

Thompson

December 1, 1956

Honorable Edward J. Patten
Secretary of State
State House
Trenton, New Jersey

Dear Secretary Patten:

Enclosed herewith for filing is the following regulation of the Bureau of Assistance of the Division of Welfare of this Department:

MUNICIPAL AID REGULATION 0.003

LAWS - Legal Settlement

Revision of N.A. 0.003, Determination of Legal Settlement, replacing N.A. 0.003, Legal Settlement, revised July 1, 1947.

Very truly yours,

DEPARTMENT OF INSTITUTIONS AND AGENCIES

John W. Trumbull
Commissioner

JWT:4

CC. Mr. Brendan T. Byrne, Secretary to the Governor
Mr. Elmer V. Andrews, Director, Division of Welfare
Mrs. Elizabeth Reenan, Assistant to the Commissioner

State of New Jersey
Department of Institutions and Agencies
Division of Welfare

BUREAU OF ASSISTANCE

REGULATION # 0.003

ISSUED: Dec. 14, 1956 (Date)
REV.: (Date)

TITLE: LAW
SUBJECT: Legal Settlement
STATUTORY REFERENCE: N.J. WEL-2
11-11-5

attached to revised regulation N.J. 0.003, Determination of Legal Settlement, replacing N.J. 0.003, Legal Settlement, which bears a revision date of July 1, 1947.

Chief, Bureau of Assistance

Approved: _____
By: *John H. Lumbury*



State of New Jersey
DEPARTMENT OF INSTITUTIONS AND AGENCIES
TRENTON 25

BUREAU OF ASSISTANCE
148 WEST STATE STREET

December 14, 1956

TO: MUNICIPAL WELFARE DIRECTORS

RE: Revision of Regulation M.A. 0.003
Cancellation of Regulation M.A. 0.004

Attached is one copy of revised regulation M.A. 0.003, "Determination of Legal Settlement." Additional copies for staff will be forwarded under separate cover where appropriate.

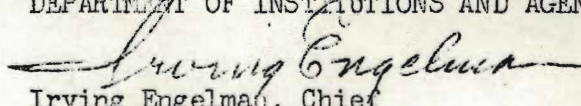
This revised regulation has been developed to clarify interpretation of the complex law governing settlement and municipal and State responsibilities under the law; to provide more specific instructions on the necessary procedures involved; and to incorporate policy and procedure which formerly was contained in M.A. 0.003 and 0.004.

Please destroy M.A. 0.003, "Legal Settlement", revised 7/1/47 and M.A. 0.004, "Removal of Persons to Place of Legal Settlement Within This State," issued without date. Regulation M.A. 0.004 is hereby officially cancelled.

If after review of M.A. 0.003, revised 12/56, you have any questions please consult your field representative or this office.

Very truly yours,

DEPARTMENT OF INSTITUTIONS AND AGENCIES


Irving Engelman, Chief
Bureau of Assistance

IE/MCRd

Approved
Elmer V. Andrews, Director
Division of Welfare

DETERMINATION OF LEGAL SETTLEMENT
REGULATION M.A. 0.003

(12/56)

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State of New Jersey
Department of Institutions and Agencies
Division of Welfare-Bureau of Assistance

M.A. O.003
Rev. 12/56
Page 1

TITLE: LAWS
SUBJECT: DETERMINATION OF LEGAL SETTLEMENT

INTRODUCTION - PURPOSE

Chapter 357, P.L. 1941 (As amended by Chapter 120, P.L. 1947) governs all municipalities of the State REGARDLESS OF WHETHER OR NOT THEY HAVE APPLIED FOR STATE AID. Therefore, the provisions of this regulation are applicable to ALL municipalities.

The purpose of the settlement requirement of the General Public Assistance Law is to designate the ultimate financial responsibility of the various municipalities of the State and of the State itself in respect to needy persons applying for or receiving general assistance. The legal settlement requirement is established by State law and the policies relating thereto are developed by the Department of Institutions and Agencies, through the Bureau of Assistance and issued to the municipal welfare departments.

A. Immediate Assistance

Section 44:8A-2 of the Revised Statutes, Chapter 357, P.L. 1941, as amended by Chapter 20, P.L. 1947, specifically provides that "Immediate public assistance shall be promptly rendered to any needy person by the director of welfare of that municipality where the person is found at the time of application, subject to determination and adjustment of responsibility."

"Where the person is found" is interpreted as follows:

1. Where the person is living at the time of application, or
2. Where he is actually present under emergency conditions whereby he is not able to return to the place in which he lives for the purpose of making application for general assistance.

This legal principle shall be followed even though the client is lacking either State or municipal settlement as defined in this regulation. (See Sections B through F.) In such instances ultimate financial responsibility is determined by certain procedures described in Section G of this regulation.

B. Settlement Requirements

1. State Settlement:

Every person (except one whose settlement is derived from another person, see Sections D and E) who has resided in the State without interruption for two continuous years, provided that during that time he has resided in one particular municipality for one continuous year, shall have established legal settlement in the State and in a particular municipality of the State for the purpose of general assistance. However, the continuity of residence required for establishing settlement in New Jersey for the purpose of general assistance is considered to be interrupted by the circumstances stated in Section C, below.

2. Municipal Settlement:

Every person (except one whose settlement is derived from another person, see Sections D and E) who has legal settlement in this State shall have municipal settlement for the purpose of general assistance in that municipality in which he has last resided for one continuous year. However, the continuity of residence required for establishing settlement in a municipality is considered to be interrupted by the circumstances stated in paragraph C, below.

A person cannot have municipal settlement unless he has State legal settlement. Also, a person who has State legal settlement must of necessity have a municipal settlement because one of the two years required for State settlement must be spent in one municipality.

C. Restrictions Which Prevent the Acquiring of State and Municipal Settlement

1. State Settlement:

For purposes of general assistance, the law requires that the time spent by a person residing in New Jersey shall be considered as interrupting the continuity of residence necessary for acquiring State settlement in New Jersey while he was or is:

- a. Receiving public assistance, as defined in Chapter 156, P.L. 1947, excluding, however, any assistance which is given by reason of quarantine because of a communicable disease or any assistance which has been repaid in full;
- b. Receiving public aid from any municipality, county, State or Federal agency when that aid could not have been obtained according to law unless the person is in need, whether received in the form of orders, cash or wages;
- c. Receiving assistance under a. or aid under b. for such person or for his wife or a minor child for whose support either such person or his wife is responsible in this or any other state;
- d. In a charitable, custodial or correctional institution in this State or while his wife or minor child is in a charitable, custodial or correctional institution of another State or of the Federal government;
- e. On parole from an institution of this State, another State or of the Federal government;
- f. A fugitive from justice;
- g. Illegally in the United States;
- h. In the armed forces of the United States;
- i. In a veteran's hospital or similar institution.

For purposes of general assistance, the two year period required for State settlement must be continuous and uninterrupted. Whenever interruptions as described above occur, such time shall not be counted and the full two year computation starts anew from the date on which such interruption ends.

2. Municipal Settlement:

For purposes of general assistance, the law requires that the time spent by a person residing in this State under any of the circumstances described above shall not be counted when determining the length of municipal residence needed to establish municipal settlement but the computation does not start anew after such interruption ends.

This means that municipal settlement, unlike State settlement, is acquired on a cumulative basis. In other words, although time spent under any of the above circumstances does not count toward the time required to gain municipal settlement, the length of time spent in the municipality both before and after such interruption counts towards the acquisition of municipal settlement.

The last municipality in which a person has resided continuously for one year or the last municipality in which he has resided continuously or cumulatively for one year is his place of municipal settlement.

D. Settlement of a Married Woman

The settlement of a married woman shall be that of her husband except:

1. If her husband at the time of her marriage does not have settlement in any State, she shall retain her own settlement until her husband acquires one or until hers is lost.
2. A widow or woman who is divorced or separated by judicial decree from her husband shall have the same settlement which she had at the time of her husband's death or of her divorce or of the judicial separation, but may subsequently acquire a settlement in her own right.
3. If a married woman lives outside the State for one year continuously separate and apart from her husband, her settlement is lost until such time as she and her husband voluntarily resume living together, in which event her settlement shall be that of her husband.
4. If a married woman who is deserted by or otherwise separated from her husband remains in New Jersey and her husband's whereabouts are unknown, she retains the settlement she had at the time of the desertion or separation until his whereabouts can be determined.

E. Settlement of Minor Children

1. Settlement of Minor Born in Wedlock:

The settlement of a minor born in wedlock shall be that of his parents, surviving parent, or of the parent having custody.

If both parents die, or the minor is permanently separated from his parents by court order, or if custody of the minor child has been surrendered by an instrument in writing in accordance with law, then the minor's settlement shall continue as at the time of such death or separation until his majority unless he establishes a separate settlement as described in Subsection 3 of this Section.

2. Settlement of Minor Born Out of Wedlock:

The settlement of a minor born out of wedlock shall be that of his mother. However, such minor may acquire a separate settlement as described in Subsections 3 and 4, below.

3. Separate Settlement of a Minor:

A minor establishes a separate settlement in the same manner as a person of full age, if either a or b, below, is applicable.

a. If he (or she) resides separately from his parents, is lawfully employed and is not wholly or partially dependent on his parent(s) or guardian for support. However, if such minor resumes living with either of his parents, his settlement shall be the same as it was before his departure. This provision shall not apply in the case of a minor serving an apprenticeship or securing an education in a regularly organized training school or other educational institution.

b. If a male minor marries and lives apart from his parents. (If a female minor marries, she acquires the settlement of her husband, see Section D).

4. Settlement of Minor Receiving Public Assistance, Upon Marriage of Mother:

In the case of a child who is already receiving care at public expense while in the legal custody of an agency or a person other than the mother, if the mother gains a new settlement through marriage the settlement of the child does not follow that of the mother. The child continues to have the same settlement as existed at the time of the mother's marriage until the child has been returned to its mother's custody and has remained in her care without receipt of public assistance for a period of one year.

5. Settlement of Minor from Outside the State:

A minor who is brought into this State does not gain a separate legal settlement in this State, except as described in the provisions above.

6. Settlement of Minor Placed Apart from Own Parents:

A minor who is placed with any family in this State (other than his own parents or parent) by any person, society, or corporation, public or private, of this or any other state, does not acquire a separate legal settlement except as stated in the provisions above.

F. Loss of State Settlement

1. Continuous Absence for One Year

Every person who has a separate legal settlement (not derived from that of another person as stated in Sections D and E) shall continue to have such legal settlement until he shall remove from this State and remain therefrom continuously for one year. However, a person serving with the armed forces of the United States shall not lose his legal settlement due to absence from the State for one year or more, if the person entered the service while residing in this State.

2. Absence Less than One Year

Every person who has been absent from this State less than one year, upon his return shall have the same municipal settlement which he had at the time of leaving this State.

3. Correspondence Terminates Absence

The initiation of correspondence by another state, or a public agency of another state, requesting acknowledgement of legal settlement in New Jersey of persons living outside the State, who are alleged to have legal settlement in New Jersey, terminates the period of absence from this State for the purpose of determining whether legal settlement has been lost.

G. Procedure When Client Lacks Settlement

When it has been determined that the client lacks settlement, either State or municipal, a municipal welfare department shall follow the procedure stated below.

1. Cases Lacking State Settlement

a. Resettlement a State Responsibility

The law vests in the Bureau of Assistance the sole authority for resettling persons who lack settlement in this State. Therefore, the Bureau is responsible for all negotiations and correspondence with another state in this connection.

b. Reimbursement by State

Reimbursement will be allowed (through the Bureau of Assistance of the Department of Institutions and Agencies) to any municipal welfare department for assistance granted to non-state resident cases to the extent of 80% of the total cost of such assistance, provided, however, that such assistance is given in accordance with the standards and regulations of the Bureau.

The State of acknowledged legal settlement is not responsible for any portion of the assistance costs to such persons while in New Jersey.

c. Notice to Bureau (Form NR-1)

A municipal welfare director who grants assistance to a person not having legal settlement in this State shall notify the Bureau of Assistance not later than twenty (20) days after acceptance of the case by completing "Non-State Resident Referral." (See sample Form NR-1, attached.) The form shall be prepared in triplicate and all copies sent to the Bureau. One copy will be returned to the municipal welfare department indicating Bureau action.

d. Effect of Failure to Notify Bureau

If a municipal welfare director fails to notify the Bureau within twenty (20) days after the first grant of assistance to a person lacking legal settlement in this State, such case will be considered as reimbursable only from the date of notification unless there is a showing of cause acceptable to the Bureau.

If a municipal welfare director fails to notify the Bureau within twenty (20) days after the first grant of assistance to a person lacking legal settlement in this State and the person loses settlement in another state by reason of such failure, no reimbursement whatsoever will be made for the assistance rendered. Responsibility for the care of such person even if he moves to another municipality continues to be that of the municipality failing to notify the Bureau within the required time.

e. Communication with Other State

The Bureau of Assistance will communicate with the welfare department of the State where the client is presumed to have legal settlement in order to verify the residence of the client in the other state and to obtain from the other state official acknowledgement of settlement responsibility.

All cases properly referred to the Bureau will be classified as PENDING during the period the State is endeavoring to establish settlement responsibility in another State.

f. Legal Settlement Established

When the State of alleged settlement acknowledges the client's legal settlement there, the Bureau will send a copy of the letter to the municipal welfare department.

The client shall be so notified by the municipal welfare department and given an opportunity to return to such state.

When the client does not wish to return to the State which has acknowledged settlement responsibility, the municipal welfare department shall transmit to the Bureau a statement indicating whether the welfare department is satisfied that social or other considerations make it inappropriate or impossible for the client to be returned.

If the Bureau approves a plan under which the client's eligibility for General Assistance will not be affected if he remains in this State, the case will be classified as IMPOSED. Three copies of Form NR-2, "Imposed Non-State Resident" will be sent to the municipal welfare department to be completed and submitted to the Bureau. One copy will be returned to the municipal department indicating Bureau approval for purposes of reimbursement. (See sample Form NR-2, attached.)

When a client refuses without good and sufficient cause to return to the State which has acknowledged settlement responsibility for him, he is no longer eligible for assistance until such time as he acquires settlement in this State.

g. Imposed Status for Persons Not Resettled

In any case where the Bureau is unable to establish legal settlement or when the person is not to be resettled in another State, the municipal welfare department will be advised that the case is classified as IMPOSED. Three copies of Form NR-2 will be sent to the municipal welfare department to be completed and submitted to the Bureau. One copy will be returned to the municipal department to indicate approval for purposes of reimbursement.

h. Identification of Records

When it has been established that a client is a non-state resident, the case record, including the social data summary, orders and other pertinent material shall be stamped or otherwise clearly marked NON-STATE RESIDENT.

i. Arrangements and Costs for Return to Another State

1) Municipal Department Makes Plan with the Client

When the Bureau has notified the municipal welfare director that the other State has acknowledged legal settlement, the municipal welfare department is responsible for helping the client with his travel plans.

2) Advance Notice to Other State

Appropriate advance notification with respect to date of client's return shall be sent by the municipal welfare department to the out-of-state agency which has accepted responsibility for the client so that satisfactory arrangements and further planning for the client may be made.

3) Precautions for Safe Arrival

When the non-State resident (such as children, aged, ill) are incapable of assuring their own safe movement to their destination, sufficient precautions shall be taken by the municipal welfare department to assure safe arrival. Where possible, the services of the Travelers Aid Society (or similar agency) shall be used to arrange for the complete travel plans of the client at minimum rates.

4) Transportation Costs Reimbursable

Transportation costs incurred in the resettlement of a non-State resident in another state wherein legal settlement is acknowledged are reimbursable to the extent of eighty (80) per cent. Full advantage shall be taken of all available special or other family reduced rates.

Reimbursement will not be allowed for transportation costs incurred by a person acting as a convoy to a client being resettled unless it is demonstrated that such convoy is essential and prior approval has been obtained from the Bureau.

j. Statistical Reporting

Non-State resident cases are listed on the "Monthly Commitment Report" in the same way as any other case for which the municipality is financially responsible.

k. Forms

Forms NR-1 and NR-2 are provided by the Bureau without cost to the municipality.

2. Cases Lacking Municipal Settlement

a. Interpretation of Law

Section 44:8A-17 of the Revised Statutes, Chapter 357, P.L. 1941 as amended by Chapter 120, P.L. 1947, specifically provides that "When a person alleged to have a settlement elsewhere in the State than in the municipality in which he is found is in need of public assistance, the director of welfare of the municipality where such person is found shall provide the assistance necessary."

"In which he is found" is interpreted as follows:

- 1) Where the person is living at the time of application, or
- 2) Where he is actually present under emergency conditions whereby he is not able to return to the place in which he lives for the purpose of making application for general assistance.

This legal principle shall be followed even though the client lacks municipal settlement as defined in Sections B2 and C2 of this regulation.

b. Responsibility of Municipal Welfare Director Where Client Is Living

1) Notice to Municipality of Alleged Settlement (Form UM-1)

The municipal welfare director shall as promptly as possible send Form UM-1, "Notice to Municipality of Alleged Settlement," by registered mail, to the welfare director of the municipality in which the client is alleged to have settlement. (See sample Form UM-1, attached.)

2) Determination of Amount of Assistance

The municipal welfare director issuing the assistance to the client shall determine the amount of assistance needed according to State regulations and bill the responsible municipality for the assistance granted.

3) Obtaining Reimbursement from Responsible Municipality

Upon receipt of Form UM-2, "Acknowledgement of Responsibility" from the municipality of settlement, (see sub-section c.1) which follows) the welfare director where the client is receiving assistance shall bill the responsible municipality for the assistance granted from the date the "Notice," (Form UM-1) was sent to such municipality. It is the usual practice for the welfare director of the responsible municipality to send a supply of the official vouchers of his municipality to the welfare director where the client is living. This facilitates the billing and payment process when two municipalities are thus involved.

The procedures governing billing and payment between the municipalities can only be settled at the local level; it varies municipality by municipality. It is recommended that at the time of accepting responsibility for a case serviced by another municipality the Directors of Welfare agree upon a schedule of billing and payment to accommodate operating plans of the respective municipalities.

It is recommended that the procedures provide for billing and payment on a monthly basis where the transactions include more than one case. In instances where the transactions include only one case, the plan of operation might be completed by calendar quarters.

Should the responsible municipality fail in its financial obligation, the cost of the assistance may be recovered through legal action by the municipality granting it.

4) Reports to Responsible Municipality

The Welfare director of the municipality where the client is living and receiving assistance shall furnish the welfare director of the responsible municipality each month with the information required to maintain basic case records, and to provide information required for proper reporting on monthly commitment reports. [To facilitate reporting of the information required on the monthly commitment reports, a memorandum set of the forms could be supplied the director of welfare of the responsible municipality.] Whenever it is considered advisable to provide additional information, or if such information has been requested and mutually agreed to by the welfare directors of the two municipalities, supplemental sheets may be attached to the form or forms.

If the welfare director of the municipality where the client is living prefers, he may forward the necessary information in a narrative report. In this instance, it would be necessary to include at least the following.

- a) The date on which the case was opened [this item is supplied only once during the period the case is active for assistance payments.];
- b) Reason client is receiving General Assistance;
- c) Number of persons in the household group receiving GA under the same registration (case) number; and
- d) A breakdown of the total monthly commitments for the subject case to indicate the amount of assistance provided for each item.

In addition to the above information, when assistance is discontinued, the final report should include the date on which the case was closed and the reason.

5) Identification of Records

The case record, including the social data summary, orders and other pertinent material, shall be stamped or otherwise clearly marked "NON-MUNICIPAL RESIDENT."

c. Responsibility of Municipal Welfare Director Receiving Notice

1) Investigation and Acknowledgement (Form UM-2)

The municipal welfare director receiving the "Notice," Form UM-1, shall immediately investigate the residence information provided thereon.

If he finds that the client does have settlement he notifies the welfare director of the municipality where client is living by sending Form UM-2, "Acknowledgement of Responsibility" by registered mail. (See sample form UM-2, attached.)

2) Liable for Cost of Assistance

The responsible municipality is liable for the cost of all assistance granted the client from the date the "Notice," (Form UM-1) was sent by the municipality where client is living and receiving assistance.

3) Choice of Methods for Continuing Assistance

The welfare director of the responsible municipality may elect

a) To be charged by the welfare director of the municipality in which the client is living for the cost of assistance which shall be granted for a period of not more than four months after the date of the "Notice" and for such further period or periods, if any, which shall be agreed to by the welfare director of the municipality in which the client is living, or

b) To order the client returned to the municipality of legal settlement at the expense of the municipality in which assistance is being granted.

The welfare director of the responsible municipality shall not grant assistance directly to a client living in another municipality without first securing written permission to do so from the welfare director of the municipality in which the client is living. However, the welfare director of the municipality in which the client is living and the welfare director of the responsible municipality may mutually agree that such an arrangement is desirable when the client has been receiving assistance from the welfare department of the municipality in which he has settlement or for other appropriate reasons.

d. Return of Client to Responsible Municipality

The welfare director of the municipality in which the client is living may elect to have the client returned to the municipality of legal settlement at the expiration of any of the periods which have been determined by mutual agreement of the directors concerned, as described in c, 3) of this Section. In such event, he must assume responsibility for the expense of returning the client to the municipality in which he has settlement.

A client should not be moved from one municipality to another without adequate planning.

The Bureau believes the municipal welfare directors concerned should consider first the interest of the client from the viewpoint of employment prospects, health and social conditions and other considerations which have a vital bearing on the welfare of the client. Only after all the facts of each case have been carefully weighed should a decision be made to request return to place of legal settlement.

e. Unauthorized Return a Misdemeanor

It is a misdemeanor to send or convey an indigent person into a municipality for the purpose of making him a charge of such municipality or for the purpose of avoiding responsibility of support in the municipality in which he has been living.

f. Alleged Settlement Protested

1) Protest by Municipality of Alleged Settlement

a) Notice of Protest (Form UM-3)

If the municipal welfare director receiving a "Notice" determines, after investigation of the residence information, that the client does not have legal settlement in the municipality of alleged settlement, he shall send a Form UM-3, "Protest of Settlement Allegation" by registered mail to the welfare director of the municipality in which the client is living. (See sample form UM-3, attached.) This "Protest" shall be sent as promptly as possible but in any event within thirty days after receipt of the "Notice," indicating the facts upon which settlement responsibility is denied.

b) Result of Failure to Protest

If a municipal welfare director fails to send a "Protest" within the 30 day period or during any extended time granted by the Bureau, his failure signifies a concurrence in the decision of the Bureau. (See "Bureau Action and Decision," 3), c), below.)

2) Action by Municipality Where Client Is Living

a) Referral to Bureau (Form UM-4)

When the welfare director of the municipality where client is living either

(1) Receives a notice of "Protest" and still has reason to believe the client has legal settlement in the municipality to which "Notice" was sent, or

(2) Fails to receive any reply whatsoever from the municipality to which "Notice" was sent,

he shall send Form UM-4, "Reference to Department of Institutions and Agencies" together with one copy of the Form UM-1 by registered mail to the Bureau as promptly as possible, but, in any event, not later than 40 days after form UM-1, "Notice to Municipality of Alleged Settlement" was sent. (See sample form UM-4, attached.)

In either situation a copy of Form UM-4, "Reference" shall also be sent to the municipality of alleged settlement.

b) Result of Failure to Refer to Bureau

If the welfare director of the municipality where client is living fails to send Form UM-4, "Reference" to the Bureau in the circum-

stances described above within the 40 days specified, then that municipality shall be considered the client's place of legal settlement. The assistance needs of such a client shall be the financial responsibility of that municipality unless and until such settlement is lost as provided in section F of this regulation.

3) Bureau Action and Decision

a) Extension of Time

The Bureau, if the facts so warrant, may extend the time allowed for sending a "Protest" or "Reference."

b) Review; Hearing

The facts in the case will be reviewed. If the Bureau is unable to determine settlement responsibility on the basis of the facts submitted, the respective municipal welfare directors may be notified to appear at a hearing.

c) Final Decision

The decision of the Bureau becomes final upon written notification to the municipalities involved.

As a part of the decision the Bureau may order the client to be returned to the responsible municipality where he shall be granted whatever assistance is necessary.

d) Enforcement of Decision

If a responsible municipality should fail to accept such responsibility, the Bureau may enforce the decision by withholding from such municipality any State aid which it would otherwise receive under the provisions of the General Public Assistance Law.

g. Statistical Reporting

Inter-municipal settlement cases are reported on the "Monthly Commitment Report" by the responsible municipality only.

h. Forms

All forms (UM-1, 2, 3 and 4) referred to in this section shall be sent by registered mail. Supplies of these forms may be secured from the Bureau without cost to the municipality.

H. Resettlement in New Jersey from Other States

1. Bureau Acknowledges Settlement

The Bureau has sole authority for acknowledgement of legal settlement of persons living outside the State who are alleged to have legal settlement in New Jersey and for all inter-state correspondence in this connection. Municipal welfare directors shall not assume any responsibility for communicating with

the other state in such cases.

2. Inquiries Received by Bureau and/or Municipal Welfare Department

When other states direct settlement inquiries to the Bureau, a copy of such inquiry will be forwarded promptly to the municipal welfare director. If, however, the other state should send a settlement inquiry directly to the municipality, the welfare director of such municipality shall immediately forward a copy of the inquiry to the Bureau and proceed according to the instructions which follow.

3. Municipal Director Investigates Settlement

It will be the responsibility of the municipal welfare director to investigate any inquiry regarding a person's alleged settlement in New Jersey and to submit a report promptly to the Bureau.

Such report should include sufficient information to enable the Bureau to make a decision as to whether the person has legal settlement in New Jersey. In this respect, it is recommended that "Settlement Requirements", both State and municipal (B) and "Restrictions....on Acquiring State and Municipal Settlement" (C) be kept in mind in obtaining the data and preparing the report.

4. Notice of Bureau Decision

Upon review of the facts the Bureau will notify the out-of-state agency of its decision, sending a copy to the municipal welfare director.

5. Responsibility Following Decision

If the Bureau acknowledges that the person has legal settlement in New Jersey the municipal welfare director shall abide by the decision.

In the event the person wishes to return to New Jersey, the welfare director shall cooperate with the out-of-state agency in planning for such return, and shall promptly grant any assistance which is necessary upon the person's arrival.

The cost of transportation to New Jersey will be met by the out-of-state agency.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Irving Engelman
Irving Engelman, Chief

IE/MCRd

Attachments: 6

Approved

Elmer V. Andrews, Director

Division of Welfare

Official Regulation 0.003, Revised 12/56

Destroy Regulation 0.003, Revised 7/1/47. ("Legal Settlement")

TO: DEPARTMENT OF INSTITUTIONS AND AGENCIES
DIVISION OF WELFARE - BUREAU OF ASSISTANCE

DATE.....19.....

LAST NAME FIRST ADDRESS MUNICIPALITY

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I. CHRONOLOGICAL RESIDENCE HISTORY
(LAST ADDRESS FIRST)

PERIODS STREET ADDRESS MUNICIPALITY

RESIDENCE IN NEW JERSEY PERIODS STREET ADDRESS MUNICIPALITY

RESIDENCE IN OTHER STATES VERIFIED

II. FAMILY COMPOSITION

(ALL PERSONS IN GENERAL ASSISTANCE GROUP)

NAME RELATIONSHIP DATE OF BIRTH PLACE OF BIRTH COUNTY STATE VERIFIED

III. DATA TO PERMIT VERIFICATION OF SETTLEMENT IN OTHER STATES

(IF DOCUMENTARY PROOF IS AVAILABLE, AFFIX COPIES TO REFERRAL)

OTHER STATE

Employment	
Relatives	
General Assistance Status	
Landlords	
References	
School	
Present Marital Status	
Date and Place of Marriage	
Verified	
Verified	

IV. PERTINENT DATA - RE: PERSONS FROM WHOM SETTLEMENT IS DERIVED

(COMPLETE IF GENERAL ASSISTANCE RECIPIENT IS A MINOR, OR WOMAN LIVING APART FROM HUSBAND AND NOT DIVORCED OR JUDICIALLY SEPARATED).

NAME - DATE & PLACE OF BIRTH	
RELATIONSHIP	
PRESENT ADDRESS	
RESIDENCE HISTORY IN OTHER STATES	

N-O-T-E-S

1. Residence history should be sufficient to prove settlement status elsewhere or that such status has been lost.

2. Include all persons in General Assistance group. (Use reverse side for additional persons).

3. This information required to permit outside agency to verify settlement without delay.

4. If family is broken, or if deserted, etc., in which case General Assistance persons are incapable of acquiring own settlement - provide name, relationship and residence history of person from whom General Assistance recipients have derived settlement.

IF CASE HAS BEEN A GENERAL ASSISTANCE RECIPIENT INTERMITTENTLY AND IS RE-OPENED OR IF ADDITIONAL RESIDENCE DATA IS AVAILABLE PLEASE MARK OVER AND LIST INFORMATION ON REVERSE SIDE.

I hereby certify that the above captioned non-resident first came to New Jersey.....19.....

and to this municipality.....19.....

The first Application for Assistance was made on.....19..... and Granted on.....19.....

Present Application was made on.....19..... and Granted on.....19.....

Type of Assistance Requested.....
Signed.....
Director of Welfare

DO NOT WRITE BELOW THIS LINE

Reviewed By.....

Date.....19.....

State of Presumed Settlement..... Approved for Reimbursement:

Remarks.....

IMPOSED NON-STATE RESIDENT

DIRECTOR OF WELFARE

NAME

NO. ADDRESS

MUNICIPALITY

DATE

The above captioned non-state resident cannot be legally removed to the state of

and therefore may be granted assistance in

MUNICIPALITY

in accordance with Chapter 357, Section 93, Laws of 1941, and the rules and regulations of

THE DEPARTMENT OF INSTITUTIONS AND AGENCIES.

THE DEPARTMENT OF INSTITUTIONS AND AGENCIES will allow continued reimbursement

therefor, upon receipt of the following completed data:

I. VERIFICATION OF RESIDENCE IN NEW JERSEY

(LAST RESIDENCE FIRST)

PERIODS

STREET ADDRESS

MUNICIPALITY

VERIFIED
DATE

TYPE OF
PROOF

II. ADMINISTRATION

(ANSWER IF PERTINENT TO CASE)

If Documentary Proof is available, affix copies to the form

III. RELIEF STATUS

Persons in Relief Group

Type of Home

Cooking and Heating Facilities

TOTAL MONTHLY BUDGET

APPLIED INCOME

RELIEF GRANTS

(By Type)

DO NOT WRITE BELOW THIS LINE

1.2 A. REVIEWED BY

DATE

APPROVED FOR REIMBURSEMENT

CHIEF

Bureau of Assistance

R-E-M-A-R-K-S:

Case should be classified as an IMPOSED NON-RESIDENT

Effective as of 1, 19

Approval is provided for reimbursement until
After which the case should be resubmitted for continued approval.

NOTICE TO MUNICIPALITY OF ALLEGED SETTLEMENT

(P. L. 1941, CHAPT. 357, SEC. 17)

REGISTERED MAIL

TO: Director of Welfare of _____

Date _____

PLEASE TAKE NOTICE that _____ now residing at _____
 applied on the _____ day of _____ 19____ to the undersigned for public assistance and has been found
 eligible. The following facts indicate that municipal settlement is in _____
(MUNICIPALITY)

I. FAMILY COMPOSITION - RELIEF GROUP ONLY

NAME	RELATIONSHIP	DATE OF BIRTH	PLACE OF BIRTH	REMARKS	VERIFIED (Check <input checked="" type="checkbox"/>)

II. CHRONOLOGICAL RESIDENCE HISTORY (LAST RESIDENCE FIRST)

PERIODS	RESIDENCE IN NEW JERSEY *		VERIFIED (Check <input checked="" type="checkbox"/>)
	Street Address	Municipality	

*Sufficient data to establish State and Municipal Settlement

III. PERIODS OF RESIDENCE NOT TO BE COMPUTED (P. L. 1941, CHAPT. 357, SEC. 5) (COMPLETE ONLY IF PERSON WAS ON RELIEF, WPA, ETC., WHILE RESIDING IN PLACES LISTED UNDER II)

PERIODS	RESIDENCE IN NEW JERSEY		REASONS WHY NOT COMPUTABLE
	Street Address	Municipality	

IV. DATA TO PERMIT VERIFICATION OF SETTLEMENT IN OTHER MUNICIPALITY (IF DOCUMENTARY PROOF IS AVAILABLE, AFFIX COPIES TO NOTICE)

Employment	
Relatives	
Relief Status	
Landlords	
References	
School	
Miscellaneous	

V. PERSONS FROM WHOM SETTLEMENT IS DERIVED

(COMPLETE IF RELIEF RECIPIENT IS A MINOR, OR WOMAN LIVING APART FROM HUSBAND AND NOT DIVORCED OR JUDICIALLY SEPARATED.)

Name	
Relationship	
Present Address	
Residence History	

REMARKS: (USE OTHER SIDE IF NECESSARY)

SIGNED: _____
 DIRECTOR OF WELFARE OF _____

To Director Receiving Notice
 See P.L. 1941, Chapt. 357
 Sections 18, 19, 20, 21, 24 & 29.

ACKNOWLEDGMENT OF RESPONSIBILITY

(P. L. 1941, CHAPTER 357, SEC. 16a)

To the Director of Welfare of _____ Re: _____ (Name)

(Address)

Please be advised that I hereby accept responsibility for _____
 who is now residing in _____, but who has settlement in _____
 You are authorized to return said person to this community at your own expense. You will of course give
 this department ample time so that, we may properly arrange for his return.

This department will grant reimbursement for such assistance as may have been granted subsequent
 to the _____ day of _____ 19_____, (date notice mailed pursuant to P. L. 1941, Chapt. 357,
 Sec. 17) up to the time of the receipt of this acknowledgment.

Very truly yours,

Director of Welfare of _____

Dated this _____ day
 of _____ 19____

ACKNOWLEDGMENT OF RESPONSIBILITY

(P. L. 1941, CHAPTER 357, SEC. 16b)

To the Director of Welfare of _____ Re: _____ (Name)

(Address)

Please be advised that I hereby accept responsibility for _____
 who is now residing _____, but who has settlement in _____
 You are authorized to charge _____ (municipality) with the cost of all
 assistance granted for a period of four months subsequent to the _____ day of _____ 19____ (date
 notice mailed pursuant to P. L. 1941, Chapt. 357, Sec. 17) and for such further period or periods, if
 any, as shall be agreed to by you as Director of Welfare.

Will you kindly send this department as soon as possible copies of all relief orders which have
 been issued or may be issued in this case. By so doing, payment will be made promptly and this de-
 partment will be able to accurately inform the State Department of Institutions and Agencies concern-
 ing its relief expenditures.

Very truly yours,

Director of Welfare of _____

Dated this _____ day
 of _____ 19____

PROTEST OF SETTLEMENT ALLEGATION

(P. L. 1941, CHAPT. 357, SEC. 19)

Re _____ Date _____

DIRECTOR OF WELFARE OF _____ (Municipality)

In reply to a notice received by the undersigned on the _____ day of _____ 19 _____ relating to the settlement of _____ now residing at _____ please be advised that, as a result of an investigation of the facts, I do hereby deny that settlement of such person is in _____ (Municipality). The facts are as follows:

I. CHRONOLOGICAL RESIDENCE HISTORY

(LAST RESIDENCE FIRST)

PERIODS	Street Address	RESIDENCE IN NEW JERSEY * Municipality	(Check <input checked="" type="checkbox"/>)

* Sufficient data to establish State and Municipal settlement.

II. PERIODS OF RESIDENCE NOT TO BE COMPUTED

(P. L. 1941, Chapt. 357, Sec. 5)
(Complete only if person was on relief, etc., while residing in places listed under I)

PERIODS	Street Address	RESIDENCE IN NEW JERSEY Municipality	REASONS WHY NOT COMPUTABLE

III. DATA TO PERMIT VERIFICATION OF SETTLEMENT IN OTHER MUNICIPALITY

(If documentary proof is available, affix copies to protest)

Employment	
Relatives	
Relief Status	
Landlords	
References	
School	
Miscellaneous	

IV. PERSONS FROM WHOM SETTLEMENT IS DERIVED

(Complete if Relief Recipient is a minor, or woman living apart from husband and not divorced or judicially separated)

Name	
Relationship	
Present Address	
Residence History	

REMARKS: (Use other side if necessary)

SIGNED _____

DIRECTOR OF WELFARE OF _____

REFERENCE TO
DEPARTMENT OF INSTITUTIONS AND AGENCIES
(P. L. 1941, Chapt, 357, Sec. 21)

TO Bureau of Assistance

Re: City of _____ vs City of _____
Settlement of _____
Street _____
Municipality _____

1. This matter relating to the settlement of _____ now residing at _____ is hereby referred to you for a decision pursuant to P. L. 1941, Chapter 357.

2. On the _____ day of _____ 19____ said person applied to the undersigned for public assistance which was first granted on the _____ day of _____ 19____.

3. On the _____ day of _____ 19____ I sent a notice by registered mail to _____ director of welfare of _____ alleging that settlement of said person was in _____ (municipality) a copy of which is attached hereto. I am also sending a copy of this reference to such director of welfare.

(Use 4 (a) or (b) as the case may be)

4. (a) On the _____ day of _____ 19____ I received a protest of the settlement allegation which is attached hereto, from said director of welfare in which it is denied that settlement is in _____ (municipality).

(b) To date I have not received an acceptance of responsibility pursuant to P. L. 1941, Chapter 357, Sec. 18, nor have I received a protest pursuant to Sec. 15 of said statute.

5. (State where settlement of person is and give specific reasons for such conclusion. If a protest was sent and case is disputed, affix to reference affidavits of case worker, landlord, relief client, etc., tending to prove settlement and also copies of other documentary proof which may be available). _____

Respectfully submitted

Director of Welfare of _____

Dated this _____
day of _____ 19____