history of other dysfunction.
13. **A Juvenile Family Crisis Intervention Unit staff person should appear at each juvenile family crisis or out of home placement hearing to provide the court with information and recommendations.**
14. **When bringing a case before the court for enforcement of a prior order, the Juvenile Family Crisis Intervention Unit should prepare for review by the judge a written proposed plan for services to meet the**

family's needs. The judge shall consider, among other options, the use of dispositions provided in (b) (2), (4), (5), (6), (7) and (13) from N.J.S.A. 2A:4A-43, as provided in N.J.S.A. 2A:4A-46. The judge shall also consider the use of enforcement of litigant's rights proceedings pursuant to R. 1:10-3 for failure of a juvenile or family member to comply with the terms of a prior order.

Commentary

There is an ongoing problem with enforcing court orders in some cases. Truancy cases where the juvenile refuses to attend school even after ordered to do so by the court, or cases in which a juvenile continues to run away from either home or a shelter, are common examples of this problem. While there is no simple answer to such enforcement problems, it was felt that the FCIU must have a definite plan for services when the case is presented to the court in order to avoid leaving a judge with no options other than restating the initial order. In addition to ordering alternative dispositions as recommended by the FCIU plan for services, the judge may enforce the original order of the court through the use of R. 1:10-3 (Relief to Litigant).

MONITORING OF CASE OUTCOMES

15. **Juvenile Family Crisis Intervention Units shall establish and maintain a monitoring mechanism for all closed cases. A case should be closed when the unit is no longer actively seeing a family. Closed cases where the family has been referred to one or more service providers should be monitored 30 days following closing of the case, and as necessary. Monitoring should consist of contacting the family, or where appropriate, the school and/or service provider agency, to ensure that the family has completed the program or is attending sessions.**

Commentary

Monitoring need not be done by someone qualified to work as a counselor. Monitoring for closed cases should be routinely scheduled for 30 days following case closing but this interval may be adjusted, if necessary, in order to meet the individual needs of a particular family. Some families may be referred to a long term program and the unit may wish to extend monitoring beyond 30 days. It is also possible that a family may complete a program or resolve their problems in less than 30 days and it might be an unjustified intrusion into the family's privacy to monitor the family at 30-day intervals.

FEEES

16. **A. Juvenile Family Crisis Intervention Units shall not charge fees for the initial intervention or for time spent in court. Furthermore, no family should be denied access to the FCIU for failure or inability to pay for services.**

- B. While in-court FCIUs may not charge fees for any services, out of court FCIUs may charge on a sliding scale for treatment provided only after the unit has completed its statutory duty to stabilize the initial crisis. Furthermore, no family should be denied access to the FCIU for failure or inability to pay for services.**

STATEMENT OF RIGHTS, COMPLAINT PROCEDURES

- 17. Juvenile Family Crisis Intervention Units shall distribute to all incoming clients a statement explaining what clients should expect from the FCIU. This statement may include a complaint procedure for families that are dissatisfied with the FCIU. This statement shall be prepared by each unit and shall be tailored to the services and procedures used by that unit.**

RECORD KEEPING

- 18. Juvenile Family Crisis Intervention Units are required to maintain all information necessary to complete the monthly statistical report (Form 2). A copy of the completed monthly report must be provided to the Family Division Manager of the court by the 2nd working day following the last day of each month and to the Administrative Office of the Courts by the 5th working day following the last day of each month.**

It is the responsibility of court staff to docket FF petitions and to close those cases in FACTS upon conclusion of the FCIU's intervention. Family Crisis Intervention Units must notify the courts of any docketed cases (FCIU Petition and Out of Home Placement Petition cases) that have been resolved so that judiciary staff can dispose of the case in FACTS.

- 19. Juvenile Family Crisis Intervention Units shall maintain and keep accurate records and case notes. The Administrative Office of the Courts, in consultation with FCIU Directors, shall develop and promulgate uniform intake, monitoring and closing forms to be used in all units.**

Commentary

The following information should be included in every FCIU file. The uniform intake and closing forms provided by the Administrative Office of the Courts should include this information:

Juvenile's date of birth, gender, race/ethnicity
Source of referral to FCIU

Date of first contact
Date of case closing
Residence of juvenile
Juvenile's current living arrangement
Juvenile's family constellation
Juvenile's employment status
Juvenile's school status, including highest school grade level completed and child study team classification, if any
Family's source of income
Past intervention history
Contributing factors for referral to FCIU
Primary reason for referral to FCIU
Actions taken by FCIU
Who contact is with
The type of contact involved
Where the contact took place
Number of contacts with the family

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Appendix C
Affiliation Agreement Between Division of Human Services, Office of Children's Services
and the New Jersey Judiciary Concerning the Juvenile Family Crisis Intervention Units

**AFFILIATION AGREEMENT BETWEEN THE DEPARTMENT OF HUMAN SERVICES, THE
OFFICE OF CHILDREN’S SERVICES, AND THE NEW JERSEY JUDICIARY CONCERNING
THE JUVENILE FAMILY CRISIS INTERVENTION UNITS**

I. Parties

This Affiliation Agreement is entered into by the New Jersey Judiciary (“Judiciary”) and the New Jersey Department of Human Services (“DHS”), and the Office of Children’s Services (“OCS”), which includes the Division of Youth and Family Services (“DYFS”) and the Division of Child Behavioral Health Services (“DCBHS”).

II. Statement of Purpose/Philosophy

The purpose of this agreement is to document the procedures agreed upon by the Office of Children’s Services and the Judiciary under which the county Family Crisis Intervention Units will establish inter-agency coordination and unified service delivery to families in need of juvenile/family crisis stabilization intervention.

The New Jersey Code of Juvenile Justice, N.J.S.A. 2A:4A-22g, defines a juvenile/family crisis as:

...behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in (1) a serious threat to the well-being and physical safety of a juvenile, or (2) a serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by a parent or guardian, or (3) unauthorized absence by a juvenile for more than 24 hours from his home, or (4) a pattern of repeated unauthorized absence from school by a juvenile subject to the compulsory education provision of Title 18A of the New Jersey Statutes.

Under the authority of Title 9 and Title 30 of the New Jersey statutes, DYFS investigates allegations of abuse and neglect by a parent or caregiver and accepts all appropriate requests for services. These statutes set forth conditions under which DYFS may provide services and identify those conditions for which DYFS is authorized to seek court relief.

The Division of Child Behavioral Health Services, created in 2004, envisions a comprehensive system of care for all New Jersey children and families. DCBHS is implementing reforms to create a system of care that supports the efforts of families, caregivers and communities to keep children at home, in school and out of trouble. At the heart of this system of care is the fundamental principle that children and adolescents have the greatest opportunity for stable healthy development when ties to community and family are maintained. The key areas of reform include increasing the availability of community based services so children can receive treatment at home, increasing the case management capacity to assist children and families to access appropriate services, and coordinating the delivery of child behavioral health services with other children’s services.

Key components of the Child Behavioral Health System of Care include:

- **Mobile Response and Stabilization Services:** Provides stabilization and intervention and transition to services for children and youth whose escalating emotional or behavioral issues require timely clinical interventions to prevent the disruption of their current living arrangement.
- **Youth Case Management:** Provides case management services for children and families with moderate behavioral and mental health needs.
- **Out of Home Treatment Settings:** If a child must be placed in an out of home treatment setting, our goal is to utilize the least restrictive and most appropriate setting.
- **Family Support Organization:** Connects families receiving behavioral health services with other parents and support services.
- **Care Management Organization:** Provides individual care management for children and youth with complex behavioral and mental health needs.
- **Contracted System Administrator:** Coordinates the care needs of children, adolescents and their families across all child-serving systems.

III. Elements of Agreement

A. Information Sharing

The Office of Children’s Services, the FCIU and the Judiciary shall openly exchange information germane to the resolution of a juvenile/family crisis. This information shall not be shared with any other person, agency or organization unless:

- The latter is also directly involved or participating in the resolution of the crisis; and,
- The information sharing is not prohibited by law.

Exceptions to this information sharing are third party reports that were not prepared at the request of OCS, the Judiciary or the FCIU, but which are present in the case record. In these cases, the agencies requesting these documents should go to the source, or to the court, if appropriate, for permission to secure them.

B. Referrals from FCIU to Department of Human Services, Office of Children’s Services

1. For Information, Referral or Service

When any allegation, indication or suspicion of child abuse or neglect is brought to the attention of the FCIU worker, whether at the time of referral or after an intervention has been made, a referral will immediately be made to the DYFS State Central Registry

(“SCR”), which operates 24 hours every day. (1-877-NJ ABUSE, or 1-877-652-2873). FCIU may, under appropriate circumstances, provide crisis intervention services, while DYFS investigates the abuse and/or neglect allegations. If the allegation of abuse/neglect is substantiated, DYFS will become the primary case manager for the duration of DYFS involvement. If the allegation of abuse or neglect is not substantiated, DYFS will assess the need for further services and make referrals, including a possibility of referral back to the FCIU, as appropriate.

When there are child behavioral health issues, the FCIU will call the Contracted Systems Administrator for the Division of Child Behavioral Health Services which is currently Value Options, at 877-652-7624.

When FCIU learns that a child referred to it is under DYFS supervision, the FCIU will immediately notify DYFS. If the FCIU determines that a juvenile/family crisis petition is necessary, DYFS will share relevant information with FCIU. Judiciary Family Court Intake must receive the information about the DYFS case before it files a petition. DYFS will continue as the case manager.

When FCIU learns that a child is receiving services through the Division of Child Behavioral Health Services, the FCIU will notify the appropriate service provider.

2. Out-of-State Runaway

When the FCIU receives a report of an out-of-state runaway found within the county, the FCIU counselor shall immediately attempt to determine whether the youth has been found to be a delinquent, usually through information obtained by the police. Following a determination of non-delinquency, the FCIU worker will determine if this matter is appropriate for referral to DYFS. Appropriate referrals to DYFS include those matters where there is an active child protective services case or cases or where there are current allegations of abuse/neglect by the parent or caregiver. If DYFS referral is not warranted, and the police or the FCIU cannot arrange for safe return of the juvenile within 24 hours, the FCIU will place the juvenile in shelter care, draft an out-of-home placement petition and arrange for a court hearing. At the hearing, the judge may order the Office of Children’s Services to prepare a plan or return the juvenile to his/her home.

In cases deemed appropriate for DYFS, the DYFS worker will proceed to handle the situation in accordance with established DYFS procedures. If the DYFS worker is unable to make necessary arrangements on the same day, and all other less restrictive placement alternatives have been exhausted, he/she may contact FCIU/Family Court Intake directly to request overnight shelter care. FCIU/Family Court Intake will then arrange such placement, if available, and will draft an out of home placement petition. If the FCIU is unable to arrange a temporary shelter bed, DYFS and Mobile Response Stabilization Services agree to explore options to provide an emergent placement when available. When an out of home placement petition is required, it may be withdrawn if the child is returned to the home within the first 24-hour period following pick up. For out-of-state runaways, it is DYFS’

responsibility to return the child home or find an alternative placement until such time as a due process hearing pursuant to the Interstate Compact on Juveniles (“ICJ”) is held. Initially, DYFS, FCIU, or the police shall attempt to return the child to his/her legal guardian within the first 24-hour period following the state’s initial contact with the juvenile. Article II, under the Interstate Compact on Juveniles applies only to non-delinquent runaways. Consequently, no due process rights are required prior to the expiration of the first 24-hour period. This article states that the ICJ does not take precedence over parental rights and responsibilities within the first 24-hour period following pick-up. If the juvenile is still in custody after the expiration of the specified time period, whether it is an appropriate DYFS case from the start or a judge has ordered DYFS into the case, DYFS should make arrangements with the Family Court for a voluntary consent to return (Form III) emergent hearing, whether or not the hearing is held.

A non-delinquent juvenile runaway is taken into custody and brought before a Family Division Judge for the purposes of a Form III (Voluntary Consent to Return) hearing. Form III is located in the Juvenile Family Crisis Operations Manual. (See Form # 9.) The Family Division Judge informs the juvenile of his/her rights. An optional Juvenile Rights form (see form #10 in the Juvenile Delinquency Operations Manual) is attached to the Form III document. Form III and the optional Juvenile Rights Form are appended to this Affiliation Agreement. The judge may appoint counsel or a guardian ad litem. In the presence of the Superior Court Judge, and counsel or guardian ad litem (if appointed), the juvenile signs the ICJ’s Form III, Consent for Voluntary Return of Runaway, Escapee or Absconder. The Superior Court Judge and guardian ad litem, if appointed, sign the ICJ Form III. The Superior Court Judge may order that the juvenile be delivered to the offices of his/her home state or may order for the juvenile to be unaccompanied if asked to do so by the home state. The Family Division staff shall forward the properly completed and signed Form III and notification of juvenile’s rights to the holding state’s ICJ Office (New Jersey in this case) via electronic format. New Jersey’s ICJ Office can be reached by calling 609-421-5143. The ICJ Office will advise regarding how to forward the documents. The juvenile’s home state’s ICJ Office is responsible for the costs of transportation, for coordination of transportation arrangements and for the return of juveniles within five (5) working days of being notified by New Jersey’s ICJ Office that the juvenile’s due process rights have been met. Juveniles are to be returned to the home/demanding state in a safe and expedient manner. If a non-delinquent runaway refuses to voluntarily consent to return to the home/demanding state, New Jersey’s ICJ Office must be immediately notified of the current status. The demanding state’s ICJ Office will in turn be advised of the requirement for a Requisition. A juvenile may be held up to a maximum of ninety (90) days awaiting receipt, judicial review, and approval of the Requisition by New Jersey.

3. In-State/Out-of-County

When a non-delinquent child who resides in the county is found in another county in New Jersey, the police will contact the parents to pick up the juvenile. If the parents refuse, the FCIU in the county where the child is picked up will be contacted. If the juvenile is

retained in the shelter, a hearing will be held within 24 hours of the filing of the out-of-home petition. If the parents still cannot be located, are not in attendance, or are refusing to take the juvenile back at the time of the hearing, DYFS will be contacted or ordered by the court to follow up. When a delinquent who resides in the county is found in another county in New Jersey, the Family Court where the child was found, will make a determination about whose responsibility it is to return the child.

C. Referrals from Court

The Code of Juvenile Justice mandates that in situations where an out of home placement occurs, a family service plan should be developed within 14 days (this may be extended to 30 days by the judge, but only where good cause is shown) by the Office of Children's Services which includes DYFS, DCBHS (Division of Child Behavioral Health Services) and its contracted entities or any other appropriate agencies. FCIUs, Family Court Intake and the local agency responsible for completing the 14-day plan should work together to develop family service plans. The court may order the completion of a 14-day plan and forward that order to the DYFS Court Liaison who will then review the judge's order and route it to the appropriate Office of Children's Services entity, either DYFS or Youth Case Management.

D. Referrals from DYFS to the FCIU

1. For Information and Referral

When DYFS receives a call on a case in which there are no allegations of child abuse and neglect, and which appears to be within the purview of the FCIU, the DYFS worker will refer the caller to FCIU.

2. For Direct Service

When a child is under the supervision of DYFS and a juvenile/family crisis occurs, DYFS shall first exhaust all of its available resources in response to the situation. Where such interventions are ineffective, DYFS shall confer with the FCIU to confirm that all community resources, including Mobile Response and Stabilization Services, have been exhausted and that the crisis cannot be stabilized without court intervention. Upon confirming the facts presented by DYFS, FCIU may determine that a juvenile/family crisis continues to exist despite the provision of crisis intervention services and exhaustion of appropriate community services. If a petition is filed, the case nevertheless remains with DYFS for case management.

When placement is sought and DYFS placement efforts are not successful and court-ordered placement is required to stabilize the juvenile/family crisis, the FCIU may recommend an out of home placement petition be filed if the case meets the FCIU criteria for court. Once filed, the DYFS worker will prepare a family service plan as provided by law.

3. Crisis Arising Out of DHS/OCS Placements

The Office of Children’s Services is ultimately responsible for the placement and removal of juveniles in their residential settings, group homes, foster homes, etc. If removal of these juveniles is necessary, such removal should be managed and coordinated by the Office of Children’s Services and does not constitute a juvenile/family crisis. Similarly, running away from an Office of Children’s Services placement does not constitute a juvenile/family crisis and remains a DHS/OCS responsibility.

4. In-County Runaways

Where a juvenile not active with DYFS runs away and is located within his/her home county, he/she should be referred to the FCIU for intervention in the juvenile/family crisis. Where such intervention and initial assessment reveals the current involvement of another direct service agency, the FCIU shall contact that agency to discuss a referral back for further services/treatment. If the child is reunited with his/her family, FCIU may consider referring the child and family to Mobile Response and Stabilization Services with the consent of the family.

E. Use of Detention by the Family Court – Clarifying Statement

The criteria for using out-of-home placement and detention are different. Out-of-home placement decisions are based on the juvenile’s needs and upon an exhaustion of other resources. Detention is used only in juvenile delinquency cases. The two basic considerations in detention are the need to ensure the juvenile’s appearance in court and the need to protect the public. Many other factors such as the seriousness of the offense, prior record, and prior history of non-appearance in court are also considered. The lack of availability of residential placements is not a criterion for the use of detention.

IV. Office of Children’s Services Area Office/FCIU Liaisons and Dispute Resolution Protocols

1. Liaisons

Each party to this agreement will designate an individual who acts as the contact person/liaison with the FCIU, Division of Child Behavioral Health Services or DYFS Office participating in the agreement.

The liaison shall:

- Coordinate the working relationship between the Office of Children’s Services area office and local offices and the FCIU.

- Coordinate discussions with the FCIU or Office of Children’s Services area office and local offices about concerns and issues

related to the Affiliation Agreement and interaction and cooperation between the agencies.

- Report concerns with the Affiliation Agreement (e.g. breakdown in communications, problematic individual case situations) to the appropriate management staff persons within the agency (s)he represents.
- Attend meetings with the liaisons from the other participating agencies to share information. Suggestions for discussion include, but are not limited to, policy or procedural changes, changes in personnel or organizational structure, and issues or concerns requiring mutual solution. Meetings should include Shelter and Family Court Intake Staff as appropriate.
- Provide training to the Office of Children’s Services, FCIU, Court and other agency staff regarding interagency cooperation and procedures in providing Juvenile/Family Crisis services to families in need.

2. Copies of Agreement

A copy of this agreement shall be provided to each FCIU worker, Judiciary Family Division staff and each Office of Children’s Services worker by their respective agencies.

3. Problem Resolution

The parties to this agreement recognize that no formal policy or procedural guidelines can be expected to address every conceivable circumstance which may arise during the course of routine activities. When circumstances arise that are not specifically addressed by this agreement, staff from the agencies involved are expected to exercise their best judgment in handling these situations promptly, and initiating timely information sharing and mutual solutions.

If disagreements arise about individual case situations or systemic issues, the liaisons designated by each agency should discuss the problem and include managerial staff from each agency, if necessary, to reach a mutually agreeable solution. In appropriate cases, the FCIU and DYFS liaisons should also invite representatives from Family Court Intake, shelter care providers, schools, or service provider agencies to participate in the dispute resolution process. Outcomes from these negotiations should be shared with staff, in each of the participating agencies, to ensure consistent application of the policies or procedures.

V. Contact Information

For administrative convenience and coordination, these individuals are designated as contacts for the following areas of the Affiliation Agreement.

- The State of New Jersey Judiciary
Joanne M. Dietrich, Esq., Chief of Juvenile and Children in Court
Richard J. Hughes Justice Complex
P.O. Box 983
Trenton, New Jersey 08625
609-943-5984
- Department of Human Services, Office of Children's Services
Barbara Anderson, Special Assistant and Liaison to the Judiciary Trial Courts
Division of Child Behavioral Health Services
222 South Warren Street
Trenton, New Jersey 08625
609-984-4624

VI. Term

This Affiliation Agreement shall commence upon date of signature of the Deputy Commissioner of the Department of Human Services and the Acting Administrative Director of the Courts.

VII. Amendments

The Affiliation Agreement may be amended by the written request of a Signatory Agency. Any proposed amendment or modification shall be submitted by one Signatory Agency to the other Signatory Agencies at least (3) business days prior to formal discussion or the negotiation of the issue. Any amendment to this Affiliation Agreement shall be set forth in writing and such amendment shall be signed by the Judiciary and by the Department of Human Services in order to become effective and to modify or change this Affiliation Agreement.

VIII. Third Party Beneficiary Rights

Neither the Judiciary, nor the Department of Human Services intends to create in any other individual or entity the status of third party beneficiary, and this Affiliation Agreement shall not be construed as to create such a status. The rights, duties and obligations contained in this agreement shall operate only between the parties to this agreement, and shall insure solely to the benefit of the parties to this agreement. The provisions of this agreement are intended only to assist the parties in determining and performing their obligations under this agreement. The parties to this agreement intend and expressly agree that only the parties who are signatory to this agreement shall have any legal or equitable right to seek to enforce this agreement, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this agreement or to bring an action for the breach of this agreement.

IX. Dispute Resolution

If there are disputes between the Signatory Agencies concerning this agreement, the Signatory Agency Heads or their Duly Authorized Representatives agree to confer to resolve the dispute. A duly authorized representative is a person who has been designated in writing by a Signatory Agency Head as having actual authority to sign documents on behalf of the Signatory Agency.

X. Entirety of Agreement

This agreement consisting of (9) nine pages and (2) forms referenced in the document represents the entire and integrated agreement between the Signatory Agencies and supersedes all prior negotiations, representations, and agreements whether written or oral.

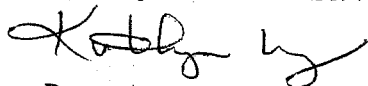
XI. Severability

Should any portion of this Affiliation Agreement be judicially determined to be illegal or unenforceable, the remainder of the agreement shall continue in full force and effect, and either Signatory Agency may renegotiate the terms affected by the severance.

XII. Signatures

This Affiliation Agreement supersedes all previous agreements in the state and shall be reviewed annually.

*Department of Human Services,
Office of Children's Services*



*Deputy Commissioner,
Kathryn Way*

New Jersey Judiciary



*Acting Administrative Director of the Courts,
Philip S. Carchman, J.A.D.*

Date 7/6/05

Date 6-30-05

INTERSTATE COMPACT ON JUVENILES
CONSENT FOR VOLUNTARY RETURN BY RUNAWAY, ESCAPEE OR ABSCONDER
OR JUVENILE CHARGED AS DELINQUENT



FORM III

FORM III

I, _____, (Juvenile's Name) _____, recognize that I legally belong with _____ (Name of Legal Guardian/Custodian or agency seeking return) in _____ (City/State) and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for that purpose.

(Date)

(Juvenile's Signature)

I, _____, (Judge's Name) _____, Judge of _____ (Court or Jurisdiction) having informed the juvenile named above of his her rights under the Interstate Compact on Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to:

_____ (Legal Guardian/Custodian or agency seeking return) _____ (Contact name & phone number) in _____ (City/State)

is appropriate and in the best interest of said juvenile, and do so order such return as provided below (fill in or check appropriate item):

Unaccompanied OR Accompanied by: _____

(Date)

(Judge's Signature)

=====

TO BE COMPLETED ONLY IF COUNSEL OR GUARDIAN AD LITEM IS APPOINTED:

I, _____ being the Counsel Guardian Ad Litem of _____ (Name of Juvenile) recognize and agree that said juvenile should return to _____ (Legal Guardian or Custodian or agency seeking return) in _____ (City/State) either unaccompanied or in the company of such person as the appropriate authority may appoint. I hereby consent to such return.

(Date)

(Signed - Counsel or Guardian Ad Litem)

(Form will be certified or authenticated in accordance with practice of the court. See Article VI of the Compact for further details.)
Original: Court file; 1 copy each: Juvenile, Holding State's Compact Administrator, Home/Demanding State's Compact Administrator, Local Court in Demanding State.

=====

DETAILED PHYSICAL AND CLOTHING DESCRIPTION OF JUVENILE, & CONTACT INFORMATION

DOB: _____ Race: _____ Sex: _____ Ht.: _____ Wt.: _____ Eye color: _____

Hair color and style: _____

Tattoos, scars, identifying marks: _____

Clothing (including shoes): _____

Home/Demanding State's contact name and phone #: _____

This is the official ICJ Form III as approved by AJCA in August 2003. No state or other governmental entity party to the Interstate Compact on Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Association of Juvenile Compact Administrators. No other form may be substituted. (See Rule 2-103: Revision/Modification of Forms)

STATE OF _____)

COUNTY OF _____)

IN THE INTEREST OF _____

JUVENILE DIVISION

DOB: _____

SEX: _____ RACE: _____

**INTERSTATE COMPACT ON JUVENILES
RIGHTS FOR VOLUNTARY RETURN OF RUNAWAY, ABSCONDER,
ESCAPEE, OR JUVENILE BEING CHARGED AS DELINQUENT**

1. Based on reasonable information, you have been taken into protective custody as a runaway from the State of _____ and the State of _____ has requested your return.
2. You have the right to legal counsel/guardian ad litem.
3. Should you desire to have legal counsel and cannot afford to retain legal counsel, this court will appoint legal counsel for you free of charge.
4. You have the right to have a court hearing to determine whether sufficient cause exists to hold you until such time that a requisition or official request for your return has been received from the State of _____, the demanding state.
5. Should this Court find sufficient cause to hold you pending receipt of this requisition, you can be held for a period of time not to exceed 90 days.
6. Upon receipt of the requisition, you have the right to a court hearing to determine whether the requisition is in order.
7. **You have the right to waive or give up the above described rights and to voluntarily consent to return to the State of _____**
8. If there are pending charges in the demanding state, that voluntary consent to return is made without reference to guilt or innocence and is not in any way prejudicial to your case and is not an admission of guilt of any crimes.

The above named juvenile has been advised of his/her rights existing under the Interstate Compact on Juveniles as of this date and time.

ENTERED: _____
(Signature of Judge)

Appendix D
NJ Homeless Youth Act

New Jersey Homeless Youth Act

9:12A-2. Short title

This act shall be known and may be cited as the "New Jersey Homeless Youth Act."

L.1999, c. 224, § 1

9:12A-3. Legislative findings

The Legislature finds and declares that: homeless youth are a largely invisible population; many of these children have no families and are being exploited by adults or are turning to delinquency as a way to survive on the streets; these young people are urgently in need of services which will prevent them from becoming permanently homeless; therefore, it is in the best interest of the State to establish and support a continuum of services geared specifically for homeless youth, including street outreach or basic center shelter or transitional living programs.

L.1999, c. 224, § 2

9:12A-4. Definitions

As used in this act:

"Department" means the Department of Human Services.

"Division" means the Division of Youth and Family Services in the Department of Human Services.

"Homeless youth" means a person 21 years of age or younger who is without shelter where appropriate care and supervision are available.

L.1999, c. 224, § 3

9:12A-5. Program for homeless youth

The department shall establish and support a comprehensive program for homeless youth in the State by contracting with organizations and agencies, licensed by the department, that provide street outreach or basic center shelter or transitional living services for homeless youth. The department shall establish licensure requirements and shall contract for programs that ensure that services, as specified by this act, are provided to homeless youth in the State in an appropriate and responsible manner. The commissioner may establish such other requirements for the homeless youth programs as he deems necessary.

L.1999, c. 224, § 4

9:12A-6. Street outreach program; services provided

A street outreach program for homeless youth shall enhance the accessibility of resources to a homeless youth by locating, contacting and providing services to the youth through mobile outreach.

The services provided by the street outreach program, as determined by the department's contract, may include, but are not limited to:

- a. Assistance in finding temporary or short-term shelter;
- b. Assistance in obtaining food;
- c. A clothing allowance;
- d. Individual and group counseling in the area of violence prevention;
- e. Information and referral services regarding organizations and agencies that provide support services to homeless youth; and
- f. Assistance in obtaining medical care.

L.1999, c. 224, § 5

9:12A-7. Basic center shelter program; services provided

a. A basic center shelter program shall provide a homeless youth with 24-hour, seven-day a week, walk-in access to emergency, short-term residential care. The services offered by the program shall provide a homeless youth with a stable out-of-home placement and help reunite the youth with his parent or legal guardian, except in the case where family reunification is not in the youth's best interest.

The services provided at the basic center shelter, as determined by the department's contract, may include, but are not limited to, the following core services:

- (1) Family reunification services;
- (2) Individual, family and group counseling;
- (3) Food;
- (4) A clothing allowance;
- (5) Medical care;

(6) Educational services;

(7) Recreational activities; and

(8) Advocacy and referral services.

b. If a homeless youth under the age of 18 is admitted to a basic center shelter, the shelter shall attempt to notify the youth's parent or legal guardian of the youth's admission within 24 hours after the admission. The notification shall include a description of the youth's physical and emotional condition and the circumstances surrounding the youth's admission to the basic center shelter, unless there are compelling reasons not to provide the parent or legal guardian with this information. Compelling reasons include, but are not limited to, circumstances in which the youth is or has been a victim of child abuse or neglect.

c. If a homeless youth under the age of 18 is admitted to a basic center shelter, the shelter shall notify the division of the youth's admission to the basic center shelter within 24 hours after the admission to determine if the youth is in the legal care or custody of the division. If the homeless youth is in the legal care or custody of the division, the division, in consultation with the basic center shelter, shall determine what services shall be provided to the youth. The services may include, but are not limited to: crisis intervention services, continued temporary placement in the basic center shelter for up to 30 days, placement in an alternative living arrangement or referral to a transitional living program established pursuant to section 7 of this act or to other appropriate organizations and agencies.

d. When the basic center shelter has reason to believe that the youth is an abused or neglected child as defined in P.L.1974, c. 119 (C.9:6-8.21 et seq.), the basic center shelter shall report the allegation to the division pursuant to section 3 of P.L.1971, c. 437 (C.9:6-8.10). A homeless youth may remain at a basic center shelter for up to 30 days pending the division's disposition of any case originated pursuant to this subsection.

e. If a homeless youth under the age of 18 is not in the legal care or custody of the division as provided in subsection c. of this section, and a basic center shelter has not made a report to the division pursuant to subsection d. of this section, the basic center shelter shall notify a juvenile-family crisis intervention unit, established pursuant to P.L.1982, c. 80 (C.2A:4A-76 et seq.), in the county of residence of the homeless youth, within 24 hours of the youth's admission to the basic center shelter, that a juvenile-family crisis exists as defined in section 3 of P.L.1982, c. 77 (C.2A:4A-22).

f. In the event that a basic center shelter notifies a juvenile-family crisis intervention unit pursuant to subsection e. of this section, the homeless youth may remain at the basic center shelter for up to 10 days without the consent of the youth's parent or legal guardian. During this time, the juvenile-family crisis intervention unit and the basic center shelter shall help to reunite the youth with his parent or legal guardian. If reunification with the parent or legal guardian is not in the youth's best interest or not possible because the youth's parent or legal guardian cannot be located, the juvenile-family crisis intervention unit, in consultation with the basic center shelter, shall determine what services shall be provided to the youth. The services may include,

but are not limited to, crisis intervention services and continued temporary placement in the basic center shelter for up to an additional 30 days.

g. In the case of a homeless youth from another state who is under the age of 18, a basic center shelter shall notify the Compact Administrator of the Interstate Compact on Juveniles, as soon as practicable, but within 24 hours of the youth's admission to the basic center shelter. The Compact Administrator shall facilitate the youth's return home to his parent or legal guardian or make other suitable care arrangements for the youth.

L.1999, c. 224, § 6

9:12A-8. Transitional living program

A transitional living program shall provide residential care and treatment services for up to 18 months to a homeless youth 16 to 21 years of age who demonstrates the maturity to function with minimal adult supervision.

The program shall assist in the maintenance of a homeless youth in a living arrangement that will prepare the youth for independence and self-sufficiency through the direct provision of, or through referrals to, other organizations and agencies for services, as determined by the department's contract, which may include:

- (1) Educational assessment and attachment to an educational program;
- (2) Career planning, employment and life skills training;
- (3) Job placement;
- (4) Budgeting and money management;
- (5) Assistance in securing housing appropriate to a homeless youth's needs and income; and
- (6) Assistance in accessing other social services as may be appropriate.

L.1999, c. 224, § 7

9:12A-9. Rules and regulations

Subject to the "Administrative Procedure Act," P.L.1968, c. 410 (C.52:14B-1 et seq.), the Commissioner of Human Services shall adopt rules and regulations for the licensing by the department of organizations and agencies that provide street outreach or basic center shelter or transitional living programs for homeless youth.

L.1999, c. 224, § 8

VIII. FORMS

Forms

- Form 1 Juvenile Family Crisis/Out of Home Placement Petition Form**
- Form 2 Monthly Crisis Intervention Unit Report Form**
- Form 3 FCIU Intake Form**
- Form 4 FCIU Monitoring Form**
- Form 5 FCIU Closing Form**
- Form 6 Juvenile Dispositional Order Forms**
 - A. Legal Size (2 pages)**
 - B. Letter Size (4 pages)**
- Form 7 Reasonable Efforts In-Chambers Order**
- Form 8 Reasonable Efforts In-Court Order**
- Form 9 Interstate Compact Form III**
- Form 10 Interstate Compact Optional Juvenile Rights Form**

Form 1
Juvenile Family Crisis/Out of Home Placement Petition Form

SUPERIOR COURT, CHANCERY DIVISION, FAMILY PART
JUVENILE FAMILY CRISIS/OUT OF HOME PLACEMENT PETITION

Please check one:

- Juvenile/Family Crisis Petition DOCKET NUMBER _____
- Out-of-Home Placement Petition
- Juvenile/Family Crisis Petition resulting in an OHP petition (Date _____)

The State of New Jersey in the interest of the _____ family.

(Circle or underline) JUVENILE/FAMILY CRISIS or OUT-OF-HOME Placement Petition

The undersigned petitioner _____
(First Name) (Last Name)

of _____

upon oath alleges to the best of his/her information and belief that:

1. The juvenile involved in this matter is

(Name) Date of Birth (DOB) _____

(Telephone Number) (School Attended) _____

(Address of School) (Phone # of School) _____

2. The parent(s) or guardian of the juvenile are _____
(Names) _____

DOB _____
(Address) (Phone #) _____

3. The above-named juvenile is in the custody of _____
(Name) _____

DOB _____
(Address) (Phone #) (Relationship) _____

4. Others contributing to the Juvenile/Family Crisis/Need for Out-of-home placement are:

<u>Name</u>	<u>DOB</u>	<u>Relationship</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. The above-named juvenile and family, upon () personal knowledge () information supplied by others, are in a juvenile-family crisis in that, on or about _____, _____, _____, _____ m. The above-

(day of week) (date) (year) (time)
named juvenile and family did: (Set forth the facts describing the nature of the family crisis or the need for out of home placement including the manner and place of the behavior and the conduct or condition alleged as the basis for the determination that a family crisis exists, that an out of home placement is necessary, and/or that the parent or guardian is an alcoholic or drug dependent person.)

6. The CIU has attempted to exhaust appropriate community resources as follows: Pursuant to N.J.S.A. 2A:4A-87, for out of home placement, document attempts to provide alternate living arrangements, including, but not limited to persons contacted, their responses and lack of agreement by juvenile or parents if persons contacted are willing to take the juvenile.

7. Recommendations for resolving the juvenile/family crisis, or making an out-of-home placement, as set forth by the CIU. (Set forth recommendations, community services and programs to implement family crisis recommendations for juvenile/parents/guardian/family. Address any history of mental health concerns, drug or alcohol abuse, history of dysfunction in the family as a whole and all other relevant concerns. Pursuant to N.J.S.A. 2A:4A-85, note need to address auditory or vision problem of juvenile and examinations, abuse and neglect issues, drug and alcohol abuse issues by parents/guardian.

Sworn and subscribed to before me on: _____

at _____ on _____, 20____ (First Petition)

at _____ on _____, 20____ (J/FC Petition to OHP Petition)

(Signature of Clerk or other Authorized Person)

(Signature of Petitioner)(First Petition)
(J/FC Petition to OHP Petition)

Witnesses: _____

Date: _____

Name _____ Telephone # () _____

Address _____ City _____ State _____ Zip _____

Name _____ Telephone # () _____

Address _____ City _____ State _____ Zip _____

Form 2
Monthly Crisis Intervention Unit Report Form

CRISIS INTERVENTION UNIT

Monthly Report

COUNTY	
YEAR	MONTH

INSTRUCTIONS

- Complete both sides of this form.
- Refer to the instruction sheet for a detailed explanation of an item with which you are unfamiliar.
- Have this report reviewed and signed by the Trial Court Administrator in your county and mail it to the address on the right no later than the fourth working day of the month.

**CIU Monthly Case Processing
Family Division Research & Statistics
Hughes Justice Complex
PO Box 983 - 7 North
Trenton, NJ 08625**

PREPARER'S NOTE

This months beginning pending count is (check one): Identical to, or
 Different than, last month's ending pending

If different, I am reporting a recount of _____ cases.

I. UNIT CASELOAD

1. Beginning Pending (This number must equal the number you reported as Total Active Pending in Section I.4 that you submitted on last month's report unless you are reporting a recount.) 1. _____

2. Cases added (Count each new case in ONLY ONE category below.)

(a) Serious threat to the well-being and physical safety of a juvenile	2a. _____
(b) Serious conflict between a parent or guardian and a juvenile	2b. _____
(c) Unauthorized absence by a juvenile for more than 24 hours from his/her home	2c. _____
(d) Truancy	2d. _____
(e) Disorderly persons or petty disorderly persons offense diverted to CIU	2e. _____
(f) Other	2f. _____
(g) Total Cases Added (Add items (a) through (f) from above).	2g. _____

3. Cases Disposed 3. _____

4. Total Active Pending [(1) + (2g) - (3)] 4. _____

II. INFORMATION AND / OR REFERRAL

1. Contacts during the month resulting in information and/or referral only. (No extensive contact was performed or written record was made. DO NOT count these cases as added or disposed.) 1. _____

III. CASES DISPOSED (For cases DISPOSED during this month only. Counseling sessions during the life of the case need not have been held during this month. Count each DISPOSED case in only one category below).

1. Counseling sessions - DISPOSED cases only

(a) Telephone contacts only	1a. _____
(b) 1 - 2 face-to-face counseling sessions	1b. _____
(c) 3 - 5 face-to-face counseling sessions	1c. _____
(d) 6 or more face-to-face counseling sessions	1d. _____
(e) Total cases DISPOSED (Add items (a) through (d) from above) (This total should be the same as the total reported in Section I. 3.)	1e. _____

CRISIS INTERVENTION UNIT

Monthly Report

III. CASES DISPOSED (continued for cases DISPOSED during THIS month only.)

2. Referrals - DISPOSED cases only

- (a) Cases disposed where no family member was ever referred to an outside agency 2a. _____
- (b) Cases disposed where a family member was referred to an outside agency 2b. _____
- (c) Total [Add items (a) and (b)]
(This total should be the same as the total reported in Section I. 3.) 2c. _____

3. Petitions - DISPOSED cases only

- (a) Cases closed where one or more Juvenile / Family Crisis or Out-of-Home Placement petitions were filed during the course of the case 3a. _____
- (b) Cases closed where no Juvenile / Family Crisis or Out-of-Home Placement petition was ever filed during the course of the case 3b. _____
- (c) Total [Add items (a) and (b)]
(This total should be the same as the total reported in Section I. 3.) 3c. _____

IV. PLACEMENTS (Report cases PLACED during THIS month only.)

1. Total placements

- (a) Number of placements of juveniles with friends, relatives or others by voluntary agreement of the family 1a. _____
- (b) Number of involuntary placements of juveniles outside of their home 1b. _____
- (c) Total [Add items (a) and (b)] 1c. _____

2. Juveniles placed during the month. (DO NOT report more than one placement per juvenile.) 2. _____

V. PETITIONS (Report petitions FILED during THIS month only.)

- 1. Juvenile / Family Crisis petitions filed 1. _____
- 2. Out-of-Home Placement petitions filed 2. _____
- 3. Total [Add items (1) and (2)] 3. _____

VI. REFERRAL TYPES (Report referrals made during this month which fall into the following categories. Multiple referrals for each case should be reported separately.)

- 1. Number of referrals made to DYFS 1. _____
- 2. Number of referrals made to substance abuse programs 2. _____
- 3. Number of referrals to all other outside agencies 3. _____
- 4. Total [Add items (1), (2) and (3)] 4. _____

NAME OF PERSON PREPARING THIS REPORT	APPROVED BY (TCA or ATCA Signature) DATE
PHONE NUMBER () -	/ /

Form 3
FCIU Intake Form

JUVENILE FAMILY CRISIS INTERVENTION UNIT INTAKE/SCREENING FORM

Social Security # _____ CIU # _____

Client Name: _____ Date of first contact: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone #: _____ DOB _____ Age: _____ Sex: _____ Race: _____

Referral Source: _____ Caller: _____

School: _____ Grade: _____ Highest Grade Completed _____ Phone: _____

Employer: _____ Address: _____

CST Evaluation : Yes _____ No _____ Classification _____

Current Living Arrangement _____

Primary Reason for Referral/Contributing Factors to Referral

Past FCIU Intervention History, if any

Has youth ever runaway?: Yes _____ No _____ If yes, # of times: _____

Date(s)/Duration _____ Reason _____

Date(s)/Duration _____ Reason _____

Where did the youth stay while out of home?: _____

Did youth return home on his/her own?: Yes ___ No ___ If no, who brought the youth home?: _____

Mother: _____ DOB: _____ Race: _____

Address: _____ Zip: _____

Occupation: _____ Work # _____ Home # _____

Source(s) of Income _____

Hours worked: _____ Insurance: _____

Marital Status: ___ Single ___ Married ___ Divorced

___ Separated ___ Never Married

Additional Information: _____

Father: _____ DOB _____ Race: _____

Address: _____ Zip: _____

Occupation: _____ Work # _____ Home # _____

Source(s) of Income _____

Hours worked: _____ Insurance: _____

Marital Status: ___ Single ___ Married ___ Divorced

___ Separated ___ Never Married

Additional Information: _____

Parent/Paramour: _____ DOB: _____ Race: _____

Address: _____ Zip: _____

Occupation: _____ Work # _____ Home # _____

Source(s) of Income _____

Hours Worked: _____ Insurance: _____

Marital Status: ___ Single ___ Married ___ Divorced

___ Separated ___ Never Married

Additional Information: _____

PRESENT CARETAKERS OTHER THAN PARENTS:

Relationship to Juvenile: _____

Name: _____ DOB: _____ Race: _____

Address: _____ Zip: _____

Occupation: _____ Work # _____ Home # _____

Source(s) of Income _____

Hours worked: _____ Insurance: _____

SIBLINGS LIVING AT HOME:

Name: _____ School: _____ Sex: _____ DOB: _____ Age: _____

Name: _____ School: _____ Sex: _____ DOB: _____ Age: _____

Name: _____ School: _____ Sex: _____ DOB: _____ Age: _____

SERVICE OR TREATMENT HISTORY

<u>Agency</u>	<u>Service/Counselor</u>	<u>Status</u>
_____ DYFS	_____	_____
_____ Private Practitioner	_____	_____
_____ Mental Health Counseling	_____	_____
_____ Substance Abuse Program	_____	_____
_____ Police/Probation	_____	_____
_____ Support Group	_____	_____
_____ Other _____	_____	_____
_____ Other _____	_____	_____
_____ Other _____	_____	_____
_____ Other _____	_____	_____

SERVICE OR TREATMENT HISTORY CONTINUED

- Does the youth have a history of fire starting behavior? Yes No
- Does the youth have a history of sexual or physical abuse Yes No
- Is there a history of domestic violence in the family? Yes No
- Is there a history of mental health problems in the family? Yes No
- Is there evidence of drug dependency or alcoholism with parent/guardian or juvenile? Yes No
- Is there any evidence of abuse or neglect? Yes No
- Does the juvenile have an auditory or vision problem? (N.J.S.A. 2A:4A-85) Yes No

AFFIRMATIVE RESPONSES TO BE EXPLAINED BELOW
ADDITIONAL INFORMATION INCLUDING BASIS FOR DETERMINATION AND RECOMMENDATIONS

APPOINTMENT SCHEDULED WITH C.I.U.:

DATE: _____ TIME: _____

COUNSELOR ASSIGNED _____

SCREENER _____

Form 4
FCIU Monitoring Form

JUVENILE FAMILY CRISIS INTERVENTION UNIT
CASE MONITORING FORM

CASE TITLE _____

#1 _____ days

Date _____ Person spoken with: _____ or letter sent _____

Status: _____

Decision:

No further monitoring necessary _____ Additional monitoring needed in _____ days.

Person doing follow up

CASE TITLE _____

#2 _____ days

Date _____ Person spoken with: _____ or letter sent _____

Status: _____

Decision:

No further monitoring necessary _____ Additional monitoring needed in _____ days.

Person doing follow up

CASE TITLE _____

#3 _____ days

Date _____ Person spoken with: _____ or letter sent _____

Status: _____

Decision:

No further monitoring necessary _____ Additional monitoring needed in _____ days.

Person doing follow up

Form 5
FCIU Closing Form

JUVENILE FAMILY CRISIS INTERVENTION UNIT CLOSING FORM

Date Closed _____

Case Outcome:

Check all appropriate boxes; add comments as needed

Child in Home _____

Child with Friend/Relative _____

Child in Placement _____

Court Involvement:

Out of Home Petition _____

Family Crisis Petition _____

Referred to:

Private Practitioner _____

DYFS _____

Mental Health/Counseling _____

Substance Abuse Program _____

Support Group _____

Other _____

No Referral Needed _____

No Appropriate Service Avail. _____

Refused Services _____

Comments: _____

Signature _____

Form 6
Juvenile Dispositional Order Forms
Form A Legal Size (2 pages)
Form B Legal Size (4 pages)

Superior Court of New Jersey, Chancery Division, Family Part, County of _____		Juvenile Order Page 2 of 4	
State in the interest of _____		D.O.B. _____	
Warrant / Appearances			
<input type="checkbox"/> Warrant ORDERED			<input type="checkbox"/> Warrant Vacated/Executed
<input type="checkbox"/> DETAIN UPON APPREHENSION			<input type="checkbox"/> Juvenile Failed to appear
<input type="checkbox"/> BRING DIRECTLY TO COURT			<input type="checkbox"/> _____ failed to appear
Drug Offender Restraining Order / Act			
<input type="checkbox"/> Issued	<input type="checkbox"/> Vacated	<input type="checkbox"/> Expires on _____	
Probable Cause			
<input type="checkbox"/> Established	<input type="checkbox"/> Stipulated	<input type="checkbox"/> Waived	<input type="checkbox"/> Not Found
Representation			
<input type="checkbox"/> Public Defender to represent	<input type="checkbox"/> Assign counsel	<input type="checkbox"/> Parent to obtain private counsel next court date	
State Plea/Disposition Recommendations			
ASFA Finding (42 USC 671(a)(15))			
<input type="checkbox"/> It is contrary to the welfare of the child to remain in the home because _____			
Referrals / Evaluations			
<input type="checkbox"/> DYFS 14 day plan			
<input type="checkbox"/> DYFS worker to appear at next court event			
<input type="checkbox"/> Refer to CART			
<input type="checkbox"/> DYFS to provide / to continue efforts for _____			
<input type="checkbox"/> Child Study Team evaluation to be completed			
<input type="checkbox"/> Child Study Team evaluation to be provided to Court			
<input type="checkbox"/> Educational Advocacy Referral			
<input type="checkbox"/> Report from _____ regarding _____			
<input type="checkbox"/> Refer to Shelter / Host Home _____			
<input type="checkbox"/> Refer to Electronic Monitoring Program _____			
<input type="checkbox"/> Psychological Evaluation to be completed			
<input type="checkbox"/> Psychiatric Evaluation to be completed			
<input type="checkbox"/> Sex Offender Evaluation to be completed			
<input type="checkbox"/> Drug and Alcohol Evaluation			
<input type="checkbox"/> Fire Setter Evaluation			
<input type="checkbox"/> Substance Abuse Screening			
<input type="checkbox"/> JISP referral and evaluation			
<input type="checkbox"/> JJC referral for Fields consideration and interviews			
<input type="checkbox"/> Referral for residential DYFS placement			
<input type="checkbox"/> Referral for residential Drug and Alcohol Placement			
<input type="checkbox"/> Predisposition Report Ordered () Short Form () Long Form			
<input type="checkbox"/> Predisposition Report Waived			
<input type="checkbox"/> Other Referral / Evaluations			

Disposition - Incarceration

- Juvenile Committed to the JJC for a term not to exceed _____
- Mandatory _____ days
- All but _____ days Suspended
- Suspended Sentence
- Consecutive
- Concurrent
- Stayed
- Extended Term
- Consider for Fields / Boot Camp
- Consider for Early Recall
- Credit for time served of _____ days
- Other _____

This Disposition is to include a term of post-incarceration supervision equivalent to 1/3 of the term of incarceration.

Disposition - Probation / JISP / Deferred Disposition

- Juvenile Placed / Continued on Probation for _____ and Juvenile Must Comply with All Standard Conditions of Probation.
- Probation Terminated
- Probation Transferred to _____
- Juvenile Placed on JISP for _____
- JISP terminated
- Collection ONLY. No supervision required.
- Deferred Disposition for a period of _____ months. Compliance with the conditions of the Order will result in matter being dismissed on _____ assuming all conditions are met.

Disposition - Conditions of Probation / JISP / Deferred Disposition

- Juvenile to attend and complete _____
- Juvenile to complete aftercare requirements after discharge
- Juvenile to follow all recommendations of court ordered evaluation(s)
- Attend School with no unexcused absences or tardiness Obtain GED/High School Diploma
- Restitution () to be determined () \$ _____
- Find/Maintain employment
- Complete Community Service of _____
- Cooperate with DYFS
- Attend NA/AA / provide proof of attendance and sponsorship Submit to random substance abuse testing
- Continue Disposition Order of _____
- Sample and payment required for DNA testing Finger-Printing Required
- Sample required for HIV/AIDs testing Other _____

Disposition - Restrictions

- No Contact with victim(s) _____
- Curfew of _____ weekdays _____ weekends
- Restricted Travel _____
- Driving Privileges suspended/revoked for _____
- Megan's Law notification required

Superior Court of New Jersey-Chancery Division, Family Part County of _____ Juvenile Order Page 4 of 4
State in the interest of _____ D.O.B. _____
Miscellaneous

- Juvenile Voluntarily Waived to _____
- Juvenile is Involuntarily Waived to _____
- Motion for involuntary waiver is dismissed _____
- Complaint Inactivated _____
- Disposition Suspended/Continued for _____
- Venue transferred to _____
- Refer to CEP _____
- Refer to Juvenile Referee _____
- Divert/Refer to: () JCC () ISC () FCIU
- Other _____

SUMMONS AND NOTIFICATION / NEXT EVENT

- Counsel Mandatory Counsel Non-Mandatory
- Probable Cause Plea Trial Review Disposition Detention Review
- Case Management Conference Re-List/Adjourn Other

Re-List/Adjourn Send Notice Via Certified Mail / Personal Service
YOU ARE COMMANDED TO APPEAR BEFORE THE SUPERIOR COURT, CHANCERY DIVISION, FAMILY PART, LOCATED AT

AT _____ AM / PM BEFORE Judge/Referee _____

FAILURE TO APPEAR WILL RESULT IN A BENCH WARRANT BEING ISSUED FOR YOUR ARREST. BRING THIS ORDER/NOTICE WITH YOU TO YOUR NEXT COURT DATE.

Notice Given in Court to: juvenile parent / guardian Prosecutor Defense Attorney Other

Further Ordered:

The Court hereby retains jurisdiction over said juvenile pursuant to NJSA 2A:4A-47.

Clerk's Initials _____ Referee _____ Judge _____

Form 7
Reasonable Efforts In-Chambers Order

SUPERIOR COURT OF NEW JERSEY
COUNTY
DOCKET NO. FJ / FF -

State in the interest of:

CIVIL ACTION
In Chambers Order

_____)
Juvenile)
_____)
_____)
_____)
_____)
_____)
_____)

Reasonable Efforts to Prevent Placement

This matter, having come before the court for review in accordance with 42 U.S.C. 671 (a) (15), and P.L. 1999, c. 53 [Adoption and Safe Families Act], and, The court, having reviewed the reports submitted and having considered the evidence presented,

IT IS ON THIS ____ DAY OF _____, 20____, HEREBY DETERMINED,

- that reasonable efforts to prevent placement prior to removal were made, as follows: _____, OR,
- that pursuant to N.J.S.A. 30:4C-11.2 reasonable efforts to prevent placement prior to removal were not required because:
 - a. the removal of the child(ren) was required due to imminent danger to the child(ren)'s life, safety or health, as follows _____ and efforts to prevent placement were not reasonable due to risk of harm to the child's health or safety, OR,
 - b. the parent(s) has/ have subjected the child(ren) to aggravated circumstances of abuse, neglect, cruelty, or abandonment, as follows _____, OR,
 - c. the parent(s) has/ have been convicted of a crime specified in N.J.S.A. 30:4C-11.2, as follows _____, OR,
 - d. the rights of the parent(s) to another of the parent(s) children have been involuntarily terminated, and other due cause existing,

Although not required, prior reasonable efforts include _____

AND IT IS FURTHER ORDERED THAT: _____

Form 8
Reasonable Efforts In-Court Order

**SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION - FAMILY PART
 COUNTY
 DOCKET NO. FJ / FF -**

State in the interest of:

**CIVIL ACTION
 Reasonable Efforts Order**

 Juvenile

This matter, having been brought before the court on _____, 20____, in the presence of:

_____, Prosecutor
 _____, Esquire, appearing on behalf of
 _____, juvenile (who did / did not appear);
 _____, parent, who did / did not appear;
 _____, parent, who did / did not appear;

The Court, having reviewed the reports submitted and having considered the evidence presented and the arguments of counsel, in accordance with 42 U.S.C. 671 (a) (15), and P.L. 1999, c. 53 [Adoption and Safe Families Act],

IT IS ON THIS _____ DAY OF _____, _____, 20____, HEREBY DETERMINED,

that reasonable efforts to prevent placement prior to removal were made, as follows:

 _____, **OR,**

that pursuant to N.J.S.A. 30:4C-11.2 reasonable efforts to prevent placement prior to removal were not required because:

a. the removal of the child(ren) was required due to imminent danger to the child(ren)'s life, safety or health, as follows, _____

_____ and efforts to prevent placement were not reasonable due to risk of harm to the child's health or safety, **OR,**

b. the parent(s) has/ have subjected the child(ren) to aggravated circumstances of abuse, neglect, cruelty, or abandonment, as follows, _____

_____, **OR,**

c. the parent(s) has/ have been convicted of a crime specified in N.J.S.A. 30:4C-11.2, as follows, _____, **OR,**

d. the rights of the parent(s) to another of the parent(s) children have been involuntarily terminated, and other due cause existing,

Although not required, prior reasonable efforts include: _____

AND IT IS FURTHER ORDERED THAT:

_____, JSC

[Tape number _____ counter number _____ to counter number _____]

October 9, 2003

Form 9
Interstate Compact Form III

INTERSTATE COMPACT ON JUVENILES
CONSENT FOR VOLUNTARY RETURN BY RUNAWAY, ESCAPEE OR ABSCONDER
OR JUVENILE CHARGED AS DELINQUENT



FORM III

FORM III

I, _____, recognize that I legally belong with
 _____,
 (Juvenile's Name)
 _____ in _____
 (Name of Legal Guardian/Custodian or agency seeking return) (City/State)
 and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for that purpose.

 (Date)

 (Juvenile's Signature)

I, _____, Judge of _____
 (Judge's Name) (Court or Jurisdiction)
 having informed the juvenile named above of his her rights under the Interstate Compact on Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to:

_____ in _____
 (Legal Guardian/Custodian or agency seeking return) (Contact name & phone number) (City/State)

is appropriate and in the best interest of said juvenile, and do so order such return as provided below (fill in or check appropriate item):

Unaccompanied **OR** Accompanied by: _____

 (Date)

 (Judge's Signature)

TO BE COMPLETED ONLY IF COUNSEL OR GUARDIAN AD LITEM IS APPOINTED:

I, _____ being the Counsel Guardian Ad Litem of _____
 (Name of Juvenile)

recognize and agree that said juvenile should return to _____ in _____
 (Legal Guardian or Custodian or agency seeking return) (City/State)

either unaccompanied or in the company of such person as the appropriate authority may appoint. I hereby consent to such return.

 (Date)

 (Signed – Counsel or Guardian Ad Litem)

(Form will be certified or authenticated in accordance with practice of the court. See Article VI of the Compact for further details.)
Original: Court file; 1 copy each: Juvenile, Holding State's Compact Administrator, Home/Demanding State's Compact Administrator, Local Court in Demanding State.

DETAILED PHYSICAL AND CLOTHING DESCRIPTION OF JUVENILE, & CONTACT INFORMATION

DOB: _____ Race: _____ Sex: _____ Ht.: _____ Wt.: _____ Eye color: _____

Hair color and style: _____

Tattoos, scars, identifying marks: _____

Clothing (including shoes): _____

Home/Demanding State's contact name and phone #: _____

This is the official ICJ Form III as approved by AJCA in August 2003. No state or other governmental entity party to the Interstate Compact on Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Association of Juvenile Compact Administrators. No other form may be substituted. (See Rule 2-103: Revision/Modification of Forms)

Form 10
Interstate Compact Optional Juvenile Rights Form

STATE OF _____)(

COUNTY OF _____)(

IN THE INTEREST OF _____

JUVENILE DIVISION

DOB: _____

SEX: _____ RACE: _____

**INTERSTATE COMPACT ON JUVENILES
RIGHTS FOR VOLUNTARY RETURN OF RUNAWAY, ABSCONDER,
ESCAPEE, OR JUVENILE BEING CHARGED AS DELINQUENT**

1. Based on reasonable information, you have been taken into protective custody as a runaway from the State of _____ and the State of _____ has requested your return.
2. You have the right to legal counsel/guardian ad litem.
3. Should you desire to have legal counsel and cannot afford to retain legal counsel, this court will appoint legal counsel for you free of charge.
4. You have the right to have a court hearing to determine whether sufficient cause exists to hold you until such time that a requisition or official request for your return has been received from the State of _____, the demanding state.
5. Should this Court find sufficient cause to hold you pending receipt of this requisition, you can be held for a period of time not to exceed 90 days.
6. Upon receipt of the requisition, you have the right to a court hearing to determine whether the requisition is in order.
7. **You have the right to waive or give up the above described rights and to voluntarily consent to return to the State of _____**
8. If there are pending charges in the demanding state, that voluntary consent to return is made without reference to guilt or innocence and is not in any way prejudicial to your case and is not an admission of guilt of any crimes.

The above named juvenile has been advised of his/her rights existing under the Interstate Compact on Juveniles as of this date and time.

ENTERED: _____
(Signature of Judge)