



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	133J	Termination Of Parental Rights	6/17/2008
Subchapter:	2	Requirements For And Exceptions To Termination Of Parental Rights	
Section	3	Factors to consider when filing for termination of parental rights (N.J.A.C. 10:133J-2.3)	

§10:133J-2.3 Factors to consider when filing for termination of parental rights

(a) The Division representative considers many factors when deciding to file for termination of parental rights or to document a compelling reason in the best interests of the child not to file for a termination of parental rights. Decisions must be made on a case-by-case basis, based on the individual circumstances of the child and the family. The factors considered may include, but are not limited to:

1. The child's age;
2. The child's level of maturity;
3. The child's developmental level and needs;
4. The child's opinion regarding the permanent plan;
5. The placement history, including the length of time the child has been in placement;
6. The progress that each parent has made toward return of his or her child;
7. The relationship between this child and his or her parents;
8. The child's relationship to siblings, if any;
9. The case goal for each of the child's siblings, if any;
10. Expert opinions in respect to permanency planning for the child;
11. The opinions of child advocates in respect to permanency planning for the child;
12. The appropriateness and feasibility of all the various permanency options for this child;
13. The out-of-home placement provider's commitment to the child and commitment and capacity to meet the child's needs currently and in the future;

14. The relationship between the child and the out-of-home placement provider and the out-of-home placement provider's family;

15. The potential permanent caregiver's ability and willingness to assure safety, permanency, and well-being for the child; and

16. Each parent's role in potential permanency plans for this child.

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