

Definitions

DCPP - The Division of Child Protection and Permanency. The agency that has brought this case to court.

Caseworker – The DCPD social worker assigned to help your family.

DAG - Deputy Attorney General. The DAG is the attorney for DCPD. The DAG is similar to a Prosecutor in a criminal case.

Law Guardian - The Law Guardian is an attorney appointed by the Court to represent the wishes and interests of the child(ren) in the case.

Fact Finding Hearing - A fact finding hearing must be heard within four months of the beginning of the case. This hearing is held to determine if your child(ren) has been abused and/or neglected within the meaning of the law. Abuse and Neglect does NOT require any actual physical harm to your child(ren). Allowing your child(ren) to be placed at a substantial risk of harm is enough for the Court to find that the child(ren) have been abused and/or neglected.

Permanency Hearing – A Permanency hearing must be held every 12 months that your child(ren) is not at home. This hearing is held to determine the long term plan for your child(ren).

Dispositional Review - This court appearance is held to monitor your progress with services and check on the wellbeing of the child(ren).

Capitol – Burlington, Hunterdon, Mercer
Office of Parental Representation
210 S. Broad Street – 4th Floor
Trenton, New Jersey 08608
Tel: 609-599-6900 Fax: 609-599-6899

Central – Middlesex, Monmouth
Office of Parental Representation
928 Livingston Avenue – Second Floor
North Brunswick, New Jersey 08902
Tel: 732-545-1530 Fax: 732-545-2216

Northern – Essex, Passaic, Union
Office of Parental Representation
31 Clinton Street – 4th Floor
Newark, New Jersey 07102
Tel: 973-792-1820 - Fax: 973-792-1837

Shore – Atlantic, Cape May, Ocean
Office of Parental Representation
800 E. Blackhorse Pike, Suite A-1
Pleasantville, New Jersey 08232
Tel: 609-626-3781 Fax: 609-645-6610

Southern – Camden, Cumberland, Gloucester, Salem
Office of Parental Representation
2 Riverside Drive – 4th Floor
Camden, New Jersey 08103
Tel: 856-614-2100 Fax: 856-614-2202

Northwest – Morris, Somerset
Office of Parental Representation
2170 Headquarters Plaza
Morristown, New Jersey 07960
Tel: 973-656-4488 Fax: 973-656-4496

Northwest - Sussex, Warren
Office of Parental Representation
314 Front Street
Belvidere, New Jersey 07823
Tel: 908-475-1789 Fax: 908-475-5647

Northeast - Bergen, Hudson
Office of Parental Representation
438 Summit Avenue – 5th Floor
Jersey City, New Jersey 07306
Tel: 201-217-5953 Fax: 201-217-5964

OPR APPELLATE (All Counties)
Office of Parental Representation
31 Clinton Street
Newark, New Jersey 07102
Tel: 973-877-1265 Fax: 973-273-0132

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Office of Parental Representation



Office of the Public Defender

*In an effort to keep families intact, it
is the mission of the Office of
Parental Representation to provide
the highest quality defense for
parents.*

JOSEPH E. KRAKORA
Public Defender Of New Jersey

ROBYN VEASEY
Assistant Public Defender

Office of Parental Representation
25 Market Street – P.O. Box 850
Trenton, New Jersey 08625
609-292-7087

Frequently Asked Questions

- **What is the Office of Parental Representation?**

The Office of Parental Representation (OPR) is part of the Office of the Public Defender. The OPR is set up to defend parents in Title 9, abuse and neglect, and Title 30, termination of parental rights cases. The OPR is made up of both staff attorneys and attorneys who are engaged in private practice to handle these cases as designated counsel.

- **How do I get an Attorney?**

If you wish to be represented by an attorney and you cannot afford to hire an attorney, you must go to the court and ask to apply for a Public Defender.

- **Is the Public Defender Free?**

NO, Attorney services are billed at a flat fee rate according to the case type. For example, a Title 9 (FN:child abuse/neglect case) is a flat rate of \$500 and a Title 30 (FG:Termination of Parental Rights) is a flat rate of \$750. These rates include out-of-court work such as investigations and interviews. Transcripts, experts and other expenditures are also included in the flat fee that applies to your case.

- **Are these cases criminal?**

NO, these cases are heard in Family Court. There will be NO criminal record of this case. However, you may also have a separate criminal case from the same allegations at the same time as this family case.

- **What can I expect from my Attorney?**

You should expect that your attorney will attend every court hearing in person. They will advise you of all upcoming court dates and requirements throughout the case. They will meet with you at your request to answer any questions that you have regarding the case. It is important that YOU keep your attorney advised of your current location and how you can be contacted at all times. Additionally, you should be aware that your caseworker will write down everything that you tell him/her. If you are not sure if you should tell your caseworker something, ask your attorney first.

- **How do I get my child(ren) returned home to me?**

Typically, you must comply with the Court's orders and complete services such as substance abuse treatment, parenting skills classes, and individualized counseling. Additionally, you may be required to pay child support to DCPD while they have your child(ren).

- **How long will this case last?**

The typical Title 9, abuse and neglect, case will last for 12 months. If you fail to complete services, your case may convert to a Title 30, termination of parental rights case. If your case converts to Title 30, this portion of the case takes approximately 6 to 8 months and may result in your rights to your child(ren) being terminated. If your case converts from Title 9 to Title 30 you must reapply for a Public Defender to represent you.

- **How do I appeal?**

If you wish to appeal you must ask your attorney for a Notice of Right to appeal form and sign it indicating you wish to appeal. Then your attorney will explain the process.

- **Who will represent me on appeal?**

A new attorney designated by the Office of the Public Defender will be assigned to handle your appeal.

- **How long does an appeal take?**

An appeal typically takes 3 months. During this time it is important that you continue to go to any services and visitation that are still available to you.

- **What If I lose my appeal and my child(ren) is adopted?**

Unfortunately, once your parental rights are terminated, you have no right to any contact with your child(ren). Additionally, any promises made by the adoptive parent(s) are not legally enforceable.

Office of the Public Defender
Office of Parental Representation
25 Market Street
P.O. Box 850
Trenton, New Jersey 08625-0850
Phone: (609) 292-7087
Fax: (609) 777-1795