

ADOPTION SECTION

HUMAN SERVICES

DIVISION OF FAMILY DEVELOPMENT

Notice of Administrative Correction

Child Support Program

Child Support and Paternity

Good Cause Exceptions to Cooperation

N.J.A.C. 10:110-9.5

Take notice that the Department of Human Services, Division of Family Development discovered an error in N.J.A.C. 10:110-9.5. In the course of incorporating the most recent amendments to the section, effective June 16, 2003 (see 34 N.J.R. 2713(a) and 35 N.J.R. 2670(a)), into the Administrative Code through the 6-16-03 Code update, the text of two subparagraphs deleted upon adoption (N.J.A.C. 10:110-9.5(b)2iii(2) and (3) proposed for recodification as subparagraphs (b)2i and ii, respectively) erroneously continued in the section as “i.” and “ii.”, appearing after N.J.A.C. 10:110-9.5(i)1iii(1). Through this notice of administrative correction, published pursuant to N.J.A.C. 1:30-2.7, the text of the two deleted subparagraphs is removed from the section.

Full text of the corrected rule follows (addition indicated in boldface **thus**; deletions indicated in brackets [thus]):

10:110-9.5 Good cause exceptions to cooperation

(a)-(h) (No change.)

(i) A WFNJ/TANF applicant/recipient who claims a good cause exception from the child support requirements for the reasons indicated in (e) through (h) above shall be required to establish the existence of a good cause circumstance.

1. To establish the existence of a good cause claim, the applicant/ recipient shall be required to:

i.-ii. (No change.)

iii. At the request of the CWA/CSU provide sufficient information (such as name and address, if known, of the non-custodial parent to permit an investigation to corroborate the good cause circumstance.

(1) The CWA/CSP unit shall conduct the investigation of the WFNJ/TANF individual's good cause circumstances affording a guarantee of confidentiality and the safeguarding of substantiating information, by the CWA/CSU, that pertains to the individual applicant/recipient and his or her child(ren)[;].

[i. Legal proceedings for the adoption of the child are pending before a court of competent jurisdiction; or

ii. The WFNJ/TANF applicant/recipient is currently (for a period of not more than three months) being assisted by a public or licensed private social agency to decide whether to keep the child or relinquish him or her for adoption.]

(j)-(n) (No change.)