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To: Assignment Judges
Trial Court Administrators

From: Glenn A. Grant, J.A.D. 

Subj: Guardianships of Incapacitated Adults – Background Screening Policy for Proposed Guardians – Steps for Implementation

Date: April 29, 2021

The Supreme Court has approved a background screening policy for certain proposed guardians of incapacitated adults. The Court also has amended Rule 4:86 (“Action for Guardianship of an Incapacitated Person or for the Appointment of a Conservator”) so as to implement the policy. As approved by the Judicial Council, a new Certification of Criminal and Civil Judgment History has been promulgated, along with revised versions of a number of other court forms.

Proposed guardians in matters filed on or after May 15, 2021 will be subject to this new background screening policy. Directive #11-21 (“Guardianships of Incapacitated Adults – Background Screening Policy for Proposed Guardians; New and Revised Court Forms”) promulgates the new policy as well as the new and revised forms. This memo outlines the steps necessary for implementation of the policy.

Steps for Implementation

As soon as practicable, each vicinage is required to take the following steps to implement the policy:

1. Conduct implementation meetings with relevant vicinage stakeholders, including the Assignment Judge, Trial Court Administrator, Probate Part Judge, County Surrogate, County Sheriff, court managers and staff. The goal of these meetings is to familiarize stakeholders with the policy and its requirements, confirm local workflows, and prepare for future training sessions of relevant Judiciary staff and partners.

2. Conduct training sessions for managers, staff, and County Surrogate offices so as to educate staff on their responsibilities. The central office will provide training materials for use during these training sessions.
3. Conduct bench-bar meetings with the probate sections of county bar associations. These meetings will educate outside attorneys on the background screening policy, amendments to Rule 4:86, and related new and revised forms. They also will provide a forum to address issues or concerns from the bar related to the policy.

To the greatest extent practicable, the above steps should be completed by the end of May 2021.

Guardian Background Screening Authorization and Checklist

Attached for internal use is a new form Proposed Guardian Background Screening Authorization and Checklist (CN 12707) to be completed by the Probate Part judge at the time of entry of the Order for Hearing. As noted, the policy and other new and revised forms are promulgated with Directive #11-21.

Questions regarding this memorandum should be directed to the Civil Practice Division at (609) 815-2900 ext. 54900.

G.A.G.

Attachment: Proposed Guardian Background Screening Authorization and Checklist (CN 12707)

cc: General Equity Presiding Judges
Probate Judges
County Surrogates
Steven D. Bonville, Chief of Staff
AOC Directors and Assistant Directors
Trial Court Administrators
Special Assistants to the Administrative Director
Civil Division Managers
Kristi Jasberg Robinson, Chief, Civil Practice Liaison



**New Jersey Judiciary
Guardianship Monitoring Program (GMP)
Proposed Guardian Background Screening
Authorization and Checklist**

For Chambers Use Only	
Superior Court of New Jersey Chancery Division - Probate Part	
County _____	
Docket Number _____	

A hearing on this matter is scheduled for _____. Background screening is authorized for the following proposed guardian:

Last Name _____		First Name _____		Middle Name _____		
Alias _____		Date of birth _____		SSN _____		
Street Address _____			City _____		State _____	Zip _____
Phone Number _____		Email Address _____		Charles Jones search required		
				<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Authorized by _____, P.J.Ch. _____
Date _____

Certification of Criminal and Civil Judgment History	Date Filed _____ <input type="checkbox"/> Potential adverse results identified
Fingerprint check (for New Jersey residents)	Scheduled by _____ Date _____ Conducted by _____ Date _____ Report received by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Computerized Criminal History (CCH) check (for non-New Jersey residents)	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Automated Traffic System (ATS) search	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Promis-Gavel search	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Children-in-Court (CIC) Documents Application search	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Civil Judgment and Order Docket (CJOD) search	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Charles Jones search (if required)	Completed by _____ Date _____ <input type="checkbox"/> Potential adverse results identified
Fingerprint report/search results provided to <input type="checkbox"/> Chambers <input type="checkbox"/> Surrogate's Office <input type="checkbox"/> Counsel for Alleged Incapacitated Person	Completed by _____ Date _____
Fingerprint report/search results destroyed	Completed by _____ Date _____