



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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NATASHA JOHNSON
Director

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 09171-18 K.E.

AGENCY DKT. NO. S470507014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency denied Petitioner's WFNJ/TANF benefits, contending that she failed to comply with child support requirements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 17, 2018, the Honorable Susana E. Guerrero, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 26, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner applied for WFNJ/TANF benefits in May 2018, and agreed to cooperate with the Agency's child support program. See Initial Decision at 2; see also Exhibit R-2. The Agency granted Petitioner, the mother of two children, a domestic violence waiver as to one child, however, additional information as to a New York child support order for her other child was requested. See Initial Decision at 2. The Agency requested the information by June 15, 2018, but Petitioner neither provided the child support information, nor demonstrated that she had made any effort to acquire same by that date. See Initial Decision at 2-3; see also Exhibit R-3. As a result, on June 18, 2018, the Agency denied Petitioner WFNJ/TANF benefits for "failure to comply with child support requirements." See Initial Decision at 3; see also Exhibit R-4, and N.J.A.C. 10:90-2.2(a)(1). After her case was closed, Petitioner cooperated with the Agency and certain information about her child support order was acquired; nonetheless, because her WFNJ/TANF benefits case had been closed, she was advised to reapply for benefits, but refused to do so. See Initial Decision at 3; see also Exhibit R-5. Although Petitioner may not have had the means to travel to New York to secure the child support documentation, the ALJ found that Petitioner presented no evidence that she had made an attempt to do so, or requested help from the Agency, until after her WFNJ/TANF benefits were denied. See Initial Decision at 4-5. Of note, it was not until June 28, 2018, that Petitioner provided the Agency with the child support order that it had requested, and it was not until the hearing that Petitioner provided the Agency with a copy of an Adjusted Order of Support. See Initial Decision at 3; see also Exhibits R-6, R-7. Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was



proper, as Petitioner did not make a good faith effort to provide the documentation within the original time frame. See Initial Decision at 5; see also Exhibit R-4, and N.J.A.C. 10:90-2.2(a)(1), -16.2. I agree.

No Exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, and I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is without prejudice to reapply for WFNJ/TANF benefits should her circumstances so warrant. Petitioner is reminded that she must provide all information requested by the Agency so that her application may be processed in a timely and accurate manner. See N.J.A.C. 10:90-2.2(a)(5).

Accordingly, the Initial Decision is hereby ADOPTED and the Agency's determination is AFFIRMED.

SEP - 5 2018

Officially approved final version.

Natasha Johnson

Director

