



# State of New Jersey

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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 **02493-22 A.S.**

AGENCY DKT. NO. **C448807007 (ESSEX COUNTY DIVISION OF WELFARE)**

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 she had failed to provide required child support information. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. A hearing was initially scheduled for May 4, 2022, but was adjourned to May 31, 2022, because the Agency representative failed to appear. On that date, an Agency representative again failed to appear, and the hearing was then rescheduled for June 29, 2022. On June 29, 2022, the Honorable William J. Courtney, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On July 12, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination, and remanding the matter to the Agency, based on the discussion that follows. Here, the ALJ found that Petitioner had made a good faith effort, and had provided the Agency with all the child support information that she could reasonably obtain regarding the whereabouts of the father of her child. See Initial Decision at 2-4; see also Exhibit R-1 at 2, 8-12, and N.J.A.C. 10:90-16.4(a), (b), (c). Specifically, the ALJ found that Petitioner had provided the Agency with the father's name, date of birth, and last known address. See Initial Decision at 3-4. Moreover, the ALJ found that Petitioner had also provided the Agency with additional information, which it could have utilized to locate the child's father, yet nothing in the record indicated that the Agency had attempted to assist Petitioner in locating said father. *Id.* at 3-5; see also N.J.A.C. 10:90-16.4(b)(1)(ii). Based on the foregoing, the ALJ concluded that Petitioner had, in good faith, cooperated with the Agency in providing everything that she could regarding her child's father, and that the Agency's denial of WFNJ/TANF benefits to Petitioner was, therefore, improper, and must be reversed. See Initial Decision at 6-7. Accordingly, the ALJ remanded the matter to the Agency, ordered the Agency to reevaluate Petitioner's WFNJ/TANF benefits application to determine her eligibility for said benefits, and further ordered Petitioner to continue to cooperate with the Agency in providing it with any other information that may aid in locating her child's father. *Ibid.*; see also Exhibit R-1 at 3-7, and N.J.A.C. 10:90-16.4. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), 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, as it has come to DFD's attention that Petitioner may be facing imminent homelessness, the Agency is directed to expedite the reevaluation of Petitioner's WFNJ/TANF application. See Initial Decision at 2; see also Exhibit



P-1. Additionally, Petitioner is advised that she should apply for EA benefits, if she has not already done so, and if such benefits are still needed. The Agency is further directed to expedite Petitioner's EA application.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED, and the matter is REMANDED to the Agency for further action, as outlined above.

Officially approved final version.

July 19, 2022

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Natasha Johnson

Assistant Commissioner

