



# State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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SARAH ADELMAN  
*Commissioner*

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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 **01293-24 J.L.**

AGENCY DKT. NO. **C041548015 (OCEAN COUNTY BOARD OF SOC. SVCS.)**

Petitioner appealed from the Respondent Agency's denial of Emergency Assistance ("EA") benefits. The Agency denied Petitioner's application for EA benefits because she was not a Work First New Jersey ("WFNJ"), or Supplemental Security Income ("SSI"), benefits recipient. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On February 2, 2024, the Honorable Sarah H. Surgent, Administrative Law Judge ("ALJ"), commenced a telephonic plenary hearing. Petitioner did not call in at the scheduled time for the hearing, but called in 15 minutes late, and then proceeded to be belligerent and disruptive to the proceedings. See Initial Decision at 2. Petitioner then claimed that "another judge was calling her." Ibid. Both the ALJ and the Agency representative remained on the line for another 10 minutes, but Petitioner did not join back in the conversation and was non-responsive when the ALJ attempted to address her. Ibid. As a result, the ALJ declared that Petitioner had abandoned the fair hearing, and the telephonic hearing was ended. Ibid. Petitioner did not call back in or thereafter contact the ALJ's support staff. Ibid. On February 5, 2024, the ALJ issued an Initial Decision, finding that Petitioner had abandoned her appeal, and dismissed the case.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, finding that Petitioner abandoned her appeal in this matter, and as such, the Agency's denial of EA benefits to Petitioner remains in force as issued. Furthermore, I find that, due to Petitioner's abandonment of her fair hearing, she is barred from seeking another fair hearing on this issue and Petitioner's appeal is therefore dismissed with prejudice.

Accordingly, the Initial Decision is hereby ADOPTED, and Petitioner's appeal is hereby dismissed with prejudice.

Officially approved final version. February 14, 2024

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Natasha Johnson  
Assistant Commissioner

