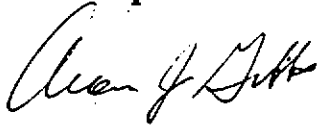


DEPARTMENT OF HUMAN SERVICES
INTEROFFICE COMMUNICATION

DATE: July 24, 1992

TO: Administrative Order Recipients

FROM: Alan J. Gibbs
Commissioner 

SUBJECT: Administrative Order 1:25, Office of Legal and Regulatory
Liaison

The purpose of the above-cited order is to delineate the role and responsibilities of the Office of Legal and Regulatory Liaison in the Department of Human Services, Office of Legal and Regulatory Affairs.

This Order is being forwarded for your review, action if necessary, distribution to staff as appropriate, and retention in your Administrative Order manual. Please be advised that each recipient of this Order is responsible for being familiar with its content and ensuring that all affected Department personnel adhere to it.

Thank you for your cooperation in this matter.

AJG:7

Attachment

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: August 1, 1992 DATE ISSUED: July 22, 1992

SUBJECT: Office of Legal and Regulatory Liaison

I. PURPOSE

The purpose of this order is to delineate the role and responsibilities of the Office of Legal and Regulatory Liaison in the Department of Human Services, Office of Legal and Regulatory Affairs.

II. SCOPE

This order has Department-wide applicability.

III. POLICY

- A. The Office of Legal and Regulatory Liaison (OLRL) shall function as the Department's liaison with the Office of the Attorney General.
1. All litigation (civil, criminal and administrative hearings) in which the Department of Human Services, one of its Divisions or Commissions, or one of its employees is a party shall be handled and processed by OLRL to the Office of the Attorney General (See Administrative Order 3:01, Representation and Indemnification of Employees, Expungement of Arrest Records, and Timely Forwarding of Legal Papers).
 - a. Division of Youth and Family Services (DYFS) related litigation matters are an exception to this general provision (consistent with N.J.A.C. 10:132-1 et seq.); however, OLRL shall be advised regarding all DYFS related litigation.
 - b. The Department's non-lawyer representation at Merit System Board Hearings in accordance with Administrative Order 4:11 is also an exception to this general provision.
 2. All Department of Human Services requests for Office of the Attorney General opinions/advice (formal and informal) shall be handled and processed through OLRL to the Office of the Attorney General.

- B. The Office of Legal and Regulatory Liaison shall function as the Department's liaison with the Office of Administrative Law in terms of all rule making proposals and adoptions and public notices. In conjunction with the Department's Regulatory Officer in OLR, the Division Administrative Practice Officers shall serve as their Division's liaison with the Office of Administrative Law. All rule making activity shall be submitted to and reviewed by the Department's Regulatory Officer.
- C. The Office of Legal and Regulatory Liaison shall have a staff attorney assigned as the Department's Ethics Liaison Officer. This position shall function as the Department's liaison with the Executive Commission on Ethical Standards regarding all relevant employee policies and procedures (see Administrative Order 4:05, Payments to Departmental Personnel for Services Provided Outside the Department; Administrative Order 4:06, Employees Standing for Election to or Holding Appointive Public Office; and Administrative Order 4:14, Acceptance of Gifts, Entertainment and Gratuities by Department Personnel).
- D. The Office of Legal and Regulatory Liaison shall function as the Department's liaison with the Office of the Governor's Counsel, the Department of the Public Advocate, the Administrative Office of the Courts and the Judiciary, the Office of Administrative Law regarding administrative decisions, and the private bar.

IV. RESPONSIBILITY

The Office of Legal and Regulatory Liaison shall provide advice and assistance throughout the Department, as directed and deemed necessary and appropriate by the Office of the Commissioner, regarding legal and other matters (consistent with Executive Order Number 6, Role of the Attorney General, effective March 14, 1990), including, but not limited to, the following:

- A. Federal and State legislation and regulations, in conjunction with the Department and Division Legislative Liaisons and Administrative Officers;
- B. Federal and State judicial, administrative and hearing decisions;
- C. Federal and State litigation (civil, criminal and administrative hearings) except as noted in Section III.A.1. with regard to DYFS;
- D. Office of the Attorney General opinions and advice (formal and informal);

- E. Department of Human Services' central office and Division level statements of policy and procedure in the form of regulations, administrative orders, policy circulars, bulletins and manuals;
- F. Governor's Office statements of policy and procedure in the form of Executive Orders and other directives;
- G. Executive Branch Departments' and other government, public and private agency's statements of policy and procedure; and,
- H. Department of Human Services' contracting and interagency/ interdepartmental agreements.



Alan J. Gibbs
Commissioner