



NEW JERSEY DEPARTMENT
OF CHILDREN AND FAMILIES

New Jersey Department of Children and Families Policy Manual

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| Subchapter: | 1 | Forms | |
| Issuance: | 21.39 | CP&P Form 21-39, Request for an Office of Administrative Law (OAL) Hearing Form | |

Click here to view or print the CP&P Form [21-39](#), Request for an Office of Administrative Law (OAL) Hearing Form.

Click here to view or print the CP&P Form [21-39\(S\)](#).

CP&P [Form 21-39](#): Instructions **8-2-2004**

PURPOSE AND USE

The purpose of this form is to allow an appellant to provide the Division with facts/arguments/statements/description of events when requesting an Office of Administrative Law (OAL) hearing to dispute a Division action or a finding of substantiated child abuse/neglect, or an action by the Department of Children and Families' Office of Licensing (OOL) that creates a Division action. Page 2 briefly tells the appellant what an OAL hearing is, whether everyone gets to have one, what happens if the appellant gets a motion for a summary disposition and where to send the form. Based on the appellant's response, the Administrative Hearings Unit (AHU) or the Administrative Review Officer (ARO) or the OOL staff determines whether the appellant is entitled to an OAL hearing or whether the Division will request the office of the Attorney General to prepare a motion for summary disposition.

INSTRUCTIONS FOR COMPLETING THE FORM

When an agency or individual eligible for an OAL hearing, see [CP&P-IX-M-1-100](#), Dispute Resolution Chart, requests an appeal of a CP&P action or a finding of substantiated child abuse/neglect or an OOL finding or action that creates a Division

action, the ARO or OOL staff acknowledges the request with CP&P Form [21-38](#), Receipt of Request for an OAL Hearing, and provides CP&P [Form 21-39](#), Request for an Office of Administrative Law Hearing, if the appellant's request is made in accord with N.J.A.C. 3A:5-4.3. Dispute resolution is outlined in the Parent Handbook, CP&P Form [18-32](#), and described in the Policy Manual ([CP&P-IX-M-1-100](#), Formal and Informal Dispute Policy and Procedures).

- If a case originates from the ARO, the ARO enters the review number. If the appeal originates from the OOL, the appeal number is left blank and is completed by the Administrative Hearings Unit Coordinator upon receipt by the Administrative Hearings Unit.
- The ARO or OOL staff attaches the form to the CP&P Form [21-38](#), Receipt of Request for an OAL Hearing, and forwards both documents to the appellant. The appellant may ask the ARO or OOL staff to complete the form with the appellant over the telephone.
- The appellant, or his/her representative, reviews and completes the form.

DISTRIBUTION

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|--------------------|---|--------------------------|
| Blank Original | - | Appellant |
| Completed Original | - | ARO or OOL staff |
| Copy | - | Appeal record/OOL record |