



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 14575-15 S.H.

AGENCY DKT. NO. GA283241 (CUMBERLAND COUNTY BD OF SOC SVCS.)

Petitioner appeals from the Respondent Agency's denial of his application for Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits because it determined that he failed to provide, without good cause, the necessary documentation to determine his WFNJ/GA eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 21, 2015, the Honorable Bruce M. Gorman, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents.

On October 26, 2015, the ALJ issued an Initial Decision, reversing the Agency's determination. The record shows that Petitioner applied for WFNJ/GA benefits, and submitted the following documents in response to the Agency's request for custody verification of his four children: a Final Judgment of Divorce and Order; a Final Restraining order; and a Superior Court Order. See Initial Decision at 2; see also Exhibits P-1, P-2, and R-1. The record also shows that the Agency determined that Petitioner did not provide sufficient documentation to determine his WFNJ/GA eligibility. See Initial Decision at 2; see also Exhibit R-1 at 2. However, the ALJ found that Petitioner provided the necessary proof that he did not have custody of his minor children, as evidenced by the aforementioned court orders, particularly, the Superior Court Order reciting his specific visitation award with the minor children. See Initial Decision at 2-3; see also Exhibits P-1 at 2, P-2 at 7, and R-1 at 11-12. Accordingly, the ALJ concluded that the Agency improperly denied Petitioner WFNJ/GA benefits. See Initial Decision at 4.

No Exceptions to the Initial Decision were filed.

As the Director of the 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 in this matter.

By way of comment, because I find that the Agency improperly denied Petitioner WFNJ/GA benefits, the Agency shall provide Petitioner with WFNJ/GA benefits as of the date of his completed work activity. See N.J.A.C. 10:90-1.2(f)(8).

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is REVERSED.

Signed Copy on File

at DFD, BARA

NOV 17 2015

Natasha Johnson
Director