

2A:4A-87

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 2A:4A-87

(Juveniles--out-
of-home
placement)

LAWS OF: 1989

CHAPTER: 305

Bill No: S3168

Sponsor(s): Brown

Date Introduced: January 10, 1988

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: Yes No

Date of Passage: Assembly: January 8, 1990

Senate: October 19, 1989

Date of Approval: January 12, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

(over)

Report, referred to in statements:

974.901 New Jersey. Juvenile Delinquency Commission
C35.7 Juvenile justice: toward completing the unfinished
agenda. August, 1988.

P.L.1989, CHAPTER 305, approved January 12, 1990

1989 Senate No. 3168

1 AN ACT concerning out of home placements for juveniles and
2 amending P.L.1982, c.80.

3

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

6 1. Section 12 of P.L.1982, c.80 (C.2A:4A-87) is amended to
7 read as follows:

8 12. Juvenile-family crisis referral to courts; out of home
9 placement. When, despite provision of crisis intervention
10 services and the exhaustion of [appropriate community services]
11 all alternative services, there is a refusal on the part of the
12 juvenile to stay in or return to the home or a refusal on the part
13 of the parents to allow the juvenile to stay in or return home, or
14 the physical safety of the juvenile is threatened, or the juvenile is
15 in need of immediate care such that it is necessary to make an
16 out of home placement of the juvenile, court intake services shall:

17 a. Arrange, when agreed to by the parent or guardian and
18 juvenile, alternate living arrangement for the juvenile with a
19 relative, neighbor, or other suitable family setting. It shall not
20 be necessary for a court hearing to approve the living
21 arrangement and the arrangement may continue as long as there
22 is agreement; or

23 b. Arrange, when no alternate living arrangement can be
24 agreed to and when all possible resources for alternate living
25 arrangements as set forth in subsection a. of this section have
26 been exhausted, temporary out of home placement prior to the
27 placement hearing. Court intake services shall immediately file
28 a petition for out of home placement which shall include
29 documentation of the attempts made to provide alternate living
30 arrangements including, but not limited to, the names of persons
31 contacted, their responses and the lack of agreement by the
32 juvenile or the juvenile's parents if the persons contacted are
33 willing to take the juvenile with the court. The crisis

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.

1 intervention unit shall inform the juvenile and parent or guardian
2 that an out of home placement determination may be made by
3 the court where an alternate living arrangement cannot be agreed
4 to.

5 (cf: P.L.1982, c.80, s.12.)

6 2. This act shall take effect on the 30th day after enactment.
7
8

9 STATEMENT
10

11 This bill requires that the county court intake services which
12 process and handle juvenile matters prior to court intervention,
13 must exhaust all alternative resources before filing a petition
14 with the court for out of home placement. To ensure that all
15 alternate housing is exhausted, this bill requires the court intake
16 services to document their search. Such documentation must be
17 presented as part of the petition for out of home placement to
18 the court before a determination is made. This requirement will
19 assist the judge ordering the out of home placement by providing
20 full information of other avenues explored.

21 As noted in the Juvenile Delinquency Commission's Annual
22 Report, Juvenile Justice - Toward Completing The Unfinished
23 Agenda, and specifically in recommendation number five, a
24 continuing problem to the uniform application of appropriate
25 responses to the juvenile crisis situations is the differences in
26 quality as well as quantity of the services provided by the
27 Juvenile/Crisis Intervention Unit (CIU). This bill attempts to
28 resolve the disparity of the responses by the different county
29 court intake services by clearly defining the responsibilities of the
30 county court intake services before they may seek court-ordered
31 placement.
32
33

34 CIVIL JUSTICE

35 Juvenile Justice
36

37 Requires that all other possible resources for alternate housing be
38 exhausted before a petition is filed with the court for juvenile out
39 of home placement.

SENATE, No. 3168

STATE OF NEW JERSEY

INTRODUCED JANUARY 10, 1989

By Senators BROWN and McMANIMON

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CIVIL JUSTICE

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ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3168

STATE OF NEW JERSEY

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DATED: DECEMBER 7, 1989

The Assembly Judiciary Committee reports favorably Senate No. 3168.

Under the New Jersey Code of the Juvenile crisis, the term "juvenile-family crisis" refers to behavior or conduct which results in a serious threat to the physical well-being of a juvenile; serious conflicts between a juvenile and his parents regarding conduct; repeated truancy and unauthorized absences from the family home. By law, each county has created a juvenile-family crisis intervention unit to response to requests or referrals for assistance in dealing with juvenile-family crisis.

If after trying to resolve a juvenile-family crisis, the juvenile continues to refuse to return or stay home or his parents refuses to allow a juvenile to stay or return home, the crisis intervention unit is authorized to request the court intake services to petition the family court for an out of home placement of the juvenile. This bill would require that before a petition for out of home placement be filed that the crisis intervention unit exhaust all possible sources for alternate living arrangements (i.e. relatives; friends, etc.). The bill would also require that any petition for out of home placement contain documentation of the attempts made to provide alternate living arrangements.

The provisions of this bill are based on recommendations contained in the 1988 report of the Juvenile Delinquency Commission.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3168

STATE OF NEW JERSEY

DATED: MAY 22, 1989

The Senate Judiciary Committee reports favorably Senate Bill No. 3168.

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