

2A:4A-76 to 2A:4A-91

LEGISLATIVE HISTORY CHECKLIST

NJSA: 2A:4A-76 to 2A:4A-91 (Juvenile-family crisis intervention units)

LAWS OF: 1982 CHAPTER: 80

BILL NO: A644

Sponsor(s): Doyle and others

Date Introduced: January 19, 1982

Committee: Assembly: -----

Senate: Judiciary; Revenue, Finance and Appropriations

Amended during passage: Yes Amendments during passage denoted by asterisks. Substituted for S922 (not attached since identical to A644)

Date of Passage: Assembly: February 1, 1982

Senate: May 24, 1982

Date of Approval: July 23, 1982

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes 2-8-82 and 3-15-82

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: Yes

Hearings: No

974.0 New Jersey. Juvenile Justice. Task Force. Advisory Committee on  
J97 "Alternative Dispositions / Community - based programs".  
1981 Final report . . . January, 1981. Trenton, 1981.

(OVER)

- 974.90 New Jersey. State Family Court Committee. Report. . . June 10, 1983.  
C866 Trenton, 1983.  
1983d
- 974.90 Family part operations and organization: draft report . . . December, 1983.  
C866 Trenton, 1983.  
1983c
- 974.901 New Jersey. Juvenile Delinquency Disposition Commission.  
C35.7 The impact of the New Jersey  
code of juvenile justice; first annual report...  
September 19, 1986. Trenton, 1986.

See newspaper clipping file in New Jersey Reference Department, under "NJ - Juvenile courts - 1982 and "NJ - Juvenile delinquency - 1982".

CHAPTER 80 LAWS OF N. J. 1982

APPROVED 2-23-82

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 644

# STATE OF NEW JERSEY

INTRODUCED JANUARY 19, 1982

By Assemblymen DOYLE, HERMAN, KERN, THOMPSON, KAVANAUGH, GORMLEY, KARCHER, GORMAN, VISOTCKY, BOCCHINI, BROWN, PANKOK, D. GALLO, ROCCO, JANISZEWSKI, BRYANT, RILEY, MARSELLA, Assemblywoman COSTA, Assemblyman MARKERT, Assemblywoman PERUN, Assemblymen FORTUNATO, SCHWARTZ, PATERNITI, DORIA, MATTHEWS, ZANGARI, FLYNN, GIRGENTI, PELLECCIA, MAZUR, BAER, DEVERIN, LESNIAK, Assemblywoman WRIGHT, Assemblymen FRANKS, HENDRICKSON, WOLF, ROD, KOSCO, SCHUBER, SHUSTED, HARDWICK, LACORTE, MILLER, ALBOHN, Assemblywoman BROWN, Assemblymen GILL, BENNETT, PALAIA, SMITH, PATERO, ADUBATO and Assemblywoman KALIK

(Without Reference)

AN ACT providing for the establishment of family crisis intervention units in the several counties, and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Juvenile-family crisis intervention units established. There  
2 shall be established in each county one or more juvenile-family  
3 crisis intervention units. Each unit shall operate either as a part  
4 of the court intake service, or where provided for by the county,  
5 through any other appropriate office or private service pursuant  
6 to an agreement with the Administrative Office of the Courts,  
7 provided that all such units shall be subject to the Rules of Court.  
8 In any county where a crisis intervention service system, designed  
9 to attend and stabilize juvenile and family problems on a county

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

\*—Senate committee amendment adopted February 8, 1982.

10 wide basis, is in operation as of the effective date of this act, such  
11 service shall satisfy all the provisions of this act, and may continue  
12 in its present form and under its present procedures, provided that  
13 it is operating in substantial compliance with the specific require-  
14 ments and goals set forth in this act.

1 2. The purpose of the unit shall be to provide a continuous 24-  
2 hour on call service designed to attend and stabilize juvenile-family  
3 crises as defined pursuant to section 3 of P. L. . . . ., c. . . . .  
4 (now pending before the Legislature as Assembly Bill No. 641).  
5 The juvenile-family crisis intervention unit shall respond im-  
6 mediately to any referral, complaint or information made pursuant  
7 to sections 5 or 6 of this act, except if, upon preliminary investiga-  
8 tion, it appears that a juvenile-family crisis within the meaning of  
9 this act does not exist or that an immediate referral to another  
10 agency would be more appropriate.

11 Upon the receipt of any referral pursuant to sections 5 and 6 of  
12 this act, the crisis intervention unit shall request information  
13 through the use of a form developed by the unit and approved by  
14 the Administrative Office of the Courts concerning the juvenile-  
15 family crisis. The form shall provide but shall not be limited to the  
16 following information:

17 a. The name, address, date of birth, and other appropriate per-  
18 sonal data of the juvenile and parent or guardian;

19 b. Facts concerning the conduct of the juvenile or family which  
20 may contribute to the crises, including evidence of alcoholism as  
21 defined in section 2 of P. L. 1975, c. 305 (C. 26:2B-8), drugs depen-  
22 dency as defined in section 2 of the "New Jersey Controlled  
23 Dangerous Substances Act," P. L. 1970, c. 226 (C. 24:21-2) or that  
24 a juvenile is an "abused or neglected child" as defined in P. L. 1974,  
25 c. 119 (C. 9:6-8.21).

1 3. Intervention unit response. A crisis intervention response  
2 shall consist of immediate interviews with the parents and juveniles  
3 involved by one or more crisis intervention workers. Where the  
4 juvenile is not in the home, or in the custody of the police, the  
5 intervention workers shall attempt to interview the juvenile wher-  
6 ever the juvenile may be found. The juvenile and family shall be  
7 advised of the purpose of the unit and of the emphasis upon the  
8 voluntary exhaustion of community services prior to court in-  
9 volvement. The unit shall make all reasonable efforts to keep the  
10 family intact consistent with the physical safety and mental well-  
11 being of the juvenile by obtaining, where possible, written agree-  
12 ment of the family to accept recommendations which may include,  
13 but are not limited to, referral to appropriate services and agencies.

1 4. Intervention unit training and skills. The juvenile-family  
 2 crisis intervention unit shall have knowledge of community services  
 3 and agencies and shall be specially trained in family counseling  
 4 and crisis stabilization skills. The Supreme Court may issue rules  
 5 concerning the duties, responsibilities, training and practices of  
 6 the juvenile-family crisis intervention units consistent with the pro-  
 7 visions of this act, but in no instance shall the minimum qualifica-  
 8 tions for personnel employed as counselors and hired after the effec-  
 9 tive date of this act be less than a masters degree from an accredited  
 10 institution in a mental health or social or behavioral science discip-  
 11 le including degrees in social work, counseling, counseling psychology,  
 12 mental health or education. Equivalent experience is acceptable  
 13 when it consists of a minimum of an associates degree with a con-  
 14 centration in one of the behavioral sciences and a minimum of 5  
 15 years experience working with troubled youth and their families or  
 16 a bachelors degree in one of the behavioral sciences and 2 years  
 17 experience working with troubled youth and their families.

1 5. Law enforcement referral. A law enforcement officer taking  
 2 a juvenile into short-term custody pursuant to section 12 of P. L.  
 3 \_\_\_\_\_, c. \_\_\_\_\_ (now pending before the Legislature as Assem-  
 4 bly Bill No. 641) shall immediately notify the juvenile-family crisis  
 5 intervention unit and shall promptly bring the juvenile to the unit or  
 6 place designated by the unit when:

7 a. The officer has reason to believe that it is not in the best  
 8 interests of the juvenile or the family for the officer to return the  
 9 juvenile to his home;

10 b. The juvenile resides in another county and the officer is unable  
 11 to make arrangements to return the juvenile to his home;

11A *\*c. The juvenile resides in another state;\**

12 d. The juvenile has run away from a placement and the juvenile  
 13 refuses to return home or the juvenile, through his past behavior,  
 14 has demonstrated an inability to remain at home;

15 e. The law enforcement officer is unable, by all reasonable efforts  
 16 to identify or locate a parent, relative or other such appropriate  
 17 person;

18 f. The juvenile requires immediate emergency services, such as  
 19 medical or psychiatric care; or

20 g. No identification can be obtained from the juvenile.

1 6. Other referrals. a The juvenile-family crisis intervention unit  
 2 shall also receive referrals on a continuous basis in situations where  
 3 a juvenile-family crisis exists and there has been either:

4 (1) A request by a parent or juvenile for intervention; or

5 (2) A referral by a public or private agency, educational institu-  
 6 tion, or any other organization serving children, which has contact

7 with the juvenile or family, and has reasonable cause to believe that  
8 a family crisis exists.

9 b. Any agency or organization making such a referral shall indi-  
10 cate whether their agency is capable of providing the appropriate  
11 services to the family or juvenile and indicate their present ability  
12 and willingness to do so in the particular case referred.

13 c. Any public agency making the referral which is under a legal  
14 obligation to provide services to the family or juveniles, shall, where  
15 it is unable to provide appropriate services in the particular case  
16 referred, state the reasons therefor.

1 7. Juvenile-family crises stabilized. When the juvenile-family  
2 crisis has been stabilized and the juvenile is residing in the home,  
3 the crisis intervention unit shall arrange a second interview session  
4 with the family as soon as practicable and preferably the day fol-  
5 lowing the initial intervention, for the purpose of monitoring the  
6 family situation. The crisis intervention unit may, in appropriate  
7 cases, continue to work with the family on a short term basis in  
8 order to stabilize the family situation.

1 8. Juvenile-family crisis referral to the court; continuing crisis.  
2 When, in the judgment of the crisis intervention unit, a juvenile-  
3 family crisis continues to exist despite the provisions of crisis in-  
4 tervention services and the exhaustion of appropriate community  
5 services, court intake services shall, by filing a petition, refer the  
6 case to the court. In counties where the crisis intervention units  
7 are not part of intake and a juvenile-family crisis continues to  
8 exist, the court shall immediately refer the case to intake for the  
9 filing of a petition pursuant to this section. Upon the filing of the  
10 petition, the jurisdiction of the court shall extend to the juvenile,  
11 parent or guardian, or other family member contributing to the  
12 crisis.

1 9. Juvenile-family crisis recommendations. Court intake services  
2 shall submit with its petition facts as to the nature of the juvenile-  
3 family crisis and its recommendations for resolving the crisis, in-  
4 cluding recommendations as to community services or programs  
5 which are necessary to accomplish this purpose.

1 10. Alcoholic, drug dependent parent. a. When a petition is filed  
2 and as a result of any information supplied on the family situation  
3 by the crisis intervention unit, court intake services has reason to  
4 believe that the parent or guardian is an alcoholic, as defined by  
5 P. L. 1975, c. 305 (C. 26:2B-8) or a drug dependent person, as  
6 defined by section 2 of the "New Jersey Controlled Dangerous Sub-  
7 stances Act," P. L. 1970, c. 226 (C. 24:21-2), intake services shall  
8 state the basis for this determination and provide recommendations  
9 to the court.

10 b. When, as a result of any information supplied by the crisis  
 11 intervention unit, court intake services has reason to believe that  
 12 a juvenile is an "abused or neglected child" as defined in P. L. 1974,  
 13 c. 119 (C. 9:6-8.21), they shall handle the case pursuant to the pro-  
 14 cedure set forth in that law. The Division of Youth and Family  
 15 Services shall, upon disposition of any case originated pursuant  
 16 to this subsection, notify court intake services as to the nature of  
 17 the disposition.

1 11. Juvenile-family crisis hearing; disposition. Whenever the  
 2 court receives a petition from court intake services stating that  
 3 a juvenile-family crisis may exist the court shall hold a hearing and  
 4 consider the facts and recommendations submitted by intake ser-  
 5 vices in order to determine the appropriate disposition to be made.  
 6 The court shall notify the juvenile, his parent or guardian or other  
 7 family member alleged in the petition as contributing to the family  
 8 crisis that a juvenile-family crisis may exist. The juvenile, parent,  
 9 guardian, or other family member may present witnesses and  
 10 evidence to rebut the determination. If the court finds that there is  
 11 not enough information to make a disposition it may continue the  
 12 matter and hold one or more additional hearings. The court shall  
 13 enter an order of disposition if it finds that a juvenile family crisis  
 14 exists as provided in section 27 of P. L. . . . . , c. . . . . (now  
 15 pending before the Legislature as Assembly Bill No. 641). In  
 16 support of any such order, the court may require the juvenile,  
 17 parent, guardian or family member contributing to the crisis, to  
 18 participate in appropriate programs and services consistent with  
 19 the disposition. The court may dismiss the petition upon a finding  
 20 that based upon the preponderance of the evidence presented the  
 21 petition is not sufficient to establish that a juvenile-family crisis  
 22 exists. The court shall state the grounds for any disposition made  
 23 pursuant to this section. In the case of failure of any person to  
 24 comply with any orders entered pursuant to this section, the court  
 25 may proceed against such person for the enforcement of litigants'  
 26 rights.

1 12. Juvenile-family crises referral to court; out of home place-  
 2 ment. When, despite provision of crisis intervention services and  
 3 the exhaustion of appropriate community services, there is a re-  
 4 fusal on the part of the juvenile to stay in or return to the home or a  
 5 refusal on the part of the parents to allow the juvenile to stay in  
 6 or return home, or the physical safety of the juvenile is threatened,  
 7 or the juvenile is in need of immediate care such that it is neces-  
 8 sary to make an out of home placement of the juvenile, court intake  
 9 services shall:

10 a. Arrange, when agreed to by the parent or guardian and  
 11 juvenile, alternate living arrangement for the juvenile with a rela-  
 12 tive, neighbor, or other suitable family setting. It shall not be  
 13 necessary for a court hearing to approve the living arrangement  
 14 and the arrangement may continue as long as there is agreement; or

15 b. Arrange, when no alternate living arrangement can be agreed  
 16 to, temporary out of home placement prior to the placement hear-  
 17 ing. Court intake services shall immediately file a petition for out  
 18 of home placement with the court. The crisis intervention unit shall  
 19 inform the juvenile and parent or guardian that an out of home  
 20 placement determination may be made by the court where an  
 21 alternative living arrangement cannot be agreed to.

1 13. Temporary placement. Placement of the juvenile prior to  
 2 the placement hearing or pending determination by the court con-  
 3 cerning placement under a family service plan, pursuant to section  
 4 14 of this act, shall be made in a host shelter, foster or group home,  
 5 a county shelter care facility as defined by law, or other suitable  
 6 family setting. In no event shall such placement be arranged in a  
 7 secure detention or other facility or in a secure correctional insti-  
 8 tution for the detention or treatment of juveniles accused of crimes  
 9 or adjudged delinquent.

1 14. Out of home placement hearing. When intake has filed with  
 2 the court a petition for out of home placement, the court shall,  
 3 within 24 hours, conduct a hearing on the petition. The court  
 4 shall notify the parents, the juvenile and his counsel and, if indigent,  
 5 have counsel appointed by the court. The hearing shall be con-  
 6 ducted in accordance with the Rules of Court and shall be attended  
 7 by the parents, the juvenile, and when requested by the court, a  
 8 representative of the Division of Youth and Family Services. The  
 9 following procedure shall be followed for the hearing:

10 a. The court shall hold the hearing to consider the petition and  
 11 may approve or disapprove the temporary out of home placement.  
 12 The court may approve the temporary out of home placement if  
 13 either of the following factors exist:

14 (1) A serious conflict or other problem between the parent and  
 15 the juvenile which cannot be resolved by delivery of services to the  
 16 family during continued placement of the juvenile in the parental  
 17 home; or

18 (2) The physical safety and well-being of the juvenile would be  
 19 threatened if the juvenile were placed in the parental home.

20 b. If the court disapproves a petition for an out of home place-  
 21 ment, a written statement of reasons shall be filed, and the court  
 22 shall order that the juvenile is to remain at or return to the parental  
 23 home.

24 e. Temporary out of home placement shall continue until other-  
25 wise provided by the court. The order approving the temporary  
26 out of home placement shall direct the Division of Youth and  
27 Family Services, or other service or agency to submit a family  
28 service plan that is designed to resolve the family crisis consistent  
29 with the well-being and physical safety of the juvenile. The court  
30 shall direct such division, service or agency to make recommenda-  
31 tions as to which agency or person shall have physical custody of  
32 the child, the extent of the parental powers to be awarded to such  
33 agency or person and parental visitation rights.

34 d. Within 14 days of the date of the order approving the petition  
35 for temporary out of home placement is entered, unless for good  
36 cause shown, but no later than 30 days, the division, service or  
37 agency shall submit to the court a family service plan, which shall  
38 be presumed valid, detailing the specifics of the court order. The  
39 plan shall be developed within the limits of fiscal and other  
40 resources available to the division, service or agency. If the court  
41 determines that the service plan is inappropriate, given existing  
42 resources, the division, service or agency may request a hearing on  
43 that determination.

44 e. At the hearing held to consider the family service plan pre-  
45 sented by the division or other service or agency, the court shall  
46 consider all such recommendations included therein. The court,  
47 consistent with this section, may modify such plan and shall make  
48 its dispositional order for the juvenile. The courts dispositional  
49 order shall specify the responsibility of the Department of Human  
50 Services or other service with respect to the juvenile who shall be  
51 placed, those parental powers temporarily ordered to the depart-  
52 ment or service and parental visitation rights. Where placement  
53 cannot be immediately made, the division or other service or agency  
54 shall report to the court every 14 days on the status of the place-  
55 ment and progress toward implementation of the plan.

1 15. Long-term placement. In considering whether to approve or  
2 disapprove out of home placement under a family service plan on  
3 a long-term basis, the court shall consider whether placement in  
4 the home would fail to provide adequate physical protection; shelter  
5 or nutrition or would seriously obstruct the juvenile's medical  
6 care, education or physical and emotional development as deter-  
7 mined according to the needs of the juvenile. Upon making an  
8 order approving a long-term out of home placement plan, the  
9 matter shall be reviewed pursuant to the provisions of the "Child  
10 Placement Review Act," P. L. 1977, c. 424 (C. 30:4C-50 et seq.).

1 16. Youth services planning. Within 270 days of the enactment

2 of this act, the governing body of each county, in conjunction with  
3 the county department or such other persons designated by the  
4 county charged with responsibility for planning for youth services,  
5 shall submit to the Commissioner of the Department of Human  
6 Services a comprehensive plan for the provision of community  
7 services and programs to meet the needs of children under the  
8 jurisdiction of the Family Court and the provisions of this act and  
9 which shall be developed within the limits of fiscal and other  
10 resources available to the county.

11 a. The comprehensive plan shall include:

12 (1) A description of the various community resources currently  
13 available within the county to provide programs and services to  
14 children under the jurisdiction of the court and this act;

15 (2) A description of county facilities for juveniles and the popu-  
16 lation they serve, including current rates of utilization of facilities  
17 based upon population;

18 (3) A detailed plan for providing increased programs and  
19 services including anticipated costs and a description and timetable  
20 for implementation. The plan shall specify what programs and  
21 services are to be provided, the target populations to be served, and  
22 which agencies are to provide services. The plan may involve pro-  
23 vision of programs and services by the county, by an agreement  
24 with a State agency, by private organizations including volunteer  
25 groups, or by some specified combination of the above.

26 b. Programs and services provided to children and families shall  
27 be designed to meet the unique needs of juveniles under the jurisdic-  
28 tion of the court and this act and shall be designed to strengthen  
29 families, consistent with the physical safety and mental well-being  
30 of the juvenile, and avoid, reduce, or provide alternatives to institu-  
31 tional placements. Programs and services may include home deten-  
32 tion projects, day treatment programs, juvenile family crises  
33 counseling teams, Host Home projects, family support networks,  
34 truancy prevention programs, neighborhood multi-service centers  
35 and other community based alternative programs.

36 c. In determining whether to approve a comprehensive plan  
37 under this act, the commissioner shall consider whether the plan is  
38 designed to meet the needs of children and families under the juris-  
39 diction of the court and this act whether the plan is consistent with  
40 the goals of family and community based treatment and whether  
41 implementation of the plan is feasible. Each county plan sub-  
42 mitted to the commissioner shall be presumed valid provided that it  
43 is in substantial compliance with the provisions of this section.  
44 Where the commissioner fails to approve a county plan, the county  
45 may request a court hearing on that determination.

46 d. The governing body of each county, in conjunction with the  
47 county department or such other persons designated by the county  
48 charged with responsibility for youth services, shall establish a  
49 citizens advisory committee to assist the governing body in develop-  
50 ment of the comprehensive plan. The advisory committee shall  
51 consist of no less than 12 nor more than 20 members and shall be  
52 appointed by the governing body. The committee shall include  
53 representatives from among the judges assigned to the family part  
54 of the Superior Court for the county and of the county governing  
55 body, the county prosecutor or his designee, the district offices of  
56 the Division of Youth and Family Services, a wide range of public  
57 and private child and family organizations, including schools,  
58 mental health, family counseling and other organizations, persons  
59 involved in alternative projects and other individuals with interest  
60 or experience in issues concerning children and families. Each com-  
61 mittee shall, to the maximum extent feasible, represent the various  
62 socioeconomic, racial and ethnic groups of the county in which it  
63 serves.

64 e. Not less than 30 days prior to the submission of the compre-  
65 hensive plan or any amendment thereto, to the commissioner for  
66 approval, the governing body of the county shall give public notice  
67 of its intention to submit a plan and shall make copies of the draft  
68 plan available for public comment. The county shall implement the  
69 comprehensive plan promptly upon approval by the commissioner.

70 f. The commissioner shall monitor the operations of the pro-  
71 grams and services provided pursuant to this act. Monitoring shall  
72 be limited to a determination as to whether each county is imple-  
73 menting the county comprehensive plan.

74 g. Pursuant to the adoption of the comprehensive plan for youth  
75 services, the governing body of each county, in conjunction with the  
76 county department charged with the responsibility for youth  
77 services and the citizens' advisory committee as established under  
78 subsection d. of this section, shall submit a comprehensive plan for  
79 youth services including a needs assessment and resource inventory  
80 of youth services in the county to the commissioner for approval  
81 every third year. Every effort shall be made to gain public involve-  
82 ment in the development of a youth service plan for each county.

1 17. There is appropriated from the General State Fund upon the  
2 effective date of this act the sum of \$225,000.00 to be distributed to  
3 the counties by the Department of Human Services for the purpose  
4 of developing the service plan required by section 16 of this act and  
5 the sum of \$225,000.00 to be distributed by the Administrative Office  
6 of the Courts for establishment of juvenile-family crisis interven-

7 tion units pursuant to this act, provided that if the State appro-  
8 priates less than the sum of \$225,000.00 for the operation of the  
9 juvenile-family crisis intervention units in any fiscal year following  
10 the effective date of this act, no county shall be responsible for  
11 funding any costs incurred pursuant to this act.

1 18. This act shall take effect on September 1, 1983 but shall  
2 remain inoperative unless and until the following bills now pending  
3 before the Legislature as Assembly Bill No. 641, Assembly Bill  
4 No. 642, Assembly Bill No. 643 and Assembly Bill No. 645 are  
5 enacted into law.

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#### STATEMENT

This bill provides for the establishment of juvenile-family crisis intervention units in each county in order to assist juveniles and their families whose behavior creates a crisis situation. The bill is part of a package of bills which revises the laws concerning juveniles and establishes a family court. Essential in the reasoning underlying a family court is the recognition that a vast majority of juvenile misconduct is a result of troubled family circumstances. Critical in dealing with this situation is a mechanism which will provide troubled juveniles and their families a noncoercive opportunity to resolve conflicts and receive needed services. These juvenile-family crisis intervention units which, in most cases, would be operative under present court intake systems, provide a procedure to deal with those juvenile matters which do not result in delinquent acts, but which are sufficiently serious to necessitate intervention. Behavior by a juvenile which under present law identifies him as "in need of supervision," will, in many but not all cases, warrant a crisis intervention response under this bill. Presently, the determination that a juvenile is in need of supervision is based totally on the conduct of the juvenile. This bill, however, views the juvenile's conduct as part of the family condition and as a result, it is structured to treat juvenile problems within the family context. A section by section statement of the bill follows:

Section 1 establishes at least one juvenile-family crisis intervention unit in each county under the authority of court intake services. Each unit will operate as a part of intake, or where provided for by the county, through any other appropriate office or private service. This will permit private agencies which in some counties already operate units similar to what is provided for in this bill, to continue to operate. Through an agreement with the Administrative Office of the Courts and subject to the Rules of Court. Section 1 permits those counties already operating a crisis intervention service to continue to do so under that service's present form and procedures provided that service is operating in substantial compliance with the provisions of this act.

A 644 (1982)

Section 2 sets forth the role and purpose of the juvenile-family crisis intervention units. These units are required to provide a continuous service designed to stabilize juvenile-family crises. A juvenile-family crisis is defined as conduct by a juvenile or his family which results in situations such as chronic truancy or parent and child conflicts. These situations are evidence of serious family difficulties. The juvenile-family crisis intervention units are required to respond immediately to any referral, complaint or information that a crisis exists, except where, upon preliminary investigation it appears that there is no crisis or that referral to another agency would be more appropriate. Where a crisis does exist, the intervention unit is required to seek appropriate personal data concerning the juvenile and family, as well as information concerning the conduct of the juvenile or family which may contribute to the crisis. This may include evidence of alcoholism or drug dependency. Section 2 permits each county unit to develop its own form as long as that form is approved by the Administrative Office of the Courts.

Section 3 requires an immediate response by the intervention unit. This response shall consist of interviews with the parents and juvenile and the voluntary use of community services. A written agreement as to how the crisis will be resolved by the family shall also be obtained by the unit if possible.

Section 4 prescribes the training and skills of crisis intervention counselors. The requirements include any masters degree in mental health or in a social or behavioral science. An associate or bachelors degree in a behavioral science when coupled with work experience would also satisfy the minimum requirements.

Section 5 provides that where a law enforcement officer takes a juvenile into short-term custody of not more than 6 hours, he shall immediately notify the crisis intervention unit, and promptly bring the juvenile to the unit or place designated by the unit. This may be done only if the officer believes that it is not in the best interests of the health or safety of the juvenile or his family for the officer to return the juvenile to his home or the juvenile cannot be returned to his home or will not remain at home.

Section 6 provides that the crisis intervention unit shall accept referrals where a juvenile-family crisis may exist from numerous sources. The juvenile, parents, educational institutions, or public and private agencies or organizations may notify the unit concerning a crisis. Any agency or organization making a referral shall indicate whether their agency is capable and willing to provide the appropriate services to the family or juvenile in crisis. Any public

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 644

**STATE OF NEW JERSEY**

DATED: FEBRUARY 8, 1982

This bill provides for the establishment of juvenile-family crisis intervention units in each county in order to assist juveniles and their families whose behavior creates a crisis situation. The bill is part of a package of bills which revises the laws concerning juveniles and establishes a family court. Essential in the reasoning underlying a family court is the recognition that a vast majority of juvenile misconduct is a result of troubled family circumstances. Critical in dealing with this situation is a mechanism which will provide troubled juveniles and their families a noncoercive opportunity to resolve conflicts and receive needed services. These juvenile-family crisis intervention units which, in most cases, would be operative under present court intake systems, provide a procedure to deal with those juvenile matters which do not result in delinquent acts, but which are sufficiently serious to necessitate intervention. Behavior by a juvenile which under present law identifies him as "in need of supervision," will, in many but not all cases, warrant a crisis intervention response under this bill. Presently, the determination that a juvenile is in need of supervision is based totally on the conduct of the juvenile. This bill, however, views the juvenile's conduct as part of the family condition and as a result, it is structured to treat juvenile problems within the family context. A section by section statement of the bill follows:

Section 1 establishes at least one juvenile-family crisis intervention unit in each county under the authority of court intake services. Each unit will operate as a part of intake, or where provided for by the county, through any other appropriate office or private service. This will permit private agencies which in some counties already operate units similar to what is provided for in this bill, to continue to operate through an agreement with the Administrative Office of the Courts and subject to the Rules of Court. Section 1 permits those counties already operating a crisis intervention service to continue to do so under that service's present form and procedures provided that service is operating in substantial compliance with the provisions of this act.

Section 2 sets forth the role and purpose of the juvenile-family crisis intervention units. These units are required to provide a continuous service designed to stabilize juvenile-family crises. A juvenile-family crisis is defined as conduct by a juvenile or his family which results in situations such as chronic truancy or parent and child conflicts. These situations are evidence of serious family difficulties. The juvenile-family crisis intervention units are required to respond immediately to any referral, complaint or information that a crisis exists, except where, upon preliminary investigation it appears that there is no crisis or that referral to another agency would be more appropriate. Where a crisis does exist, the intervention unit is required to seek appropriate personal data concerning the juvenile and family, as well as information concerning the conduct of the juvenile or family which may contribute to the crisis. This may include evidence of alcoholism or drug dependency. Section 2 permits each county unit to develop its own form as long as that form is approved by the Administrative Office of the Courts.

Section 3 requires an immediate response by the intervention unit. This response shall consist of interviews with the parents and juvenile and the voluntary use of community services. A written agreement as to how the crisis will be resolved by the family shall also be obtained by the unit if possible.

Section 4 prescribes the training and skills of crisis intervention counselors. The requirements include any masters degree in mental health or in a social or behavioral science. An associate or bachelors degree in a behavioral science when coupled with work experience would also satisfy the minimum requirements.

Section 5 provides that where a law enforcement officer takes a juvenile into short-term custody of not more than 6 hours, he shall immediately notify the crisis intervention unit, and promptly bring the juvenile to the unit or place designated by the unit. This may be done only if the officer believes that it is not in the best interests of the health or safety of the juvenile or his family for the officer to return the juvenile to his home or the juvenile cannot be returned to his home or will not remain at home.

Section 6 provides that the crisis intervention unit shall accept referrals where a juvenile-family crisis may exist from numerous sources. The juvenile, parents, educational institutions, or public and private agencies or organizations may notify the unit concerning a crisis. Any agency or organization making a referral shall indicate whether their agency is capable and willing to provide the appropriate services to the family or juvenile in crisis. Any public agency making a referral which is under a legal obligation to provide services to the

family or juveniles, must also state the reasons why it is unable to provide the appropriate services in that particular case.

Section 7 provides that in those situations where the circumstances of the crisis no longer warrant immediate attention, less urgent monitoring of the family situation is to occur. The crisis intervention unit may, in appropriate cases, continue to work with the family on a short term basis to further stabilize the family situation.

Section 8 states that where, in the judgment of the crisis intervention unit a juvenile-family crisis continues to exist despite crisis intervention services and the exhaustion of appropriate community services, court intake services shall refer the case to court by filing a petition. Upon the filing of the petition, the jurisdiction of the court shall extend to the juvenile, parent or guardian, or other family member contributing to the crisis.

Section 9 requires court intake to submit with its petition facts and circumstances concerning the crisis and including any recommendations for resolution.

Section 10 requires court intake services to file additional recommendations as to the resolution of the juvenile-family crisis where it has reason to believe that the parent or guardian involved in the crisis is an alcoholic or drug dependent parent. Where, as a result of any information supplied by the crisis intervention unit, court intake services has reason to believe that a juvenile is an "abused or neglected child" as defined by law, they shall refer the case to the Division of Youth and Family Services pursuant to the procedure set forth in that law.

Section 11 sets forth the notice, hearing and procedural requirements for disposing of a juvenile-family crisis case by the court. Upon receiving the petition from court intake, the court shall hold a hearing and consider the facts and recommendations submitted by intake services in order to determine the appropriate disposition. The court shall notify the juvenile, his parent or guardian or other family member alleged in the petition as contributing to the family crisis, that a juvenile-family crisis may exist. These persons may present witnesses and evidence to rebut the determination that a crisis exists. If the court finds that there is not enough information to make a disposition it may continue the matter and hold one or more additional hearings. The court shall enter an order of disposition which may include probation, placement with the Division of Youth and Family Services, commitment to the Division of Mental Health, and academic or vocational counseling.

Under Section 11, the court may dismiss a juvenile-family crisis petition upon a finding that the facts upon which the petition is based are not sufficient to establish that a juvenile-family crisis exists. A decision on dismissal of a petition would be based upon the preponderance

of the evidence presented. In the case of the failure of any person to comply with any order of the court under this section, the court may proceed against the person for the enforcement of litigant's rights.

Section 12 provides that when there is a refusal on the part of the juvenile to stay or return to his home, or a refusal on the part of his parents to allow the juvenile to remain at home, or the physical safety of the juvenile is threatened, court intake service shall attempt to first arrange an alternate living placement for the juvenile with a relative, neighbor, or other suitable family setting. No court hearing is necessary to approve this voluntary living arrangement and it may continue as long as there is agreement. Alternatively, when no alternate living arrangement can be agreed to, court intake shall make a temporary out of home placement. Court intake services shall immediately file a petition for out of home placement with the court.

Section 13 permits temporary placement of the juvenile prior to his placement hearing or pending preparation of a family service plan in a host shelter, foster or group home, a county shelter care facility, or other suitable family setting. In no event shall placement be made in a secure detention or corrections facility.

Section 14 provides for an out of home placement hearing within 24 hours of the filing of a petition by court intake and after notice to the parents, juvenile and his counsel. The court may approve the temporary out of home placement provided that placement in the home cannot be made because of a serious conflict between the juvenile and parents, or the safety and well-being of the juvenile is threatened.

Section 14 provides that after a temporary out-of-home placement has been made the Division of Youth and Family Services or other agency must submit a family service plan designed to resolve the family crisis. A hearing on that plan is to be held between 14 and 30 days after order for the out-of-home placement. The plan is to be developed within the fiscal and other resources available to the agency. A service plan submitted by an agency is presumed to be valid and, if the court determines that the service plan is inappropriate, the agency may request a hearing.

Section 15 provides that in deciding whether to approve or disapprove out of home placement under a family service plan on a long-term or permanent basis, the court shall consider whether placement back in the home would fail to provide either adequate physical protection, shelter or nutrition, or would seriously obstruct the juvenile's medical care, education or physical and emotional development. Upon making an order for long-term out of home placement, the matter shall be reviewed pursuant to the provisions of the "Child Placement Review Act."

Section 16 establishes youth services planning procedures on a county basis. Within 270 days after enactment of the act the governing body of each county, in conjunction with the persons charged with the responsibility for youth services, shall submit to the Commissioner of the Department of Human Services a comprehensive plan for the provision of community services and programs to meet the needs of children under the jurisdiction of the family part of the Superior Court. This plan shall include a description of the various community resources and facilities currently available within the county and a detailed plan for providing increased programs and services. It should include all anticipated costs, as well as a description and timetable for implementation.

In addition, this section states that programs and services provided to children and families pursuant to the comprehensive plan shall be designed to meet the unique needs of juveniles under the jurisdiction of the family court and shall be designated to strengthen families consistent with the physical safety and mental well-being of the juvenile; moreover, the plan should avoid, reduce, or provide alternatives to institutional placements. The plan shall be developed within the limits of the fiscal and other resources available to the counties.

In determining whether to approve a comprehensive plan, the commissioner shall consider whether the plan is designed to meet the needs of children and families under the jurisdiction of the court, is consistent with the goals of family and community based treatment and whether implementation of the plan is feasible. The plan submitted by a county shall be presumed valid and a county may request a court hearing if the commissioner disapproves a submitted plan.

Section 16 also requires that a county citizens advisory committee be established with representatives from the judiciary assigned to the county, the prosecutor's office, district offices of the Division of Youth and Family Services, as well as public and private organizations concerned with children.

Finally, this section provides that an additional comprehensive plan for youth services, including a needs assessment and resource inventory of youth services, shall be submitted by the county to the commissioner for approval every third year. Public involvement in the development of a youth service plan for each county is considered essential.

Section 17 provides for an appropriation from the General State Fund of \$225,000.00 to be distributed to the counties by the Department of Human Services for the purpose of developing the service plan required by section 16 of this act. In addition, the sum of \$225,000.00 is appropriated to the Administrative Office of the Courts to be distributed to the counties for establishment of juvenile-family crisis intervention units.

If, in any fiscal year, the State appropriates less than \$225,000.00 for the operation of crisis intervention units, the counties would not be responsible for any costs incurred pursuant to this act.

Section 18 provides for an effective date of September 1, 1983.

The committee amendments are of a technical nature.

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SENATE REVENUE, FINANCE AND APPROPRIATIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 644**  
[SENATE REPRINT]

**STATE OF NEW JERSEY**

DATED: MARCH 15, 1982

Assembly Bill No. 644, Senate Reprint, requires the establishment of juvenile-family crisis intervention units in each county, either as part of the court intake service or through any other appropriate office or private service pursuant to an agreement with the Administrative Office of the Court. In any case, all of the units shall be subject to the Rules of Court. If counties already operate a crisis intervention service, it may continue in its present form and procedures so long as it is in substantial compliance with the provisions of this act.

The immediate concern of the intervention unit, as per sections 2 and 3 of the bill, is to stabilize the situation, counsel the juvenile and family and to get them involved in community services that are available to handle such problems. If the situation is not resolved through the intervention services and the exhaustion of appropriate community services, the case then must be referred to the court for disposition.

The bill also provides for county youth planning procedures. Within 270 days from the effective date of this act, a comprehensive plan is to be developed for the provisions of community services and programs to meet the needs of juveniles under the jurisdiction of the family court and the provisions of the bill. The plan is to be developed within the limits of fiscal and other resources available to the county. The plan is to include an inventory of resources currently available and a detailed plan for additional needed programs and services including costs and timetable for implementation. The emphasis of the plan is to provide programs and services designed to strengthen families, and avoid, reduce or provide alternatives to institutional placements.

This bill also appropriates \$450,000.00. An amount of \$225,000.00 is to be distributed to the counties to provide financial assistance in the development of the county plan and \$225,000.00 is to be distributed for the establishment of juvenile-family crisis intervention units which on average is almost \$11,000.00 per county. If the State thereafter does not appropriate at least \$225,000.00 per year for crisis intervention units, then no county shall be responsible for funding any costs incurred pursuant to this act.

**FISCAL IMPACT**

A fiscal note has not been requested on this bill. There are, however, some indications of cost available in addition to the direct appropriation provided in this bill.

The association of counties queried each county and specifically asked for their estimate of cost to create the crisis intervention units. Five counties responded and the total of the estimated costs as perceived by them was \$600,000.00-\$650,000.00. The cost estimates ranged from a low of \$40,000.00-\$50,000.00 to \$240,000.00. There is also an additional cost factor implied in the provision of this bill as the county plan is to include information for additional needed programs and services.

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OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: CARL GOLDEN

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FRIDAY, JULY 23, 1982

A comprehensive revision of New Jersey's juvenile justice laws, including a crackdown on crimes of violence and the creation of a Family Court to deal with juvenile matters was signed into law today by Governor Thomas H. Kean.

The five-bill package was signed by the Governor at a ceremony in the Assembly Chamber.

"This signing ceremony today culminates efforts of several years to upgrade, modernize and improve the manner in which the juvenile justice system functions in New Jersey," Kean said. "It recognizes very clearly the need to deal swiftly and sternly with violent young criminals and it tempers that recognition with the understanding that there are cases in which counseling and rehabilitation will be an adequate and appropriate response."

The five bills signed by the Governor are:

A-641, sponsored by Assemblyman Martin Herman (D-Gloucester) which permits judges to refer juveniles over the age of 14 years to trial as an adult when charged with a serious crime such as homicide, kidnapping, or sexual assault.

A-642, also sponsored by Herman, which establishes a Family Court in place of the Juvenile and Domestic Relations Court and extends its jurisdiction to the parents of the juvenile or other members of the family who might have contributed to the crisis.

A-643, sponsored by Assemblyman Walter M. D. Kern (R-Bergen) setting standards for the disclosure of juvenile identities and permits the fingerprinting of juveniles in certain cases.

- more -

A-644, sponsored by Assemblyman John Doyle (D-Ocean) to establish juvenile-family crisis intervention units in each county to assist juveniles and their families whose behavior creates a crisis situation.

A-645, sponsored by Assemblyman Eugene Thompson (D-Essex) which revises and standardizes in all counties the processing and handling of juvenile matters prior to involvement by the court, thus permitting some matters to be disposed of outside the courtroom.

"This program achieves a balance between the need for law-abiding society to be protected from the violent acts of young persons and the need for that same society to rehabilitate juveniles and turn them away from a career of crime," Kean said.

The Governor noted that he had been a long time advocate of the programs embodied in the package of bills.

"Crime --- and particularly violent crime --- is continually expressed by people as their major concern," Kean said. "The rapid and tragic upward surge in juvenile crime has been of deepening concern and demands that government deal with it.

"The package of bills I have signed today represents a most appropriate response to the problem and I am confident that New Jersey will make great strides in combating juvenile crime," Kean said.

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