

## ADOPTIONS SECTION

### CHILDREN AND FAMILIES

#### COMMISSIONER

#### Notice of Readoption

#### Child Protection Investigations

#### Readoption: N.J.A.C. 3A:10

Authorized By: Christine Norbut Beyer, M.S.W., Interim Commissioner, Department of Children and Families.

Authority: N.J.S.A. 9:3A-7.f and g, 9:6-8.15, 9:6-8.36a, 9:6-8.106, and 30:4C-4(h).

Effective Date: March 25, 2026.

New Expiration Date: March 25, 2033.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 3A:10, Child Protection Investigations, were scheduled to expire on April 29, 2026. The rules govern the investigation of reports of child abuse or neglect, including how a child protection investigation is conducted, what the requirements for an investigation are, and what the child or the parent or guardian involved in a child protection investigation may expect.

Subchapter 1 provides the purpose, objectives, scope, definitions, and general policy underlying the rules. Subchapter 2 governs the overall process for child protection investigations and includes when an investigation is required, the time frames for the investigation, and the evidence needed to support a finding. Subchapter 3 relates to the child protection investigation process for local office investigations. Subchapter 3 provides the requirements for an investigation, safety and risk assessment protocols for local offices, and actions that are permitted during investigations. The process for conducting child protection investigations for the Institutional

Abuse Investigation Unit (IAIU) is set forth at Subchapter 4, including the requirements for an IAIU investigation, safety assessments, and actions permitted.

The rules relating to specialized assessments and investigations are provided at Subchapter 5, which covers referral of cases and recommendations to prosecutors, response by prosecutors, law enforcement assistance, coordination of child protection investigations, and medical evaluation and treatment. Subchapter 6 governs services and removal during a child protection investigation, including services provided on an emergency basis, the emergency placement process, and the information that is provided to parents, caregivers, and relatives.

Subchapter 7 provides the rules governing child protection investigation findings and documentation. This subchapter sets forth standards for informing the alleged child victim, caregiver, and temporary caregiver about the investigation, information provided to an alleged perpetrator about the investigation, investigation findings, and the required circumstances for a finding of substantiated. Subchapter 7 further provides the factors to be considered in determining a finding of substantiated or established, rules related to notifications and use of findings, and other notifications provided at the conclusion of an investigation.

Subchapter 8 relates to expunctions and provides for the expunction of unfounded reports, the timeframes for expunging a record, the circumstances for retaining a record, the standards for when an IAIU record shall be expunged, and the standard that governs notifications of record expunctions.

The Department of Children and Families has reviewed the rules at N.J.A.C. 3A:10 and found them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.