



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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SARAH ADELMAN
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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 14097-23 N.G.

AGENCY DKT. NO. C255176016 (PASSAIC COUNTY BOARD OF SOC. SVCS.)

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 WFNJ/TANF benefits, contending that her receipt of court ordered child support put her over the maximum initial eligibility level for receipt of WFNJ/TANF benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 29, 2024, during a pre-hearing conference with the Honorable Matthew G. Miller, Administrative Law Judge ("ALJ"), the parties agreed that since the dispute was a purely legal one, there was no need for a formal hearing and the matter could be decided on the papers. The record was held open for the submission of additional documentation and argument through February 16, 2024, at which time the record then closed.

On February 20, 2024, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 2-16. Specifically, the ALJ found, and the record substantiates, that Petitioner had intentionally sought, and had obtained, a Court Order to reduce her court ordered child support payments in order to make herself financially eligible for WFNJ/TANF and Emergency Assistance ("EA") benefits, in violation of the letter and intent of both WFNJ statutory and administrative law, which action, if allowed to stand, would have negative ramifications for the intent and administration of the WFNJ program. See Initial Decision at 3-7, 13-15; see also Exhibits P-2, P-3, R-A at 7-29, R-B at 9-12, and N.J.A.C. 10:90-1.1(c), -1.12, -2.2(a)(1), -3.10(e), -6.1(c)(3)(i), -16.3(b), -16.4(e), (f), and N.J.S.A. 44:10-59(a). Therefore, in accordance with regulatory authority, the ALJ concluded that the Agency's denial of WFNJ/TANF benefits to Petitioner was proper, and that Petitioner was barred from reapplying for WFNJ/TANF benefits for a period of 30 days from the date of the Initial Decision, advising Petitioner that even upon reapplication, she would likely have to have the Child Support Order modified to reflect the father's pre-December 5, 2023, obligation. See Initial Decision at 12, 16; see also Exhibit R-A at 3-5, and N.J.A.C. 10:90-3.10(e)(4). I agree.

Exceptions to the Initial Decision were filed by Legal Services, on behalf of Petitioner, on February 26, 2024.

As Assistant Commissioner, 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.

By way of comment, I have reviewed the Exceptions submitted on behalf of Petitioner, and I find that the arguments made therein do not alter my decision in this matter.



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

Officially approved final version. April 18, 2024

Natasha Johnson
Assistant Commissioner

