

[First Reprint]

SENATE, No. 3814

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 20, 2021

Sponsored by:

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District 4 (Camden and Gloucester)

Assemblyman HERB CONAWAY, JR.

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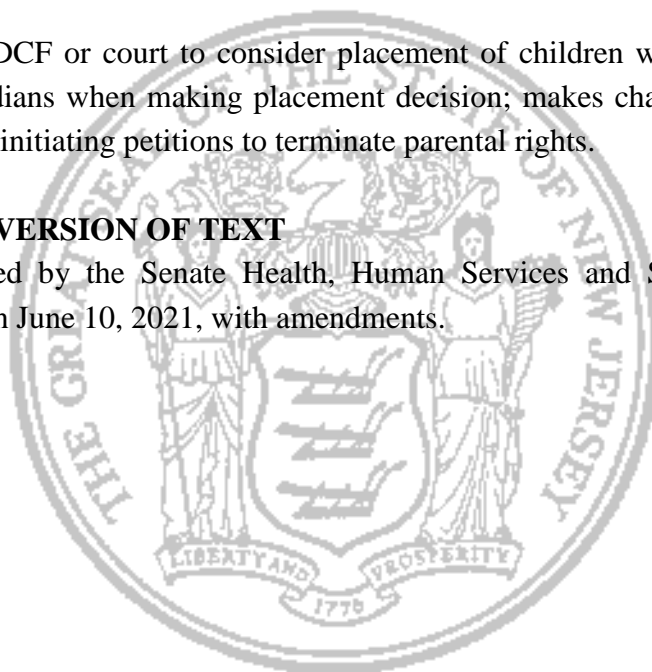
Assemblywoman Vainieri Huttle, Assemblyman Stanley, Assemblywomen Swain, Reynolds-Jackson, Timberlake, McKnight, Speight and Jasey

SYNOPSIS

Requires DCF or court to consider placement of children with relatives or kinship guardians when making placement decision; makes changes to certain standards for initiating petitions to terminate parental rights.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on June 10, 2021, with amendments.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning child protective services and amending ¹and
2 supplementing¹ various parts of the statutory law.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹1. (New section) The Legislature finds and declares that:

8 a. Foster care is intended by existing state and federal statute to
9 be temporary.

10 b. Kinship care is the preferred resource for children who must
11 be removed from their birth parents because use of kinship care
12 maintains children's connections with their families. There are
13 many benefits to placing children with relatives or other kinship
14 caregivers, such as increased stability and safety as well as the
15 ability to maintain family connections and cultural traditions.

16 c. Federal law permits kinship legal guardianship arrangements
17 to be used when the child has been in the care of a relative for a
18 period of six months.

19 d. Parental rights must be protected and preserved whenever
20 possible.

21 e. Children are capable of forming healthy attachments with
22 multiple caring adults throughout the course of their childhood,
23 including with birth parents, temporary resource parents, extended
24 family members, and other caring adults.

25 f. The existence of a healthy attachment between a child and the
26 child's resource family parent does not in and of itself preclude the
27 child from maintaining, forming or repairing relationships with the
28 child's parent or caregiver of origin.

29 g. It is therefore necessary for the Legislature to amend current
30 laws to strengthen support for kinship caregivers, and ensure focus
31 on parents' fitness and the benefits of preserving the birth parent-
32 child relationship, as opposed to considering the impact of severing
33 the child's relationship with the resource family parents.¹

34

35 ¹**[1.] 2.**¹ Section 2 of P.L.2001, c.250 (C.3B:12A-2) is amended
36 to read as follows:

37 As used in sections 1 through 6 of P.L.2001, c.250 (C.3B:12A-1
38 et seq.):

39 "Caregiver" means a person over 18 years of age, other than a
40 child's parent, who has a kinship relationship with the child and has
41 been providing care and support for the child, while the child has
42 been residing in the caregiver's home, for either the last **[12**
43 **consecutive months or 15 of the last 22]** six consecutive months or
44 nine of the last 15 months. "Caregiver" includes a resource family
45 parent as defined in section 1 of P.L.1962, c.136 (C.30:4C-26.4).

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted June 10, 2021.

1 “Child” means a person under 18 years of age, except as
2 otherwise provided in P.L.2001, c.250 (C.3B:12A-1 et al.).

3 “Commissioner” means the Commissioner of Children and
4 Families.

5 “Court” means the Superior Court, Chancery Division, Family
6 Part.

7 “Department” means the Department of Children and Families.

8 “Division” means the Division of Child Protection and
9 Permanency in the Department of Children and Families.

10 “Family friend” means a person who is connected to a child or
11 the child’s parent by an established positive psychological or
12 emotional relationship that is not a biological or legal relationship.

13 “Home review” means the basic review of the information
14 provided by the petitioner and a visit to the petitioner’s home where
15 the child will continue to reside, in accordance with the provisions
16 of P.L.2001, c.250 (C.3B:12A-1 et al.) and pursuant to regulations
17 adopted by the commissioner.

18 “Kinship caregiver assessment” means a written report prepared
19 in accordance with the provisions of P.L.2001, c.250 (C.3B:12A-1
20 et al.) and pursuant to regulations adopted by the commissioner.

21 “Kinship legal guardian” means a caregiver who is willing to
22 assume care of a child due to parental incapacity, with the intent to
23 raise the child to adulthood, and who is appointed the kinship legal
24 guardian of the child by the court pursuant to P.L.2001, c.250
25 (C.3B:12A-1 et al.). A kinship legal guardian shall be responsible
26 for the care and protection of the child and for providing for the
27 child’s health, education and maintenance.

28 “Kinship relationship” means a family friend or a person with a
29 biological or legal relationship with the child.

30 “Parental incapacity” means incapacity of such a serious nature
31 as to demonstrate that the parent is unable, unavailable, or unwilling
32 to perform the regular and expected functions of care and support of
33 the child.

34 (cf: P.L.2006; 2012, c.16, s.13)

35
36 ¹[2.] 3.¹ Section 5 of P.L.2001, c.250 (C.3B:12A-5) is amended
37 to read as follows:

38 a. Upon petition of a caregiver, the court may appoint the
39 caregiver as kinship legal guardian of a child residing in the
40 caregiver’s home pursuant to the provisions of P.L. 2001, c. 250 (C.
41 3B:12A-1 et al.).

42 b. A petition for the appointment of a kinship legal guardian
43 shall include a kinship caregiver assessment, which shall contain:

44 (1) the full name and address of the person seeking to become
45 the kinship legal guardian;

46 (2) the circumstances of the kinship relationship;

47 (3) the whereabouts of the child’s parents, if known;

48 (4) the nature of the parents’ incapacitation, if known;

49 (5) the wishes of the parents, if known;

- 1 (6) the ability of the kinship caregiver family to assume
- 2 permanent care of the child;
- 3 (7) the child's property and assets, if known;
- 4 (8) the wishes of the child, if appropriate;
- 5 (9) any current involvement of a child with the division if the
- 6 child has an open division case and is actively receiving services;
- 7 (10) certification from the caregiver that the caregiver has been
- 8 providing care and support for the child, while the child has been
- 9 residing in the caregiver's home, for at least the last **[12**
- 10 **consecutive]** six consecutive months or nine of the last 15 months;
- 11 (11) the results from a criminal history record background check
- 12 and a domestic violence central registry check of the caregiver and
- 13 any adult residing in the caregiver's household conducted pursuant
- 14 to section 9 of P.L. 2001, c. 250 (C. 30:4C-86);
- 15 (12) the results from a child abuse record check arranged for and
- 16 coordinated by the division pursuant to section 9 of P.L. 2001, c.
- 17 250 (C. 30:4C-86); and
- 18 (13) the results of the caregiver's home review.
- 19 (cf: P.L.2001, c.250, s.5)

20
21 **¹[3.] 4.** Section 6 of P.L.2001, c.250 (C.3B:12A-6) is amended
22 to read as follows:

- 23 6. a. In making its determination about whether to appoint the
- 24 caregiver as kinship legal guardian, the court shall consider:
- 25 (1) if proper notice was provided to the child's parents;
- 26 (2) the best interests of the child;
- 27 (3) the kinship caregiver assessment;
- 28 (4) in cases in which the division is involved with the child as
- 29 provided in subsection a. of section 8 of P.L.2001, c.250 (C.30:4C-
- 30 85), the recommendation of the division, including any parenting
- 31 time or visitation restrictions;
- 32 (5) the potential kinship legal guardian's ability to provide a
- 33 safe and permanent home for the child;
- 34 (6) the wishes of the child's parents, if known to the court;
- 35 (7) the wishes of the child if the child is 12 years of age or older,
- 36 unless unique circumstances exist that make the child's age
- 37 irrelevant;
- 38 (8) the suitability of the kinship caregiver and the caregiver's
- 39 family to raise the child;
- 40 (9) the ability of the kinship caregiver to assume full legal
- 41 responsibility for the child;
- 42 (10) the commitment of the kinship caregiver and the
- 43 caregiver's family to raise the child to adulthood;
- 44 (11) the results from the child abuse record check conducted
- 45 pursuant to section 9 of P.L.2001, c.250 (C.30:4C-86); and
- 46 (12) the results from the criminal history record background
- 47 check and domestic violence check conducted pursuant to section 9
- 48 of P.L.2001, c.250 (C.30:4C-86). In any case in which the caregiver
- 49 petitioning for kinship legal guardianship, or any adult residing in

1 the prospective caregiver's home, has a record of criminal history
2 or a record of being subjected to a final domestic violence
3 restraining order under P.L.1991, c.261 (C.2C:25-17 et seq.), the
4 court shall review the record with respect to the type and date of the
5 criminal offense or the provisions and date of the final domestic
6 violence restraining order and make a determination as to the
7 suitability of the person to become a kinship legal guardian. For the
8 purposes of this paragraph, with respect to criminal history, the
9 court shall consider convictions for offenses specified in
10 subsections c., d. and e. of section 1 of P.L.1985, c.396 (C.30:4C-
11 26.8).

12 b. The court shall not award kinship legal guardianship of the
13 child unless proper notice was served upon the parents of the child
14 and any other party to whom the court has awarded custody or
15 parenting time for that child, in accordance with the Rules of Court.

16 c. The court shall not award kinship legal guardianship of the
17 child solely because of parental incapacity.

18 d. The court shall appoint the caregiver as a kinship legal
19 guardian if, based upon clear and convincing evidence, the court
20 finds that:

21 (1) each parent's incapacity is of such a serious nature as to
22 demonstrate that the parents are unable, unavailable or unwilling to
23 perform the regular and expected functions of care and support of
24 the child;

25 (2) the parents' inability to perform those functions is unlikely
26 to change in the foreseeable future;

27 (3) in cases in which the division is involved with the child as
28 provided in subsection a. of section 8 of P.L.2001, c.250 (C.30:4C-
29 85), **[(a)]** the division exercised reasonable efforts to reunify the
30 child with the birth parents and these reunification efforts have
31 proven unsuccessful or unnecessary; **[and (b) adoption of the child**
32 **is neither feasible nor likely;]** (Deleted by amendment, P.L. ___ c.
33 (C. ___) (pending before the Legislature as this bill) and

34 (4) awarding kinship legal guardianship is in the child's best
35 interests.

36 e. The court order appointing the kinship legal guardian shall
37 specify, as appropriate, that:

38 (1) a kinship legal guardian shall have the same rights,
39 responsibilities and authority relating to the child as a birth parent,
40 including, but not limited to: making decisions concerning the
41 child's care and well-being; consenting to routine and emergency
42 medical and mental health needs; arranging and consenting to
43 educational plans for the child; applying for financial assistance and
44 social services for which the child is eligible; applying for a motor
45 vehicle operator's license; applying for admission to college;
46 responsibility for activities necessary to ensure the child's safety,
47 permanency and well-being; and ensuring the maintenance and
48 protection of the child; except that a kinship legal guardian may not
49 consent to the adoption of the child or a name change for the child;

1 (2) the birth parent of the child retains the authority to consent
2 to the adoption of the child or a name change for the child;

3 (3) the birth parent of the child retains the obligation to pay
4 child support;

5 (4) the birth parent of the child retains the right to visitation or
6 parenting time with the child, as determined by the court;

7 (5) the appointment of a kinship legal guardian does not limit or
8 terminate any rights or benefits derived from the child's parents,
9 including, but not limited to, those relating to inheritance or
10 eligibility for benefits or insurance; and

11 (6) kinship legal guardianship terminates when the child reaches
12 18 years of age or when the child is no longer continuously enrolled
13 in a secondary education program, whichever event occurs later, or
14 when kinship legal guardianship is otherwise terminated.

15 f. An order or judgment awarding kinship legal guardianship
16 may be vacated by the court prior to the child's 18th birthday if the
17 court finds that the kinship legal guardianship is no longer in the
18 best interests of the child or, in cases where there is an application
19 to return the child to the parent, based upon clear and convincing
20 evidence, the court finds that the parental incapacity or inability to
21 care for the child that led to the original award of kinship legal
22 guardianship is no longer the case and termination of kinship legal
23 guardianship is in the child's best interests.

24 In cases in which the division was involved, when determining
25 whether a child should be returned to a parent, the court may refer a
26 parent for an assessment prepared by the division, in accordance
27 with regulations adopted by the commissioner.

28 g. An order or judgment awarding kinship legal guardianship
29 may be vacated by the court if, based upon clear and convincing
30 evidence, the court finds that the guardian failed or is unable,
31 unavailable or unwilling to provide proper care and custody of the
32 child, or that the guardianship is no longer in the child's best
33 interests.

34 (cf: P.L.2006, c.47, s.32)

35
36 ¹[4.] 5.¹ Section 10 of P.L.1974, c.119 (C.9:6-8.30) is amended
37 to read as follows:

38 a. The division₂, when informed that there has been an
39 emergency removal of a child from his home without court order₂,
40 shall make every reasonable effort to communicate immediately
41 with the child's parent or guardian that such emergency removal has
42 been made and the location of the facility to which the child has
43 been taken, and advise the parent or guardian to appear in the
44 appropriate Superior Court, Chancery Division, Family Part within
45 two court days.

46 The division shall make a reasonable effort, at least 24 hours
47 prior to the court hearing, to:

48 notify the parent or guardian of the time to appear in court; and

1 inform the parent or guardian of his right to obtain counsel, and
2 how to obtain counsel through the Office of the Public Defender if
3 the parent or guardian is indigent.

4 The division shall also advise the party making the removal to
5 appear. If the removed child is returned to his home prior to the
6 court hearing, there shall be no court hearing to determine the
7 sufficiency of cause for the child's removal, unless the child's
8 parent or guardian makes application to the court for review.

9 The division shall make reasonable efforts to place the child with
10 a suitable relative or person who has a kinship relationship as
11 defined in section 2 of P.L.2001, c.250 (C.3B:12A-2) prior to
12 placing the child with another suitable person.

13 For the purposes of this section, "facility" means a hospital,
14 shelter or child care institution in which a child may be placed for
15 temporary care, but does not include a resource family home.

16 b. The division shall cause a complaint to be filed under this act
17 within two court days after such removal takes place.

18 c. Whenever a child has been removed pursuant to section 7 or 9
19 of P.L.1974, c.119 (C.9:6-8.27 or 9:6-8.29), the division shall
20 arrange for immediate medical screening of the child and shall have
21 legal authority to consent to such screening. If necessary to
22 safeguard the child's health or life, the division also is authorized to
23 arrange for and consent to medical care or treatment of the child.
24 Consent by the division pursuant to this subsection shall be deemed
25 legal and valid for all purposes with respect to any person, hospital,
26 or other health care facility screening, examining or providing care
27 or treatment to a child in accordance with and in reliance upon such
28 consent. Medical reports resulting from such screening,
29 examination or care or treatment shall be released to the division for
30 the purpose of aiding in the determination of whether the child has
31 been abused or neglected. Any person or health care facility acting
32 in good faith in the screening of, examination of or provision of
33 care and treatment to a child or in the release of medical records
34 shall have immunity from any liability, civil or criminal, that might
35 otherwise be incurred or imposed as a result of such act.

36 (cf: P.L.2006, c.47, s.49)

37
38 ¹**[5.] 6.** Section 11 P.L.1974, c.119 (C.9:6-8.31) is amended to
39 read as follows:

40 11. a. In any case where the child has been removed without
41 court order, except where action has been taken pursuant to
42 P.L.1973, c.147 (C.9:6-8.16 et seq.) the Superior Court, Chancery
43 Division, Family Part shall hold a hearing on the next court day,
44 whereby the safety of the child shall be of paramount concern, to
45 determine whether the child's interests require protection pending a
46 final order of disposition. In any other case under P.L.1974, c.119
47 (C.9:6-8.21 et seq.), any person who may originate a proceeding
48 may apply for, or the court, on its own motion, may order a hearing
49 at any time after the complaint is filed to determine, with the safety

1 of the child of paramount concern, whether the child's interests
2 require protection pending a final order of disposition.

3 b. Upon such hearing, if the court finds that continued removal
4 is necessary to avoid an ongoing risk to the child's life, safety, or
5 health, it shall affirm the removal of the child to an appropriate
6 place or place him in the custody of a suitable person.

7 The court shall also ¹first¹ consider placement of the child with a
8 suitable relative or person who has a kinship relationship as defined
9 in section 2 of P.L.2001, c.250 (C.3B:12A-2), when considering if
10 the child should be placed in the custody of a suitable person.

11 If the court determines that removal of the child by a physician,
12 police officer, designated employee of the Probation Division, or
13 designated employee of the Division of Child Protection and
14 Permanency was necessary due to imminent danger to the child's
15 life, safety, or health, the court shall find that the Division of Child
16 Protection and Permanency was not required to provide reasonable
17 efforts to prevent placement of the child in accordance with section
18 24 of P.L.1999, c.53 (C.30:4C-11.2).

19 c. Upon such hearing the court may, for good cause shown,
20 issue a preliminary order of protection which may contain any of
21 the provisions authorized on the making of an order of protection
22 under section 35 of P.L.1974, c.119 (C.9:6-8.55).

23 d. Upon such hearing, the court may, for good cause shown,
24 release the child to the custody of his parent or guardian from
25 whose custody or care the child was removed, pending a final order
26 of disposition, in accord with section 33 of P.L.1974, c.119 (C.9:6-
27 8.53).

28 e. Upon such hearing, the court may authorize a physician or
29 hospital to provide medical or surgical procedures if such
30 procedures are necessary to safeguard the child's life or health.

31 f. If the court grants or denies a preliminary order requested
32 pursuant to this section, it shall state the grounds for such decision.

33 g. In all cases involving abuse or neglect the court shall order an
34 examination of the child by a physician appointed or designated for
35 the purpose by the division. As part of such examination, the
36 physician shall arrange to have color photographs taken as soon as
37 practical of any areas of trauma visible on such child and may if
38 indicated, arrange to have a radiological examination performed on
39 the child. The physician, on the completion of such examination,
40 shall forward the results thereof together with the color photographs
41 to the court ordering such examination.

42 (cf: P.L.2012, c.16, s.33)

43

44 ¹**[6.] 7.**¹ Section 34 of P.L.1974, c. 119 (C.9:6-8.54) is
45 amended to read as follows:

46 34. a. For the purpose of section 31 of P.L.1974, c.119 (C.9:6-
47 8.51), the court may place the child in the custody of a relative or
48 other suitable person or the division for the placement of a child
49 after a finding that the division has made reasonable efforts to

1 prevent placement or that reasonable efforts to prevent placement
2 were not required in accordance with section 24 of P.L.1999, c.53
3 (C.30:4C-11.2). The court shall also ¹first¹ consider placement of
4 the child with a suitable relative or person who has a kinship
5 relationship as defined in section 2 of P.L.2001, c.250 (C.3B:12A-
6 2), when considering if the child should be placed in the custody of
7 another suitable person.

8 b. (1) Placements under this section may be for an initial period
9 of 12 months and the court, in its discretion, may at the expiration
10 of that period, upon a hearing make successive extensions for
11 additional periods of up to one year each. The court on its own
12 motion may, at the conclusion of any period of placement, hold a
13 hearing concerning the need for continuing the placement.

14 (2) The court shall conduct a permanency hearing for the child
15 no later than 30 days after placement in cases in which the court has
16 determined that reasonable efforts to reunify the child with the
17 parent or guardian are not required pursuant to section 25 of
18 P.L.1999, c.53 (C.30:4C-11.3), or no later than 12 months after
19 placement in cases in which the court has determined that efforts to
20 reunify the child with the parent or guardian are required. The
21 hearing shall include, but not necessarily be limited to,
22 consideration and evaluation of information provided by the
23 division and other interested parties regarding such matters as those
24 listed in subsection c. of section 50 of P.L.1999, c.53 (C.30:4C-
25 61.2).

26 (3) The court shall review the permanency plan for the child
27 periodically, as deemed appropriate by the court, to ensure that the
28 permanency plan is achieved.

29 c. No placement may be made or continued under this section
30 beyond the child's eighteenth birthday without his consent.

31 d. If the parent or person legally responsible for the care of any
32 such child or with whom such child resides receives public
33 assistance and care, any portion of which is attributable to such
34 child, a copy of the order of the court providing for the placement
35 of such child from his home shall be furnished to the appropriate
36 county welfare board, which shall reduce the public assistance and
37 care furnished to such parent or other person by the amount
38 attributable to such child.

39 (cf: P.L.1999, c.213, s.2)

40
41 ¹**[7.] 8.¹** Section 6 of P.L.1991, c.275 (C.30:4C-12.1) is
42 amended to read as follows:

43 a. In any case in which the Department of Children and Families
44 accepts a child in its care or custody, including placement, the
45 department shall consider placement of the child with a suitable
46 relative or person who has a kinship relationship as defined in
47 section 2 of P.L.2001, c.250 (C.3B:12A-2). **[the]** The department
48 shall initiate a search for relatives or persons with a kinship
49 relationship with the child who may be willing and able to provide

1 the care and support required by the child. The search shall be
2 initiated within 30 days of the department's acceptance of the child
3 in its care or custody. The search will be completed when all
4 sources contacted have either responded to the inquiry or failed to
5 respond within 45 days. The department shall complete an
6 assessment of each interested relative's or person's ability to
7 provide the care and support, including placement, required by the
8 child.

9 b. If the department determines that the relative or person who
10 has a kinship relationship with the child is unwilling or unable to
11 assume the care of the child, the department shall not be required to
12 re-evaluate the relative. The department shall inform the relative or
13 person in writing of:

14 (1) the reasons for the department's determination;

15 (2) the responsibility of the relative or person to inform the
16 department if there is a change in the circumstances upon which the
17 determination was made;

18 (3) the possibility that termination of parental rights may occur
19 if the child remains in resource family care for more than six
20 months; and

21 (4) the right to seek review by the department of such
22 determination.

23 c. The department may decide to pursue the termination of
24 parental rights if the department determines that termination of
25 parental rights is in the child's best interests.

26 (cf: P.L.2006, c.47, s.123)

27
28 ¹**[8.] 9.**¹ Section 7 of P.L.1991, c.275 (C.30:4C-15.1) is
29 amended to read as follows:

30 a. The division shall initiate a petition to terminate parental
31 rights on the grounds of the "best interests of the child" pursuant to
32 subsection (c) of section 15 of P.L.1951, c.138 (C.30:4C-15) if the
33 following standards are met:

34 (1) The child's safety, health, or development has been or will
35 continue to be endangered by the parental relationship;

36 (2) The parent is unwilling or unable to eliminate the harm
37 facing the child or is unable or unwilling to provide a safe and
38 stable home for the child and the delay of permanent placement will
39 add to the harm. **[Such harm may include evidence that separating**
40 **the child from his resource family parents would cause serious and**
41 **enduring emotional or psychological harm to the child];**

42 (3) The division has made reasonable efforts to provide services
43 to help the parent correct the circumstances which led to the child's
44 placement outside the home and the court has considered
45 alternatives to termination of parental rights; and

46 (4) Termination of parental rights will not do more harm than
47 good.

48 b. The division shall initiate a petition to terminate parental
49 rights on the ground that the "parent has abandoned the child"

1 pursuant to subsection (e) of section 15 of P.L.1951, c.138
2 (C.30:4C-15) if the following standards are met:

3 (1) a court finds that for a period of six or more months:

4 (a) the parent, although able to have contact, has had no contact
5 with the child, the child's resource family parent or the division;
6 and

7 (b) the parent's whereabouts are unknown, notwithstanding the
8 division's reasonable efforts to locate the parent; or

9 (2) where the identities of the parents are unknown and the
10 division has exhausted all reasonable methods of attempting
11 identification, the division may immediately file for termination of
12 parental rights upon the completion of the law enforcement
13 investigation; or

14 (3) where the parent voluntarily delivered the child to and left
15 the child with an adult employee, or voluntarily arranged for
16 another person to deliver the child to and leave the child with an
17 adult employee, at a State, county or municipal police station, a fire
18 station of a municipal, county, fire district, or volunteer fire
19 department, the premises of a public or private ambulance, first aid,
20 or rescue squad; or voluntarily delivered the child to and left the
21 child at an emergency department of a licensed general hospital in
22 this State when the child is or appears to be no more than 30 days
23 old, without expressing an intent to return for the child, as provided
24 in section 4 of P.L.2000, c.58 (C.30:4C-15.7), the division shall file
25 for termination of parental rights no later than 21 days after the day
26 the division assumed care, custody and control of the child.

27 c. As used in this section and in section 15 of P.L.1951, c.138
28 (C.30:4C-15) "reasonable efforts" mean attempts by an agency
29 authorized by the division to assist the parents in remedying the
30 circumstances and conditions that led to the placement of the child
31 and in reinforcing the family structure, including, but not limited to:

32 (1) consultation and cooperation with the parent in developing a
33 plan for appropriate services;

34 (2) providing services that have been agreed upon, to the family,
35 in order to further the goal of family reunification;

36 (3) informing the parent at appropriate intervals of the child's
37 progress, development, and health; and

38 (4) facilitating appropriate visitation.

39 d. The division shall not be required to provide "reasonable
40 efforts" as defined in subsection c. of this section prior to filing a
41 petition for the termination of parental rights if an exception to the
42 requirement to provide reasonable efforts to reunify the family has
43 been established pursuant to section 25 of P.L.1999, c.53 (C.30:4C-
44 11.3).

45 (cf: P.L.2015, c.82, s.3)

46

47 ¹**[9.] 10.**¹ This act shall take effect immediately.