

(1) For any period after December 31, 1996, a quarter of work during which an individual received means-tested Federally funded or State funded public assistance benefits shall not count toward the total number of qualifying quarters of coverage.

viii. An alien who is a veteran of, or on active duty in, the armed forces of the United States, or the spouse or dependent child of that person pursuant to Federal law; or

ix. An alien admitted to the United States on or after August 22, 1996, who subsequently lives in the United States for at least five years and is eligible for means-tested Federally funded public benefits pursuant to Federal law.

As amended, R.1977 d.452, effective December 1, 1977.

See: 9 N.J.R. 367(c), 10 N.J.R. 16(b).

Amended by R.1989 d.496, effective September 18, 1989.

See: 21 N.J.R. 1795(a), 21 N.J.R. 3006(a).

Alien verification requirements added.

Repealed by R.1994 d.612, effective December 19, 1994 (operative January 1, 1995).

See: 26 N.J.R. 3930(a), 26 N.J.R. 5022(a).

Section was "Applicant in AFDC-N".

Emergency New Rule, R.1997 d.175, effective March 24, 1997 (operative March 31, 1997; to expire May 23, 1997).

See: 29 N.J.R. 1425(a).

Adopted concurrent proposal, R.1997 d.261, effective May 23, 1997.

See: 29 N.J.R. 1425(a), 29 N.J.R. 2702(a).

10:81-3.11 Parent in AFDC-C, -F and -N segments

(a) In AFDC-C, the term "parent" shall refer to the natural and/or adoptive parent(s) or parent-person(s).

1. By law, in AFDC-C certain relatives shall be recognized as taking the place of a parent. The term "parent-person" is used to designate one or more such relatives who include those of half-blood, those persons of preceding generations denoted by prefixes "grand", and "great", brother, sister, stepfather, stepmother, stepbrother, step-sister, uncle, aunt, first cousin, nephew or niece. Such relative must be one with whom the dependent child is living, in a place of residence in New Jersey maintained by one or more such relatives as his/her or their own home.

i. A home is the family setting maintained or in process of being established as evidenced by assumption and continuation of responsibility for day to day care of the child by the relative with whom the child is living. A home exists so long as the relative exercises responsibility for the care and control of the child, even though

either the child or the relative is temporarily absent from the customary family setting.

ii. Initial payments are authorized on behalf of a child who goes to live with a specified relative within 30 days of the receipt of the first payment, provided payments are not made for a concurrent period for the same child in the home of another relative.

iii. Payments are authorized to persons acting for specified relatives in emergency situations that deprive the child of the care of the relative through whom he/she has been receiving aid, for a temporary period necessary to make and carry out plans for the child's continuing care and support.

2. Under New Jersey law, relatives of persons who adopt children become legally related to such adopted children to the same extent that they are related to natural children of the adopting parent.

3. Spouses of any persons named in the above groups may be considered "parent-persons" even though the marriage has been terminated by death or divorce.

(b) In AFDC-F, the term "parent" refers to the natural or adoptive parents who have at least one eligible child residing with them who is under age 18 or under age 19 and a full-time student in a secondary school or in the equivalent level of vocational or technical training and is reasonably expected to complete the program before reaching age 19.

(c) In AFDC-N, the term "parent" is used to refer to two adults of the opposite sex who have at least one eligible child residing with them who is under age 18 or under age 19 and a full-time student in a secondary school or in the equivalent level of vocational or technical training and is reasonably expected to complete the program before reaching age 19. This child must be the natural child of both parents or the natural child of one and adopted by the other or a child adopted by both.

As amended, R.1977 d.452, effective December 1, 1977.

See: 9 N.J.R. 367(c), 10 N.J.R. 16(b).

As amended, R.1978 d.190, effective June 8, 1978.

See: 10 N.J.R. 286(a).

As amended, R.1982 d.482, effective January 17, 1983.

See: 14 N.J.R. 1078(a), 15 N.J.R. 92(a).

Deleted reference to participation of those under age 21, to 19 years.

Case Notes

First cousin once removed as relative in fifth degree of kinship was parent-person. A.E. v. Essex County Division of Social Services, 93 N.J.A.R.2d (DEA) 12.