

TITLE 10. HUMAN SERVICES

CHAPTER 133D.

CASE MANAGEMENT

SUBCHAPTER 1. CASE PLAN

**§ 10:133D-1.1 Purpose**

The purpose of this subchapter is to describe the process of developing a case plan, to identify the participants in the development of the case plan, and to identify the contents of the case plan.

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**§ 10:133D-1.2 Scope**

The provisions of this subchapter shall apply to each client, family member, out-of-home placement provider, Division representative, and other person participating in the case plan development.

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**§ 10:133D-1.3 Definitions**

The definitions in N.J.A.C. 10:133-1.3, Definitions, are hereby incorporated into this subchapter by reference.

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**§ 10:133D-1.4 When a case plan is developed**

(a) A case plan shall be developed with each family for whom services will be provided. The Division representative shall prepare the case plan:

1. Within 60 calendar days of receipt of a report, as defined at N.J.A.C. 10:129-1.3, or a child welfare services referral or application;

or

2. Within 30 calendar days of a child entering or reentering out-of-home placement.

(b) The Division representative shall also prepare the case plan at least once every six months after the previous case plan.

(c) The case plan shall be revised more often than the standard set forth in (a) and (b) above, if the case situation shows significant change.

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#### **§ 10:133D-1.5 Participants in developing the case plan**

(a) The Division representative shall develop the case plan with the child's parent, unless he or she is unwilling to participate, any person identified by the parent to participate, any person appointed by the court for this purpose and the child, if the Division representative determines that the child is willing and able to participate in the development of the case plan, in accordance with this subchapter. Other interested parties or service providers may be invited to participate.

(b) In addition to (a) above, when the child lives in an out-of-home placement, the Division representative shall develop the case plan with the participation of each child's out-of-home placement provider.

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#### **§ 10:133D-1.6 Process of developing the case plan**

(a) Participation in developing the case plan shall include providing information, identifying needs, outcomes, supports, services and tasks, which are needed to meet the needs and achieve the case goal, suggesting the time frames for beginning and completing the identified services and tasks and specifying who is responsible for completing the identified services and tasks.

(b) If the participants in the case plan development process are unable to participate in a family team meeting, they may participate by:

1. Meeting individually with the Division representative;
2. Providing written information to the Division representative; or
3. Talking with the Division representative by telephone.

(c) The Division representative shall prepare a written case plan.

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**§ 10:133D-1.7 Contents of the written case plan**

(a) The written case plan for a family with the child living at home shall include:

1. The reasons for the Division's involvement with the family;
2. The underlying needs of each family member;
3. The case goal for each family member receiving services;
4. The schedule for contacts between the Division representative and the family members, pursuant to N.J.A.C. 10:133D-2, In-Person Visits with Clients and Out-of-Home Placement Providers;
5. The supports and services offered to, provided to and used by the family since the last case plan was developed, for each case plan after the initial case plan. If any service is court-ordered, the case plan shall contain that service;
6. The behavioral and other changes expected from each person;
7. The services or activities which are intended to facilitate the changes and who will accomplish or provide them; and

8. Progress toward achieving the case goal for each family member receiving services.

(b) The written case plan for a child in an out-of-home placement shall include:

1. The legal authority for the out-of-home placement;
2. The efforts made to prevent placement, the reasons for making the placement or for continuing the placement, all efforts made to reunify the family and the impact of those efforts;
3. The case goal for each child, the progress towards its achievement and any obstacles to reaching it;
4. An assessment of the safety and appropriateness of the current placement and the plan to assure that each child receives safe and appropriate care;
5. The efforts made to find a missing mother and father or relative, pursuant to N.J.S.A. 30:4C-12 et seq.;
6. The schedule for contacts between the Division representative and the family members, pursuant to N.J.A.C. 10:133D-2, In-Person Visits with Clients and Out-of-Home Placement Providers;



7. The plan for visits between the child and parents, siblings and other relatives (see N.J.A.C. 10:122D-1);

8. The views of the child, family, and out-of-home placement provider concerning the placement and the case plan;

9. The needs of the child, the parent, and the child's out-of-home placement provider in order to meet the case goal;

10. The behavioral and other changes expected from each person;

11. The services or actions intended to meet the identified needs and who is responsible to provide the services and complete the activities, with projected time frames, as well as the appropriateness of the services for the child. See N.J.A.C. 10:122D-2, Services to Children in Out-of-Home Placement;

12. Any stipulations reflected in a court order;

13. A description of the type of out-of-home placement;

14. How the placement is safe, near the parent's home and the least restrictive and most family-like available, consistent with the best interest and special needs of the child;

15. Why the child was placed a substantial distance from his or her parents or out-of-State, when applicable;

16. The child's health and education records, in accordance with N.J.A.C. 10:122D-2.5(b) and (c) and 2.6(b) and (d); and

17. Programs and services to help the child transition from out-of-home placement to self-sufficiency skills, for a child age 14 or older, in accordance with N.J.A.C. 10:122D-2.7.

(c) The written case plan for a child in an out-of-home placement and whose case goal is either adoption or kinship legal guardianship shall include the steps the Division representative is taking to place the child with:

1. An adoptive family, including child specific recruitment efforts, such as the use of adoption resource exchanges in accordance with N.J.A.C. 10:121C-2.4 and 2.5, and to finalize the adoption; or

2. A relative or caregiver who is willing to assume care of a child, become a kinship legal guardian and finalize the kinship legal guardianship, after steps are taken to determine that reunification and adoption are neither feasible nor appropriate and the child meets the eligibility requirements for kinship legal guardianship.

(d) The case plan for a child in out-of-home placement shall include documentation of:

1. The appropriateness of the child's current educational setting; and
2. A child's inability to attend school on a full-time basis due to the child's medical condition.

(e) When the Division is not required to file a petition seeking termination of parental rights pursuant to N.J.S.A. 30:4C-15.3b, the Division representative shall document in the case plan a compelling reason for determining that filing the petition is not in the best interests of the child.

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#### **§ 10:133D-1.8 Notice of the case plan**

(a) The Division representative shall ask each person who participated in developing the case plan to sign the case plan to indicate his or her participation in developing the case plan.

(b) The Division representative shall give a copy of the case plan to each person who signs the case plan, including the out-of-home placement provider, and to each parent who declines to participate in or sign the case plan. The Division shall give a modified copy of the case plan to those who participated in developing the case plan and to each parent who declined to participate in or sign the case plan, when required by State and Federal confidentiality or child protection laws.

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#### SUBCHAPTER 2. IN-PERSON VISITS WITH CLIENTS AND OUT-OF-HOME PLACEMENT PROVIDERS

**§ 10:133D-2.1 Authority**

N.J.S.A. 30:4C-25 requires the Division of Youth and Family Services, Department of Children and Families to regularly visit all children under its care, custody and supervision.

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**§ 10:133D-2.2 Purpose**

The purpose of this subchapter is to establish criteria for determining the frequency and nature of in-person visits by a Division representative with each child, parent, and out-of-home placement provider.

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**§ 10:133D-2.3 Scope**

The provisions of this subchapter shall apply to each child receiving services from the Division, his or her parent and each out-of-home placement provider of a Division-supervised child and to the Division.

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**§ 10:133D-2.4 Definitions**

The definitions in N.J.A.C. 10:133-1.3, Definitions, are hereby incorporated into this subchapter by reference.

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**§ 10:133D-2.5 Purpose of in-person visits by the Division representative**

(a) Each in-person visit by the Division representative shall be made for one or more of the following purposes:

1. To determine whether the child is receiving appropriate care and is safe from harm;
2. To determine whether the objectives of the case plan are being met;

3. To determine what progress is being made toward achieving the case goal; or

4. To determine whether barriers to achieving the case goal are being alleviated.

(b) Each in-person visit by a Division representative with a child in out-of-home placement shall be made to determine the child's adjustment to and progress in the out-of-home placement and to obtain information and concerns about the child from the out-of-home placement provider and the child, in addition to the purposes in (a) above.

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#### **§ 10:133D-2.6 Establishing a schedule for in-person visits**



(a) The Division representative and supervisor shall establish a schedule for each child, his or her parent and out-of-home placement provider based on the following:

1. The services to be provided by the Division and the tasks to be accomplished directly by the Division representative;
2. The services to be provided by non-Division service providers;
3. The case goal; and
4. The assessed risk to the child.

(b) The supervisor and the Division representative shall manage the schedule when appropriate.

(c) Each established schedule for in-person visits shall fall between a range of once every week to monthly, except as provided in (d) and (f) below.

(d) The local office manager may approve an in-person visitation schedule of once every three months for a child, parent or out-of-home placement provider, when a child resides in an out-of-State treatment-based out-of-home placement program further than 50 miles of the New Jersey State border that precludes in-person visitation more frequently than once every three months.

(e) For a New Jersey child who resides with his or her resource family in another state, where the distance from New Jersey precludes in-person visitation more frequently than once every six months, the local office manager may approve a yearly in-person visitation schedule of two in-person visits by the Division representative and two in-person visits by an agency pursuant to the Interstate Compact on the Placement of Children, N.J.S.A. 9:23-5 et seq. The shared in-person visitation schedule between New Jersey and the receiving state shall be included in documentation of the visitation schedule as approved by the local office manager.

(f) The local office manager may approve:

1. An in-person visitation schedule of once every three months for a parent when the parent lives out-of-State at a distance, which precludes more frequent in-person visitation and the case plan indicates a continuing need for interaction between the parent and the Division representative; or

2. No in-person visitation schedule for a parent who lives out-of-State at a distance which precludes routine in-person visitation, the parent is unwilling to schedule regular in-person visitation and the case plan does

not indicate a continuing need for interaction between the parent and the Division representative.

(g) Whenever an in-person visitation schedule of once every three months has been approved under the provision of (d) above, the Division representative shall maintain monthly telephone contact between visits with all parties, as well as with collateral individuals; for example, school personnel.

(h) The Division representative shall advise each child, his or her parent, and the out-of-home placement provider of the schedule for in-person visits and any changes in the schedule.

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#### **§ 10:133D-2.7 In-person visitation when a child is placed out of his or her own home**

(a) In addition to the visits made in accordance with the provisions of N.J.A.C. 10:133D-2.6, Establishing a schedule for in-person visits, whenever a child is placed out of his or her own home:

1. An initial in-person visit with the child, the prior custodial parent and the out-of-home placement provider shall be made by the Division representative within five working days following the child's placement out of his or her own home;

2. The visit with the child shall occur in the home of the out-of-home placement provider;

3. The in-person visit with the prior custodial parent may occur in either the parent's home, the office or other mutually-agreed upon location;

4. During the first two months of an initial or a subsequent placement, each child shall receive at least two in-person visits per month, with at least one visit occurring in the home of the out-of-home placement provider and at least one visit per month thereafter, occurring in the home of the out-of home placement provider; and

5. Each parent of a child with a case goal of reunification shall receive at least two in-person visits per month and each parent of a child

with another case goal shall receive at least one visit per month, unless parental rights have been terminated.

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**§ 10:133D-2.8 Change in placement**

Following a change in the child's out-of-home placement, the Division representative shall have an in-person visit within five working days with the child and new out-of-home placement provider.

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**§ 10:133D-2.9 Placement in a treatment-based out-of-home placement program further than 50 miles from the New Jersey State border**

(a) When a child is placed in a treatment-based out-of-home placement program further than 50 miles from the New Jersey State border, the Division representative shall speak with the child by telephone within five working days of the child's placement in a treatment-based out-of-home placement program, unless contraindicated by the individual treatment plan for the child.

(b) When a child is placed in a treatment-based out-of-home placement program further than 50 miles from the New Jersey State border, the Division representative shall visit the child and attend the conference to develop the child's treatment plan within 30 calendar days of placement.

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**§ 10:133D-2.10 Initial in-person visit**

(a) In addition to the standards set by N.J.A.C. 10:133D-2.7, 2.8 and 2.9, the Division representative shall make an in-person visit with the child, the parent and the out-of-home placement provider, if applicable, in the child's residence within 10 working days when:

1. A Division representative is assigned to a newly opened case; or
2. The case is transferred from one Division representative to another.

In this instance, the newly assigned Division representative shall make the in-person visit.

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**§ 10:133D-2.11 In-person visitation with a child alone**

During any in-person visitation, a Division representative may interview a child receiving services from the Division alone to allow the child to speak freely.

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SUBCHAPTERS 3 THROUGH 4. (RESERVED)

N.J.A.C. 10:133D-3 (2014)

Title 10, Chapter 133D, Subchapters 3 through 4. (Reserved)



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