



Burlington County Board of Social Services Resolution No. 2026-8

Associate Counsel

WHEREAS, in order for the Burlington County Board of Social Services to effectively and efficiently administer programs, deliver services, handle programmatic and non-programmatic litigation and legal matters, manage the affairs of its personnel, govern itself as a public body corporate and politic of the State of New Jersey, and ensure that it is in compliance with all Federal and State laws and regulations, the Board employs attorneys on its workforce; and

WHEREAS, the legal counsel employed by the Burlington County Board of Social Services handle a high volume of complex matters in an exceptionally competent and skillful manner, in particular Title IV-D child support and paternity prosecution; and

WHEREAS, Federal law mandates that Title IV-D agencies such as the Burlington County Board of Social Services must have “the following types of staff in sufficient numbers” in order to effectively and successfully operate their child support and paternity program: “Attorneys or prosecutors to represent the agency in court or administrative proceedings with respect to the establishment and enforcement of orders of paternity and support,” 45 C.F.R. 303.20(f); and

WHEREAS, New Jersey law also mandates the retention of attorney staff members to prosecute Title IV-D Child Support and Paternity cases, and compels attorney representation in all matters heard before Judges and Hearing Officers, N.J.A.C. 10:110-3.2(d); and

WHEREAS, N.J. Advisory Committee on Professional Ethics, Opinion 580 (1986) requires that IV-D representation in Family Court must be performed by licensed attorneys working for the county welfare agency; and

WHEREAS, as pertains to interstate child support and paternity cases, New Jersey law mandates that the Board (as the Title IV-D agency in Burlington County) retain attorney staff members to prosecute these cases and according to N.J.S.A. 2A:4-30.85 requires that responding agencies provide free legal representation for petitions filed by a forwarding state and in the same way, the BCBSS must also “initiate” outgoing cases per N.J.S.A. 2A:4-30.77 and N.J.S.A. 2A:4-30.80; and

WHEREAS, as pertains to non-public assistance applicants for child support and paternity services, the BCBSS must provide attorney staff members to represent the applicant, per 42 U.S.C. 652-667; and New Jersey Attorney General Opinion 95-0169 (September 22, 1995) – “Provision of Attorney Services to Non-Public Assistance (NPA) Clients Under Part D of Title IV of the Social Security Act, 42 U.S.C. 652-667”; and

WHEREAS, as pertains to triennial reviews of child support orders, the BCBSS must provide legal counsel to prosecute needed adjustments to child support orders, per N.J.A.C. 10:110-14.2(f) and (h); and

WHEREAS, as pertains to Title IV-E representation – representing the legal interests of the New Jersey Division of Child Protection and Permanency (DCP&P), the BCBSS must provide attorney staff members to represent the Title IV-E agency in securing court orders so that parents are responsible for reimbursing the State for a child’s out-of-home placement costs, per 42 U.S.C. 670 et seq.; N.J.A.C. 10:110-3.3(a)(9); N.J.A.C. 10-110-6.1(b); and the DCF-DHS Inter-Departmental Agreement; and

WHEREAS, the State of New Jersey’s official child support manual also references the pivotal role of the county welfare agency attorney in the operation of the Title IV-D program; and

WHEREAS, New Jersey law mandates that county welfare agencies retain legal counsel staff members to assist in the prosecution of public assistance fraud, per N.J.A.C. 10:69-9.17(b)3 and 4; N.J.A.C. 10:69-9.18; N.J.A.C. 10:81-7.42; N.J.A.C. 10:81-7.43; and N.J.A.C. 10:81-7.46; and

WHEREAS, when it comes to intentional program violations (IPVs), both Federal and New Jersey law requires that county boards of social services retain and consult with legal counsel staff members regarding such matters as the making of prosecution referrals, per 7 C.F.R. § 273.16; N.J.A.C. 10:87-11.7(b); and N.J.A.C. 10:90-11.13(b)2, 3 and (c); and

WHEREAS, when it comes to reporting criminal offenses to law enforcement authorities, New Jersey law requires that county boards of social services retain and consult with legal counsel staff, per N.J.A.C. 10:69-9.21(c) and (d)1 and 2; and

WHEREAS, references to county welfare agency legal counsel can also be found at: N.J.A.C. 10:70-1.5(a)4 and N.J.A.C. 10:90-7.7(g) concerning agency obligations when responding to subpoenas; and

WHEREAS, the Rooming and Boarding House Program operated by the BCBSS requires the retention of legal counsel in order to provide legal services to eligible residents of rooming houses, boarding houses, and residential care facilities and to secure unfettered access to these facilities in order to meet all our legal obligations, per N.J.A.C. 10:123-2.5(a)5i(7); and N.J.A.C. 10:123-2.6(b); and

WHEREAS, the Board has been designated as the official adult protective services provider for the County of Burlington pursuant to the Adult Protective Services (APS) Act, N.J.S.A. 52:27D-406 et seq. whose statutory mission is to promptly respond to crisis situations involving vulnerable adult residents of Burlington County who are suffering from abuse, neglect, or exploitation, and provide appropriate protective services including petitioning the court for guardianships and special protective orders, and agency social workers regularly refer matters to our attorney staff so that emergent relief can be secured in the Superior Court of New Jersey

Probate Part, with some of these cases being life and death necessitating immediate and aggressive attorney representation; and

WHEREAS, the attorney employees appointed herein have been found by the Burlington County Board of Social Services to be exceptionally well-qualified and possessing of the requisite professional skill and ability to provide the necessary legal representation; and

WHEREAS, the Acting Deputy Director and General Counsel recommend that Anthony H. Ogozalek, Jr., Esquire, and James K. Grace, Esquire; be reappointed based upon their outstanding job performance; and

WHEREAS, the Burlington County Board of Social Services desires to set forth appropriate terms and conditions of employment for all its legal counsel;

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Board of Social Services, a public body corporate and politic of the State of New Jersey, that:

1. The Burlington County Board of Social Services is hereby authorized and directed to employ ANTHONY H. OGAZALEK, JR., ESQUIRE, an attorney eligible to practice law in the State of New Jersey, in the New Jersey Civil Service Commission's Local Government Title of "Attorney," Title Code Number 05269, and ANTHONY H. OGAZALEK, JR., ESQUIRE is hereby appointed to serve in the public office of "Associate Counsel III" for the Burlington County Board of Social Services under the terms and conditions set forth in Employment Contract No. 2026-1.

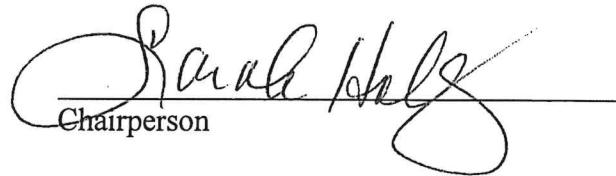
2. The Burlington County Board of Social Services is hereby authorized and directed to employ JAMES K. GRACE, ESQUIRE, an attorney eligible to practice law in the State of New Jersey, in the New Jersey Civil Service Commission's Local Government Title of "Attorney," Title Code Number 05269 and NICHOLAS J. REPICI, ESQUIRE is hereby appointed to serve in the public office of "Associate Counsel V" for the Burlington County Board of Social Services under the terms and conditions set forth in Employment Contract No. 2026-2.

5. The Chairperson and the Secretary of the Burlington County Board of Social Services are hereby authorized and directed to execute, attest, seal, and deliver Employment Contract No. 2026-1, and Employment Contract No. 2026-2, on behalf of the Burlington County Board of Social Services.

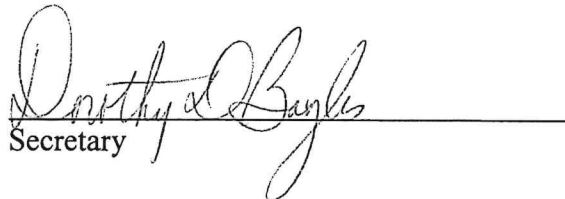
6. The Acting Deputy Director and General Counsel are hereby authorized and directed to take such steps as necessary and proper to effectuate the terms of this Resolution.

7. If any provisions of this resolution, or the application thereof to any person or circumstance, is held invalid by operation of law or by a Court or other tribunal of competent jurisdiction, the remainder of the resolution and the application thereof to other persons or circumstances shall not be affected thereby.

8. All resolutions and parts of resolutions are repealed insofar as they are inconsistent herewith.
9. This Resolution shall take effect immediately.


Chairperson

I hereby certify that the above resolution was adopted by the Burlington County Board of Social Services assembled in regular session on January 27, 2026.


Secretary