



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	122E	Removal Of Children In Placement From Resource Family Homes	12/2/2008
Subchapter:	2	Removing A Child In Placement From The Resource Family Home	
Section	1	Removal in emergency situations (N.J.A.C. 10:122E-2.1)	

§10:122E-2.1 Removal in emergency situations

(a) The Division representative shall remove a child in placement from a resource family home when the Division determines that the child is not safe in the resource family home.

(b) When abuse or neglect of any child in a resource family home is substantiated, the office manager may consult with:

1. The Institutional Abuse Investigation Unit of the Department or the Office of the Public Defender acting as the Division's agent in conflict matters, when that unit conducted the child abuse and neglect investigation; and

2. The Office of Licensing to determine if the resource family home license will be denied, suspended, or revoked, if the Office of Licensing shall refuse to renew the license, or if the Office of Licensing shall permit the home to be licensed for the placement or continued placement of the children already in placement or recommended for placement in the home in accordance with N.J.A.C. 10:122C-5.5(b).

(c) When abuse or neglect of any child in a resource family home is substantiated, the office manager shall determine if each child in placement is safe in the resource family home and then:

1. Determine whether to remove any child in placement in the resource family home and, if necessary, direct a Division representative to remove the child; or

2. Recommend to the Area Director that a child in placement continue to be placed in the resource family home, based upon the considerations set forth in N.J.A.C. 10:122E-2.5(a).

(d) The Area Director decides whether or not to remove the child in placement from the resource family home, based on the considerations in N.J.A.C.

10:122E-2.5(a), when child abuse or neglect of any child is substantiated in a resource family home. When the Area Director determines that it is in the child's interest to keep the child in the resource family home, the Area Director shall:

1. Determine that each condition listed in N.J.A.C. 10:122C-5.5(b) has been met; and
2. Determine if the Office of Licensing has given approval, in accordance with N.J.A.C. 10:122C-5.5(b)5.

(e) A resource family parent may request an emergency removal of a child in placement and the Division representative shall remove the child in placement when:

1. The child in placement is at risk of harm if he or she remains in the resource family home; or
2. The resource family is at risk of harm if the child remains in the resource family home.

(f) A resource family parent may request an emergency removal of a child in placement when the resource family is experiencing a personal emergency and is unable to make alternate appropriate plans for the child. The Division representative shall respond promptly and shall remove the child in placement when necessary.

(g) A child in placement may request emergency removal from his or her resource family home and the Division representative shall remove the child in placement when the child is not safe in the resource family home.

(h) In all emergency cases, the Division representative shall document in the child's electronic case record and the resource family home record, the decision to remove or not remove the child and shall inform the resource family parent, the child in placement, the parents and other interested parties of the outcome.

-End-