



New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	IV	Out-of-Home Placement	
Chapter:	A	General Placement Considerations	12-22-2004
Subchapter:	10	Discharge from Guardianship	
Issuance:	100	Discharge from Guardianship	

Legal Authority

4-15-82

A child may be discharged from Guardianship (GSP) at any time if in CP&P's opinion the best interests of the child will be promoted, N.J.S.A. 30:4C-28.

Automatic Discharge

4-15-82

An automatic discharge from GSP occurs when a child:

- Reaches his eighteenth (18) birthday,
- Is adopted (regular or subsidy),
- Dies,
- Joins the Armed Forces (see [CP&P-III-C-9-100](#) for CP&P authority to consent),
or
- Marries (see [CP&P-III-C-9-100](#) for CP&P authority to consent).

The Worker documents the circumstances in the case record maintained in NJ SPIRIT.

DISCRETIONARY DISCHARGE

12-22-2004

Office Manager approval required -- discretionary discharge from Guardianship requires the approval of the Local Office (LO) Manager.

RESPONSIBILITY	ACTION REQUIRED
Worker and Supervisor	Recommend discharge from Guardianship only for a child: <ul style="list-style-type: none"> • 16 years of age or older who has been missing for a minimum of six months and documented efforts to locate have been completed, see II

	<p>C 900; or</p> <ul style="list-style-type: none"> • Whose parents, relatives, or other persons are willing and able to provide an adequate home.
Worker	Complete the Justification for Discharge from Guardianship, CP&P Form 4-3.
Supervisor	Review and sign the CP&P Form 4-3.
The LO Manager	Approve the discharge -- after reviewing the CP&P Form 4-3, Justification for Discharge from Guardianship, if you agree with the recommendation to discharge a missing child, sign the form.
Worker	Close the case per NJS Handbook Instructions.
The LO Manager	<p>Best interests of the child -- if the recommendation for discharge is for either of the following reasons:</p> <ul style="list-style-type: none"> • The parents, relatives, or other persons are able to provide an adequate home • The child has demonstrated that he or she can be self-sufficient and self-supporting <p>Review the case record and any supporting documentation to determine that discharge is in the child's best interests. A statement discharging the child is signed by the Supervisor, the child's caregiver, or the child if he or she is to care for himself or herself. Ensure that the statement is notarized. Give a copy of the statement to the child if he or she is to care for himself or herself, or to the parents or other persons taking the child into their care.</p> <p>Disapprove the discharge -- if efforts to locate the child have not been made or are insufficient.</p>

**PROCEDURES RELATED TO DISCHARGE FROM GUARDIANSHIP
12-22-2004**

RESPONSIBILITY	ACTION REQUIRED
Worker and Supervisor	1. Determine that a child meets one of the conditions for discharge from GSP.
Worker	2. Document these conditions in the electronic case record maintained in NJS. 3. Complete a Justification for Discharge from Guardianship, CP&P Form 4-3.
Supervisor	4. Review and sign the CP&P Form 4-3.
LO Manager	5. Review all discretionary discharges from Guardianship and determine if that plan is most appropriate for the child. 6. Sign CP&P Form 4-3, Justification for Discharge from Guardianship, indicating approval, if appropriate.
Worker	7. Prepare a notarized statement which indicates discharge from GSP when appropriate, and give a copy to the child, parents, relatives or other persons.