



## State of New Jersey

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*Governor*

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DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

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 16391-25 C.G.

AGENCY DKT. NO. C041914021 (WARREN CO. DIV TEMP ASST & SOC. SVCS)

This matter stems from an alleged appeal of the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") and Emergency Assistance ("EA"), benefits to Petitioner. The Agency denied Petitioner WFNJ/GA benefits, contending that Petitioner failed to verify information necessary to determine eligibility for said benefits. The Agency denied Petitioner EA benefits because he was not a WFNJ or Supplemental Security Income ("SSI") benefits recipient and due to a violation of placement rules during his immediate need placement.

At the outset, based upon the official records of this office, there is no indication in the record that Petitioner himself requested a fair hearing in this matter, as it appears that the request for a hearing was made by his purported representative. See N.J.A.C. 1:1-3.1. The matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. On September 30, 2025, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, admitted documents into evidence, and the record then closed. On October 1, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination in part, and reversing the Agency's determination in part.

On the date of the hearing, Petitioner himself did not appear. The Initial Decision indicates that the only person to appear was one Tosha Rutledge, a purported "designated representative" for Petitioner. See Initial Decision at 1. The record in this matter is devoid of any executed authorization or documentation to substantiate that Ms. Rutledge is, in fact, an authorized representative of Petitioner. Moreover, the Initial Decision states that the case had already been adjourned from a prior scheduled date because Petitioner did not appear. Nonetheless, the ALJ swore Ms. Rutledge in and permitted her to testify on Petitioner's behalf, without Petitioner being present and without an appropriately documented authorization.

Under the New Jersey Court Rules and regulatory authority, certain categories of individuals may appear as a non-lawyer representative in contested cases before the OAL. See New Jersey Court R. 1:21-1(f) and N.J.A.C. 1:1-5.1, -5.4(a). Included in those categories are county or municipal agency employees, legal service paralegals or assistants and state agency employees. See N.J.A.C. 1:1-5.4(a). Petitioner was not present at the hearing; therefore, he did not represent himself. Ms. Rutledge is not an attorney licensed by the State of New Jersey, nor does the record indicate that she is licensed in any other jurisdiction. The record is unclear of the candor with which Ms. Rutledge informed the ALJ of her ability to represent the interests of Petitioner, however, upon a review of the official records of this office, as well as the record before the ALJ in this matter, Ms. Rutledge does not fall within any of the categories enumerated within the regulation, which is required in conformance with New Jersey Court Rule R. 1:21-1(f).

Based on the foregoing and the record presented in this case, I find that, without Petitioner appearing, this matter should not have proceeded and any decision made through the fair hearing is void. There is no evidence that Petitioner



authorized Ms. Rutledge to request a fair hearing on his behalf. Moreover, in accordance with N.J.A.C. 1:1-5.4, Ms. Rutledge was not a person in a category with authority to act as a non-lawyer representative in a contested case before the OAL, and as such, had no authority to act on Petitioner's behalf at the hearing. As such, I find that Petitioner abandoned the appeal in this matter, and as such, the matter must be dismissed with prejudice and the Agency's determinations shall stand as issued.

Accordingly, Petitioner's appeal in this matter is hereby DISMISSED with prejudice.

Officially approved final version.      October 30, 2025

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Natasha Johnson  
Assistant Commissioner

