



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 05912-18 N.J.

AGENCY DKT. NO. S467104014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)

Petitioner appeals from the Respondent Agency's termination of her Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits contending that she failed to cooperate in obtaining paternity information for the father of her child, and terminated EA benefits because she was no longer a WFNJ/TANF benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 22, 2018, the Honorable Tricia M. Caliguire, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On June 5, 2018, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, Petitioner stated that she did not have a relationship with the father of her child. See Initial Decision at 3; see also Exhibit R-6. The Agency offered suggestions for Petitioner to investigate paternity, but Petitioner refused; therefore, the Agency found that Petitioner had not made sufficient attempts to identify the father. See Initial Decision at 3-4, 7. On April 6, 2018, the Agency provided written notice to Petitioner that her WFNJ/TANF benefits would be terminated for failure to cooperate with child support requirements, and her EA benefits case terminated because she was no longer eligible for WFNJ/TANF benefits. See Initial Decision at 4; see also Exhibits R-3, R-5, and N.J.A.C. 10:90-6.2(a), -16.3(f). The ALJ found that the Agency provided testimony and evidence to show that it had offered to assist Petitioner with establishing paternity, but Petitioner refused to cooperate. See Initial Decision at 8; see also Exhibit R-7. Moreover, the record reflects that Petitioner did not question the Agency's witnesses, and made no statements on the record, to refute the Agency's claims. See Initial Decision at 8. Based on the foregoing, the ALJ found that Petitioner had not made a good faith effort to cooperate with the Agency concerning the paternity of her child. See Initial Decision at 8; see also N.J.A.C. 10:90-16.4(a), (b), (c), and -16.5. Therefore, the ALJ concluded that the Agency's termination of Petitioner's WFNJ/TANF and EA, benefits was proper. See Initial Decision at 8; see also Exhibits R-3, R-5, and N.J.A.C. 10:90-6.2(a), -16.3(f), -16.4. 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, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.



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

JUN 29 2010

Officially approved final version.

Natasha Johnson
Director

