

**WHAT ARE THE MOST IMPORTANT THINGS TO REMEMBER REGARDING FAIR HEARINGS?**

- 1) Requests for fair hearings regarding denial of, suspension, reduction, or termination of a service can be made to your local agency or to the State Division of Youth and Family Services.
- 2) If you want services continued until the hearing, you must make your request for a fair hearing within 10 days from the date the agency notice was mailed to you.
- 3) You may lose your right to a fair hearing if you allow more than 90 days to pass without requesting a hearing.
- 4) Fair hearing decisions must be implemented within 90 days from the date a hearing is requested.

**WHAT OTHER ACTIONS CAN YOU TAKE BESIDES ASKING FOR A FAIR HEARING?**

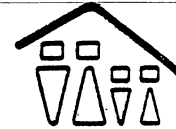
There are other ways in which your complaints may be resolved besides asking for a fair hearing. You can ask to meet with your agency representative or his/her supervisor. Your complaint will be given prompt and courteous attention and if not settled you may still request a fair hearing. You must understand, however, if you wish services to be continued until the hearing, a request for a hearing must be made within 10 days of the mailing date of your notice. Also remember that after 90 days have passed from the date of action or inaction, you may not have the right to a fair hearing.

*Listed below is the address of the local agency from which you are receiving or have requested services:*



**DYFS AD HRG-1**  
(new 6/79)

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**HOW  
TO  
REQUEST  
A  
FAIR  
HEARING**



State of New Jersey  
Department of Human Services  
Ann Klein, Commissioner  
Division of Youth and Family Services  
Bernice L. Manshel, Director

## **WHEN SHOULD YOU ASK FOR A FAIR HEARING?**

If you have applied for or already are receiving social services and either your request has been denied or you are not satisfied with what has been done in your particular situation, you have the right to review your complaint with the service agency and/or ask for a fair hearing. Remember that the agency has 30 days to make a decision on your eligibility to receive a service you have applied for or requested. Within 15 days after the determination, the agency must notify you of the decision.

## **WHO MAY ASK FOR A FAIR HEARING?**

All applicants for or recipients of social service programs funded through Title XX of the federal social security act have a right to ask for a fair hearing. This right applies regardless of which agency in the state is responsible for providing that service.

## **WHAT IS A FAIR HEARING?**

A fair hearing is a hearing held by an Administrative Law Judge assigned by the Office of Administrative Law, who will listen to your complaint and recommend a decision based on law and regulations. The Director of the State Division of Youth and Family Services will then issue the final decision and see that it is enforced.

You will have the right to request a fair hearing if you have a complaint about:

- not being eligible to receive services.
- failure of the agency to act upon your request for services within a reasonable time.
- reduction of services
- suspension of services
- denial or end of services

## **HOW DO YOU REQUEST A FAIR HEARING?**

If an agency decides that you are not eligible to receive a service you have applied for or requested or if the agency is planning to reduce or end the services you are receiving, you will receive a notice in writing explaining the reason(s) for the action that will be taken. If you disagree with the reason(s) or if you believe that all facts concerning your particular case have not been considered, you can request a fair hearing.

Your request for a fair hearing may be oral or written. You do not need to complete a form to request a fair hearing.

A request for a fair hearing must be made to the local agency providing the service (see address on Page 5) or to the State Division of Youth and Family Services at the following address:

**Department of Human Services  
Division of Youth and Family Services  
Administrative Hearings Liaison  
One South Montgomery Street  
Post Office Box 510  
Trenton, New Jersey 08625  
Telephone: (609) 292-8715**

You may also request a fair hearing by calling toll-free (800) 792-8304.

## **HOW MUCH TIME IS ALLOWED FOR MAKING A REQUEST FOR A FAIR HEARING.**

When a decision has been made by a local agency and you believe the decision is unfair, you have 90 days to request a fair hearing.

When an agency has made a decision which you believe is unfair, you may lose your right to a fair hearing if you allow more than 90 days to pass without requesting a hearing.

It is important for you to know that if your request for a fair hearing is received either by the local agency or the State Division of Youth and Family Services within 10 days from the date the agency notice was mailed to you, in most cases, service will not be ended or reduced before a hearing is held. If you have any questions about continuation of services before your hearing is held, consult your caseworker.

## **WHO CAN HELP YOU IN PRESENTING YOUR CASE AT A HEARING?**

You may present your reasons and arguments yourself, or you can have a relative or friend do so on your behalf. You may arrange for representation by a lawyer of your choice. However, the local agency is not responsible for the cost of your lawyer. If you wish to obtain the names of private lawyers in your area, you may contact your county bar association. If you wish to see a lawyer but cannot afford one, you may contact your neighborhood legal services office. If there is a legal services office in your county, the address and phone number will be provided on the notice of agency action which is mailed to you.