

The Four Standards (“Prongs”) of New Jersey’s ASFA Law
(Pursuant to NJAC 30:4C-15.1)

In order for a judge to order that parental rights be terminated, the following conditions must be met, based on the preponderance of the evidence presented:

1. The child's safety, health or development has been or will continue to be endangered by the parental relationship;
2. The parent is unwilling or unable to eliminate the harm facing the child or is unable or unwilling to provide a safe and stable home for the child and the delay of permanent placement will add to the harm. Such harm may include evidence that separating the child from his foster parents would cause serious and enduring emotional or psychological harm to the child;
3. The Division has made reasonable efforts to provide services to help the parent correct the circumstances which led to the child's placement outside the home and the court has considered alternatives to termination of parental rights; and
4. Termination of parental rights will not do more harm than good.