

RULE 5:9. Actions By Approved Agency For Termination Of Parental Rights

5:9-1. Venue

An action by an approved agency for the termination of parental rights to a child shall be brought and venue shall be laid in the county in which the plaintiff has its principal office in New Jersey, except that if a parent of the child was granted a divorce, dissolution of a civil union or termination of a domestic partnership from the other parent by a judgment of the Superior Court or if there has been a prior proceeding or order in the Superior Court affecting the custody of the child and such court shall not previously have awarded custody of the child to an approved agency, the action shall be instituted in the Superior Court and the venue shall be laid in the same county in which the venue in such divorce, dissolution, or termination action was laid.

Note: Source-R.R.. (1969) 4:93-1(a). Adopted December 20, 1983, to be effective December 31, 1983; amended July 21, 2011 to be effective September 1, 2011.

5:9-2. Service

Service or substituted service upon each person having custody of the child shall be made as provided by R. 4:4.

Note: Source-R.R.. (1969) 4:93-2(a). Adopted December 20, 1983, to be effective December 31, 1983.

5:9-3. Hearing

At any time during or after the hearing, the court may require the production of additional testimony, may subpoena additional witnesses, or may direct that notice of the proceedings be given to any person whose interests may be prejudiced or affected by the entry of a judgment. The court may continue the hearing as the situation requires and shall direct the manner in which any required notice shall be given.

Note: Source-R.R.. (1969) 4:93-2(b). Adopted December 20, 1983, to be effective December 31, 1983.