



State of New Jersey

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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 **20595-25 K.M.**

AGENCY DKT. NO. **C776356007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits and Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's WFNJ/TANF and SNAP benefits, contending that she failed to cooperate with child support requirements. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 28, 2026, the Honorable Sandra L. Lascari, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 12, 2026, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Pursuant to N.J.A.C. 10:90-16.2, the first step in the application process for WFNJ/TANF eligibility, is cooperation with the child support requirements set out in N.J.A.C. 10:90-16.3, and the good faith effort requirement set out in N.J.A.C. 10:90-16.4. WFNJ/TANF applicants and recipients are required to make a good faith effort to identify the non-custodial parent and failing to make such effort shall make an applicant/recipient ineligible for WFNJ benefits. See N.J.A.C. 10:90-6.4(d).

Pursuant to N.J.A.C. 10:90-16.4(b)(1), (2), cooperation in good faith for WFNJ/TANF applicants shall include, but is not limited to, providing the Agency with information, to the best of the applicants ability, related to the non-custodial parent, which shall include at least three of the following: the parents full name; date of birth; Social Security number address (current or last known); employer (current or last known) or other sources of income; manufacturer, model and license plate number of automobile; motor vehicle driver's license number; the address and/or name of the non-custodial parent's parent(s) or siblings(s).

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. "Earned income" is defined, in pertinent part, as "[a]ll wages and salaries received as compensation for services performed as an employee[.]" See N.J.A.C. 10:87-5.4(a) (1). Additionally, for SNAP benefits cases, unearned income includes "Support and alimony payments made directly to the



household from nonhousehold members. Non-recurring arrearages on child support and alimony payments made directly to the household are considered lump sum payments. Recurring court-ordered arrearages on child support and alimony payments made directly to the household are considered as unearned income[.]” See N.J.A.C. 10:87-5.5(a)(5).

Here, the record reveals that the Agency sent Petitioner a verification request on October 20, 2025, seeking further information about her minor child’s father, D.A., specifically a child support order, D.A.’s residence information, and D.A.’s employment status. See Initial Decision at 2. Based upon information offered during a Superior Court matter on July 23, 2025, the Agency contended that Petitioner and D.A. reside together at a mutual friends’ home, in which case, Petitioner was advised by the Agency that D.A. would need to be included in her household for purposes of SNAP and WFNJ/TANF benefits eligibility and benefits calculation. See Initial Decision at 3. Alternatively, if D.A. did not reside with Petitioner, the Agency representative testified that Petitioner would need to seek a child support order. Ibid.

The ALJ found, however, that the testimonial and documentary evidence presented supported the Agency’s determination that Petitioner had failed to cooperate with the Agency’s Child Support Unit, and as such, the termination of Petitioner’s WFNJ/TANF and SNAP benefits, was proper and must stand. See Initial Decision at 5; see also Exhibit R-1. I agree.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency’s determination is AFFIRMED, as outlined above.

Officially approved final version. April 09, 2026

Natasha Johnson
Assistant Commissioner

