|  |  |
| --- | --- |
| Attorney General of New Jersey |  |
| Attorney for New Jersey Division of Child Protection and Permanency |  |
| By: |   |
|  | Deputy Attorney General |
|  | Division of Law |
|  |   |
|  | Telephone Number:  |   |
|  | Superior Court of New Jersey  |
|  | Chancery Division - Family Part |
| **New Jersey Division of Child Protection and Permanency,** | County of | - Select County -  |  |
| Docket Number: | FN-  |
|  | Plaintiff, | NJSpirit Case Number: |   |
| v. | **Civil Action****Order to Show Cause forCare and Supervision** |
|  |
|   |
| Defendant, |
| NJSpirit Participant Number:  |
|  |

|  |  |
| --- | --- |
|   |  |
| Defendant, |  |
| NJSpirit Participant Number:  |  |
|  |  |

|  |  |
| --- | --- |
|   |  |
| Defendant, |  |
| NJSpirit Participant Number:  |  |
|  |  |

|  |  |
| --- | --- |
|   |  |
| Defendant, |  |
| NJSpirit Participant Number:  |  |
|  |  |

|  |  |
| --- | --- |
|   |  |
| Defendant, |  |
| NJSpirit Participant Number:  |  |
|  |  |

|  |  |  |
| --- | --- | --- |
| **In the Matter of:** |  |  |
|   |  |  |
| NJSpirit Participant Number:  |  |  |
| FC Docket Number:  |  |  |

|  |  |
| --- | --- |
|   |  |
| NJSpirit Participant Number:  |  |
| FC Docket Number:  |  |
|  |  |

This matter, having been brought before the Court on , 20 , by the New Jersey Division of Child Protection and Permanency (the Division), pursuant to *N.J.S.A.* 9:6-8:21, *et seq*., and *N.J.S.A.* 30:4C-12 and *R.* 5:12-1, *et seq*., by Deputy Attorney General
 , appearing, and in the presence of:

|  |  |  |
| --- | --- | --- |
| the child |   | [ ]  appearing / [ ]  not appearing, [ ]  spoken language interpreter required language:  represented by |
| Law Guardian |   | , [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| the child |   | [ ]  appearing / [ ]  not appearing, [ ]  spoken language interpreter required language:  represented by |
| Law Guardian |   | , [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| Defendant |   | [ ]  appearing / [ ]  not appearing, [ ]  notified / [ ]  not notified[ ]  complaint served / [ ]  complaint not served,[ ]  spoken language interpreter required language:  represented by |
| Attorney |   | [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| Defendant |   | [ ]  appearing / [ ]  not appearing, [ ]  notified / [ ]  not notified[ ]  complaint served / [ ]  complaint not served,[ ]  spoken language interpreter required language:  represented by |
| Attorney |   | [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| Defendant |   | [ ]  appearing / [ ]  not appearing, [ ]  notified / [ ]  not notified[ ]  complaint served / [ ]  complaint not served,[ ]  spoken language interpreter required language:  represented by |
| Attorney |   | [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| Defendant |   | [ ]  appearing / [ ]  not appearing, [ ]  notified / [ ]  not notified[ ]  complaint served / [ ]  complaint not served,[ ]  spoken language interpreter required language:  represented by |
| Attorney |   | [ ]  appearing / [ ]  not appearing |

|  |  |  |
| --- | --- | --- |
| Division Caseworker/Supervisor |   | [ ]  appearing / [ ]  not appearing |
| Division Phone number |   | ext.:  |

|  |  |  |  |
| --- | --- | --- | --- |
| Other:  |   |   | [ ]  appearing / [ ]  not appearing |

The Court having read the verified complaint, affidavits and other supporting documents, and having heard the testimony of     and    , the Court determines that the Division having care and supervision of the child(ren)
 is necessary to avoid an ongoing risk to the life, safety or health of the child(ren) because:

   .

And the Court has determined that

[ ]  **a.** and the Division, having made a prima facie showing (i.e., a legally sufficient showing) that the minor children are abused or neglected within the meaning of N.J.S.A. 9:6-8.21, et seq.,

**OR**

[ ]  **b.** Verified complaint for care and supervision is hereby dismissed because:

   .

**And for good cause shown, it is on this day of**   **, 20 , Ordered that:**

**1.** The child(ren) is a ward / are wards of the court and placed in the immediate care and supervision of the Division; and,

**2.** The defendants show cause before this court on , 20 , at  , why an order should not be entered continuing the child(ren) under the care and supervision of the Division; and,

**3. Representation** **pursuant to *N.J.S.A.* 9:6-8.23 and 9:6-8.21(e)**

**a.** The Office of the Public Defender, Office of Law Guardian be assigned as law guardian for the child(ren); and

**b.** The Division and the Law Guardian shall be entitled to immediate access to and copies of all educational or early intervention program information and records pertaining to the child(ren) who are the subject of this order without further release; and

**c.** The Law Guardian for the child(ren) shall be entitled and permitted to have access to obtain copies of all records, including but not limited to, medical, mental health, school, drug or alcohol treatment and other records and/or information concerning his/her client, and shall have access to the children at their home, school or day care center or treatment facility, and shall be entitled to speak to the children and/or service providers, privately, outside the presence of any third party, including parents or school personnel without further release; and

**d.** The defendant(s) shall have a right to be represented by counsel of their own choosing, or if they are unable to afford counsel, then to make application to the Court for appointment of counsel through the Office of the Public Defender by completing an Application for Appointment of Counsel Form; and

**4.** A true copy of this order and supporting documents, if any, shall be served upon the defendant(s), by the sheriff or such other person as the Division shall designate within days of entry of the order in accordance with *R.* 4:4-4; and,

**5.** Any party having legal standing in this matter may move for dissolution or modification of this order upon days notice to the court and all parties.

**6.** The court has made a determination regarding the federal Indian Child Welfare Act as follows:

[ ]  The child, , (birth date) is not a Native American child subject to the Indian Child Welfare Act of 1978 in that the following facts are known
   .

[ ]  The child,    , whose date of birth is
 , is or might be a Native American child subject to the Indian Child Welfare Act of 1978 (see attached Supplemental Order)

**7.** **Representation**

[ ]  a. The Office of the Public Defender, Office of Law Guardian, is assigned as law guardian for the child(ren). The Division and the Law Guardian are entitled to immediate access to and copies of all educational or early intervention program information and records pertaining to the child(ren) who are the subject of this order without further release. The Law Guardian for the child(ren) is entitled and permitted to have access to and to obtain copies of all records, including but not limited to, medical, mental health, school, drug or alcohol treatment and other records and/or information concerning his/her client, and shall have access to the children at their home, resource family home, school or day care center or treatment facility, and shall be entitled to speak to the children and/or service providers, privately, outside the presence of parents, resource family or school personnel without further release.

[ ]  b. The defendant(s) shall have a right to be represented by counsel of their own choosing, or if they are unable to afford counsel, then to make application to the court for appointment of counsel through the Office of the Public Defender by completion of the Appointment of Counsel form.

**It Is Further Ordered That:**

   .

|  |  |
| --- | --- |
|  |   |
|  |  , J.S.C. |

**The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local Title II ADA coordinator to request an accommodation. Contact information is available at** [**njcourts.gov**](https://njcourts.gov/)**.**

**The defendant shall have the right to be represented by counsel.**

**These proceedings are confidential. The disclosure of any records, reports or information is strictly prohibited and subject to the penalties of *N.J.S.A.* 9:6-8.10b.**

**The Division is responsible for providing reasonable efforts to reunify the child(ren) with their parent(s). The failure of a Defendant to comply with any provision of this order or their continuing failure to appear may result in the filing of a complaint by the Division to terminate a Defendant's parental rights to the child(ren) named in this complaint. A termination of parental rights means the child(ren) may be adopted.**

**Attorneys must review the form of order prior to conclusion of the proceeding. Any changes to this order shall be made pursuant to R. 1:13-1.**

|  |  |
| --- | --- |
| The New Jersey Judiciary also created the *Children in Court Parent's Handbook* to help parents understand the children in court (CIC) case system, and the roles of those in CIC. Scan the QR code or go to the [CIC Parent's Handbook](https://www.njcourts.gov/sites/default/files/forms/12545_CIC_parent_handbookandplanner.pdf). |  |