



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

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Removal in Non-emergency Situations 1-5-2009

The Division representative may remove a child in placement from a resource family home for any of the following reasons:

- “the child's case goal is furthered or achieved by the move or a court order is being followed, for example, return to family, placement in an adoptive home or uniting a foster child with siblings.
- the child has a need, which cannot be met by the current resource family.
- there is documented evidence that the resource family engages in behavior, which is detrimental to any child in placement in that resource family home.
- there is documented evidence that the resource family disagrees with the approved case plan and repeatedly fails to cooperate with the Division or to make the child in placement available for visits or services, which are part of the approved case plan, despite the Division representative's attempts to involve the resource family in remediating the situation.
- the resource family has a pattern of violating any Division rules, which may have a negative impact on any child in placement, despite attempts by the Division to ensure compliance. “N.J.A.C. 10:122E-2.2(a)
- the resource family is unable or unwilling to provide for appropriate medical care.
- the resource family fails to fulfill a contractual agreement with CP&P (e.g., a specialized care program).

- the foster family fails to provide information or provides false information to the Division and the lack of information or the misinformation impacts the care of the child or the ability of the foster family or the Division to protect the child (e.g. foster family fails to advise the Division of an arrest of a household member for a violent crime).

“A resource family parent may request that a child in placement be removed, giving the Division representative 15 days notice to make suitable alternate arrangements. The resource family parent shall state the reason for the request.

A child in placement may request to be removed from a resource family home. The child shall state the reason for the request.

The parent of a child in placement may request that the child be removed from the resource family home. The parent shall state the reason for the request.” N.J.A.C. 10:122E-2.2(b), (c), and (d)

Procedures Prior to a Non-emergency Removal 1-5-2009

In accordance with N.J.A.C. 10:122E-2.3(a), prior to a non-emergency removal, the Division representative (Worker) shall interview the child in placement, the resource family parent, and any appropriate collateral contacts, including the parent, to determine:

- information from the child in placement about any problems with the placement and his or her preferences;
- information from the resource family parent about any problems with the placement and his or her preferences;
- information from the parent about any problems with the placement and his or her preferences, when the parent requests removal; and
- whether support services can remedy the problem.

The Worker presents this information at a pre-disruption conference, see [CP&P-IV-B-7-150](#).

- a) “The Division representative (Worker) shall inform the child in placement, the resource family parent, the parent, and any appropriate contacts at least 30 days prior to the move when the child will be removed to further or achieve the case goal or as soon as possible when a court order is being followed.
- b) The Division representative (Worker) shall inform the parent of the need to change placements, if he or she is available.

- c) The Division representative (Worker) shall remove the child in placement within 15 days of the resource family parent's request.
- d) When the child or parent has requested removal, the Division representative (Worker) shall discuss the request with supervisory staff. The Division representatives shall make the decision within five days of the request. The Division representative (Worker) shall inform the child in placement or parent of the decision and shall remove the child in placement within 15 days of the original request when it is determined that removal will occur.
- e) A Division representative (Worker) shall document in the child's electronic record and resource family home record, the decision to remove or not remove the child in placement, including the reasons." (N.J.A.C. 10:122E-2.3)

Consideration on Disrupting an Existing Placement in an Effort to Promote Sibling Placements 3-25-2002

Disruption of a child's placement for any reason is traumatic for the child, even when the move is in the child's best interests. Therefore, removing the child from any placement for the purposes of reunification with a sibling should not occur unless:

- The removal of the child from his/her current home and placement in the sibling's home is assessed by casework staff and determined to be in the child's best interests;
- Permanency for both children with the new foster/adoptive parent is the goal;
- The home meets appropriate licensing or approval requirements to take the new sibling immediately, or as soon as all preparations have been completed;
- The casework decision to remove the child is based on the best interests of the child, including an assessment of the child's needs and circumstances, and any bonds the child may have developed, i.e., with caregiver, siblings, relative, family friend, etc.;
- The child is in agreement with the removal and the new living arrangement (unless the child is not mature enough to understand);
- The effect of being placed in another home with a sibling will not cause any long or lasting emotional harm to either child; and
- Supportive services are implemented prior to the child's placement with the new foster or adoptive family.

The successful adjustment of a child may be slow. It may depend on several factors including, but not limited to, the child's special needs, history of multiple placements,

and pre-existing relationship between the siblings. Such children may need one-on-one attention, or may regress. In this case, disrupting the current placement should be pursued more cautiously and should not proceed without the input or recommendation of the child's therapist.

See [CP&P-IV-B-7-150](#), Considerations in Deciding Whether or Not to Remove/Disrupt and Pre-Disruption Conference.

If the move occurs, it should be accomplished gradually, but within a reasonable time frame. See Disruption Planning with Foster Parent, and Establishing a Time Frame for Non-Emergency Removal. This allows the children, along with the new foster/adoptive parents, to become familiar with each other through day, evening and overnight visitations and by having the foster/adoptive parents become involved with the activities that the children are involved in.

Any negative reaction by the sibling who is not being moved needs to be addressed by the Worker through direct discussion, or in family counseling, if needed.

Establishing A Time Frame for Non-emergency Removal 6-17-96

As specified in N.J.A.C. 10:122E-2.3(b), CP&P provides 30 days notice to the foster parent when the removal of the foster child is to "further or achieve the case goal." In all other instances, the time frame for removal of the child must be assessed at the pre-disruption conference. The Division considers:

- The child's medical condition;
- The impact upon the foster child and the foster family of either prolonged or abbreviated disruption planning;
- Whether or not the removal will be appealed;
- The availability of an alternate foster family or facility able to meet the needs of the child, including special skills, training or physical accommodations;
- Recommendations by the Pediatric Nurse Consultant, physician or psychologist;
- The expressed wishes of the foster child and the foster family; and
- The reasons for the removal.

Casework Considerations When the Child Requests Removal 6-17-96

Any request by a child to leave a foster home placement must be considered very seriously. However, a youngster who indicates that he is uncomfortable in a particular

foster home may, in fact, be talking about other, more critical issues. When the Worker discusses a requested move, the following possibilities are considered:

- There are underlying problems in the foster placement about which the child feels uncomfortable verbalizing, such as sexual abuse, physical abuse, neglect, harassment, emotional abuse or neglect, sibling problems, prejudicial treatment, etc.
- The child believes that a foster home disruption may result in a return to the birth parent or return to a former family with whom the child feels attached.
- The child has had a recent disagreement with a member of the foster family, and the request is a reactionary response to that disagreement.
- The foster child is intimidated, harmed by, and/or is in some way disturbed by his physical environment including neighborhood, home, or school and does not know how to deal with the difficulty.
- The child has a history of frequent moves and resists any family with whom an attachment might be formed.

The Worker must first attempt to find out through a personal interview if there are any underlying reasons for the child's request to leave the foster home. If there is any suspicion that the child may be at risk, [CP&P-IV-B-7-200](#), the child must be removed immediately. If the child does not appear to be at risk, the Worker informs the child that a determination about removal will be made within five days of the request. The Worker presents the child's reasons for the request to leave the foster home at a pre-disruption conference unless the information warrants an emergency removal of the child, see [CP&P-IV-B-7-150](#) and [CP&P-IV-B-7-200](#). Unless otherwise indicated, the conversation between the child and the Worker should be viewed as confidential; therefore, the Worker must respond with a decision directly to the child and not via any other member of the foster family. It is essential to encourage the child to engage in open, forthright conversation with the foster parents to resolve problems. The Worker may need to facilitate this discussion and should offer to do so. In some instances, the child must be advised that the problem cannot be resolved if the confidence is kept. The Worker advises the child that the foster parent will be advised of the removal from the foster home at a pre-disruption conference and that a disruption plan will be developed. Information that undermines the child's ability to live safely or comfortably in the foster home may be withheld from the foster family until after the placement disruption. However, the child is reminded that a lack of candor with the foster parent diminishes the possibility of resolving difficulties in the foster home. The Worker records in the child's case record the results of the interview with the child, other consultations and the final determination. If the decision is to move the child, the Worker initiates the removal process. See [CP&P-IV-B-7-100](#). Otherwise, the Worker explains the decision to the child and attempts to resolve the child's difficulty.

The Worker and Supervisor also follow the regulations in N.J.A.C. 10:122E-2.

Casework Guidelines for Planned Removals 12-19-2011

During the period prior to removal, the Worker is sensitive to the feelings of loss which may be experienced by the foster child and/or the foster parent. The Worker discusses with the foster parent the reasons for removing the child and helps them to work through their feelings of grief, resentment or anger. The Worker recognizes and speaks with the child and foster parent about the trauma involved in losing a familiar home and neighborhood and having to adjust to a new home and different people.

The Worker provides luggage, if needed, to safely transport the child's belongings. Purchase luggage through the LOBA Fund. A child's possessions should never be transported in large plastic bags, except in an emergency, when no immediate alternative container is available. See [CP&P-IX-F-1-300](#), Purchase Luggage for Transporting a Child's Clothing.

Whenever possible, the foster child is introduced into the new placement on a gradual basis, beginning with short visits and progressing to overnight and weekend visits. The Worker keeps the child and the foster parent informed of what the plans are for the child as he is established in the new home. See [CP&P-IV-A-4-100](#), Placement Activities.

Medical Considerations on Day of Placement 4-23-2012

Any move by a child produces stress and anxiety but the child experiencing an illness on the day of a planned move/placement is especially vulnerable and care should be taken not to compromise the health of the child.

Prior to a planned move/placement of a child from one foster home to another, or from a foster home to a parent or relative, the Worker obtains up-to-date health/medical information on the child from the foster parent and the child's doctor (including specialists if appropriate). In determining whether or not to move/place the child as planned, at a minimum, the following should be considered:

- When was the child's last physical examination?
- Does the child have a chronic illness/condition, e.g., allergies, asthma?
- What, if any, medication does the child take?
- Does the child see a specialist, e.g., allergist, cardiologist, and when is the next scheduled appointment?
- If special equipment is needed in the home for the child, is it in place?

- If special training is needed to care for the child, e.g., CPR, has it been completed?
- If the child is ill on the day of placement, how severe is the illness?

The Worker must contact the child's physician to determine the advisability of moving the child if the child is ill on the day of the planned move/placement. In those cases where a court order is in effect, the DAG must be contacted and advised that the move/placement may not occur if the child's physician advised against the relocation due to medical reasons.

At the time of placement all available health/medical information is shared/given to the parent/relative/foster parent to ensure that he/she is fully aware of the child's medical needs and any special requirements needed to care for the child. The information includes but is not limited to:

- name, address and telephone number of the child's primary physician and the date of the next scheduled appointment;
- name, address and telephone number of any specialist/specialty clinic the child sees/attends and the date of the next scheduled appointment;
- current immunization record and most recent CP&P Form [11-10](#), Health Passport and Placement Assessment;
- current medication(s)/prescription(s) with instructions for use/administration, and information regarding refills.

Casework Guidelines for Non-Emergency Removal Requested by the Foster Parent 6-17-96

No request by the foster parents for a child's removal should be dismissed from attention even if the foster parents change their minds and decide to keep the child. The request to remove the child may be a signal that the family has problems and services to alleviate the situation should be considered. An assessment of the foster home placement is completed.

It is not necessary to conduct a pre-disruption conference when the foster parent requests the foster child's removal. However, the Worker pursues placement disruption planning with the foster parent.

Whenever foster parents ask that a child in their home be removed, the Worker notes on the contact sheet, CP&P Form [26-52](#), those reasons which have been cited by the foster parents as causing the placement change request. The child's understanding, reaction, and desires should also be noted on the contact sheet. This information, whether or not it evolves into a placement disruption, can be useful in developing a

service plan for the foster placement as well as providing information that is useful in the on-going life book process.

The Worker first asks the foster parents what the reasons are for the request. Based on the foster parents' explanation, the Worker may suggest appropriate support measures that might ameliorate some of the presented problems such as: therapy, YAP services, day care, respite care, temporary homemaker services, emergency financial assistance, transportation services, etc. The Worker schedules a personal meeting immediately with the foster parents and child to further discuss the potential disruption. If the foster parents remain firm in their desire to have the child removed, the Worker initiates a change of placement request with the Foster Care Specialist within one working day of the meeting. In accordance with the Foster Care Agreement, the Worker and foster parents will schedule a change of placement date within the fifteen day time frame. The Worker also informs the child's parents of the need for a change in placement and schedules a meeting with the foster parents and child to discuss the placement change, family problems, the child's reaction to and understanding of the move and the future emotional/psychological implications of the move to the child.

There are, however, some occasions when children must be removed from the foster home as soon as possible despite the agreement to provide fifteen days notice for a removal. The Worker shall respond promptly and remove the child when the criteria in [CP&P-IV-B-7-200](#) are met.