



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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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 7050-14 A.R.

AGENCY DKT. NO. C079919 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from Respondent Agency's termination of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") benefits. The Agency terminated Petitioner's WFNJ/TANF benefits because she has shared custody of her child pursuant to a Family Court Order. Because Petitioner appealed, this matter was transmitted to the Office of Administrative Law for a hearing. On July 9, 2014, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a hearing, took testimony and admitted documents. On July 23, 2014, the ALJ issued an Initial Decision. The ALJ observed that the custody order "creates a conundrum" because each parent has the child 50% of the time and both parents were awarded primary residential custody. The ALJ concluded that Petitioner's WFNJ/TANF benefits should be restored to ensure the welfare of Petitioner's child. Thus, the ALJ reversed the Agency's action.

No exceptions to the Initial Decision were received.

As the Director of the Division of Family Development, Department of Human Services, I have reviewed the record and the Initial Decision, and I ADOPT the ALJ's Initial Decision. As such, the Agency shall restore Petitioner's WFNJ/TANF benefits.

By way of comment, the Initial Decision indicates that Petitioner intends to return to Family Court to obtain an amended custody order so that she is designated as the parent of primary residence. A copy of any amended custody order must be provided to the Agency.

Accordingly, the Initial Decision is ADOPTED and the Agency's action is REVERSED.

SEP 12 2014

Signed Copy on File
at DFD, BARA

Jeanette Page-Hawkins
Director