

AFDC Cases

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Administrative Director

The Supreme Court of New Jersey has approved the recommendation of the Conference of Family Division Presiding Judges for a new procedure for changing beneficiaries of child support orders in AFDC cases. The new procedure allows for the entry of administrative orders in AFDC cases when the child's residence changes and applies to cases in which a child is the beneficiary of a child support order and the custodial parent, who is the recipient of a welfare grant, no longer has physical custody of the child. Often, the child changes residence and lives with a grandparent or other relative. The welfare grant then is made payable to the person with whom the child is residing. However, the Probation Division, upon receipt of the child support payment, must distribute the funds to the county welfare agency in the name of the current beneficiary of record. To date, the policy has been to require the county welfare agency to file a motion to change the beneficiary of the child support order.

Handling these motions administratively will redirect the payments in a timely fashion and expedite the process. In AFDC cases in which custody of the child has never been adjudicated, the county welfare agency will send a letter to the Probation Division, certifying that the child is residing with someone other than the custodial parent, that custody has not been an issue and requesting the entry of an administrative order changing the beneficiary. The Probation Division will prepare and forward an administrative order, along with the letter from the welfare agency, to the Court. The judge will enter an administrative order regarding the change of beneficiary of the child support order.

Implementation of this procedure will result in more efficient processing of child support payments. If you have any questions regarding this matter, please contact the Administrative Office of the Courts, Child Support Enforcement Services.

EDITOR-S NOTE

The only change to the original text has been the substitution in the first paragraph of the term "grandparent" for "grandmother."