



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

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

REMAND DECISION

OAL DKT. NO. HPW 02255-18 M.K.

AGENCY DKT. NO. C256134009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF and EA benefits, contending that Petitioner failed to comply with his EA Service Plan ("SP"). Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. Several hearings were scheduled and adjourned due to Petitioner not having an Arabic interpreter. On May 3, 2018, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On May 14, 2018, the ALJ issued an Initial Decision reversing the Agency determination. Here, the record reveals that Petitioner does not speak English. See Initial Decision at 2. Notices were sent to him monthly from February to April of 2018, in English, and hearings were scheduled, which Petitioner appeared for, but without an interpreter, resulting in several hearings being adjourned. *Ibid.* The ALJ found that a determination on the Agency's termination of benefits could not be made without testimony from Petitioner, which would require an interpreter. *Id.* at 3. Based on the foregoing, the ALJ remanded the matter to the Agency, with instructions to secure an Arabic interpreter so that Petitioner may have a clear understanding of his case. *Ibid.*; see also N.J.A.C. 10:90-9.12(a). I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND to the Agency to provide an interpreter as discussed above.

By way of comment, Petitioner is without prejudice to request another fair hearing on this matter, and the Agency is directed, through the assistance of an interpreter, to explain its actions to Petitioner.

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



REVERSED, and the matter is REMANDED to the Agency in accordance with the above.

Officially approved final version.

JUN 04 2018

Natasha Johnson

Director

