

CCWRO Weekly New Welfare News Bulletin - #2002-26

July 15, 2002

HEADLINES

.. IN BRIEF

.. DSS News -

.. NEW LITIGATION ALERT –

.. STATISTIC OF THE WEEK -

.. TANF REAUTHORIZATION BILLS IN CONGRESS

IN BRIEF - Commentary

-- Privation of Social Security? Amnesia has accented upon the Republican Party. What privatization? Corporate responsibility is the theme now. It's nice not to hear about immigrants and welfare recipients for a while.

-- Another week and the California State Budget is still stalled. Republicans want more cuts, but the cuts they have proposed will not even balance the budget. Meanwhile the budget before the State Legislature takes money away from children living with impoverished families and giving over \$500 million to foster care group homes and middle class and upper class foster care parents, social workers and other professionals.

NEW ACL 02-47 – July 8, 2002 – Applicants and Recipients who join or are called back to active military duty.

America is at war. War means one of the parents go to war to fight the enemy. While mom or dad are fighting for their country, some have a family living on welfare and have to follow the welfare rules. It is comforting to know that while one is fighting for his or her country, his or her time clock continues to tick, because he or she is temporarily absent fighting for his or her country. At least this is what ACL 02-47 states.

"What happens if papa goes to war and mom and the babies can't pay the rent. Can they qualify for CalWORKs? ACL 02-47 poses the question this way: "Can deprivation be established for an applicant family when the parent is recalled to active duty? Answer: For an applicant family, the absence of the parent due solely to military service is not a basis of deprivation. MPP 41-450.13 and W&IC §11250(c) excludes active military duty as a basis for deprivation." This means that because papa is the Army fighting a War on America for at least 8 hours a day is working over 100 a month, mama and the babies are not eligible for CalWORKs. What can mama do? Well, she can file for a divorce. Now she is eligible.

There are several questions about what is considered "temporary absence" for the purposes of continuing the CalWORKs benefits of recipients called into active duty. In order to be considered "temporarily absent", the parent in military services has to show that he or she still maintain care and control of the children, and he/she must intend to return home and there must be no severance of family ties.

All in all this is just another example of how the United State of America treats the people who fighting for their country – like criminals.

STATE WELFARE NEWS

MDRC REPORT SHOWS WORK REUIREMENTS ARE BAD FOR ADOLESCENT CHILDREN.

In May of 2002, the Manpower Demonstration Research Center (MDRC) released a report entitled "How Welfare and Work Policies for Parents Affect Adolescents"

The report is funded by the Packard Foundation, the William T. Grant Found and the MacArthur Foundation.

The issue of this research is what impact do work requirements have on kids. The answer was clear to most poor families in America – negative.

Common sense would dictate that a single parent working and not parenting the child, and living in poverty would have a negative impact on the children.

But the answer is in the study. In this case MDRC followed parents who were not subject to work requirements and compared their children to those parents who were subject to the work requirements.

The conclusion is that children of parents in work requirements had worse school performance, higher rate of grade repetition, and more use of special education services than the children whose parents were not subject to the work requirements. Adolescents with younger siblings experienced the most troubling effects. The adolescent children with

younger siblings were more likely to be suspended or expelled from school compared to adolescent children with younger siblings whose parents were not subject to work requirements.

Copies of this report may be found at www.mdrc.org/NextGeneration

Food Stamp Child Support Deductions arrearages – On 12/5/01 Patricia Jaskier of Nevada County presented an issue to DSS. A Nevada county food stamp recipient had her child snatched from her by CPS. The child was put in foster care. This was all done by the county. The county picked up the kid and put the kid in foster care. This mom was lucky, she got her child back, which is rare in California. Now the welfare department is collecting child support from this mom. The question that the county had is whether or not the county can allow a child support deduction for the payment of arrearages child support.

DSS Answer: On 12/10/02 Rosemary Akhidenor responded that if the child support payment is a legally obligated payment, then per CFR 7, § 273.9(d)(7) it is to be considered a food stamp deduction.

CCWRO COMMENT: The real question should be how can a person eligible for Food Stamps end up being liable for child support payment for a child that was taken away from the parent without her consent by the State. What happened to "county responsibility". If the county wants to snatch children from their parents, then they should pay for their "snatching".

Lease Vehicle as Resource – Terri Ruggiero of Sacramento County asked DSS if a leased vehicle can be counted as a resource?

DSS Answer: F. Hodges III answered: "No, a vehicle which is leased or a lease/purchase option shall not be regarded as a resource until a transfer of ownership has occurred. A leased vehicle remains the property of the leasing firm..."

Household Concept for former Stepchild – Teresa Baker of Stanislaus county asked DSS if a 19 year child who is living with his former stepfather (his mother divorced the guy) can establish a separate household?

DSS Answer: F. Hodges III answered that "...the 19 year old can be a separate household. When the mother of the 19 year old got a divorce from the former step-dad, this dismiss all legal ties the former step-dad had with the 19-year-old..."

NEW LITIGATION ALERT – Cash Assistance Program for Immigrants (CAPI)

The National Senior Citizens law Center is planning litigation relative to the CAPI program.

CAPI is the State SSI program for immigrants who are not eligible for federal SSI. CAPI recipients and applicants whose date of admission was prior to 8/22/96 are eligible for more liberal CAPI eligibility requirements. The date of admission according to INS law is the day that a person was inspected upon entry of the United State of America. The State

Department of Social Services has adopted an underground policy which states that the date of entry is the date that the individual's status was adjusted to that of the Legal Permanent Resident (LPR).

Jeanny Finberg, Staff attorney of the Center's Oakland office is looking for victims of this policy. She can be reached at 510-663-1132.

TANF REAUTHORIZATION UPDATE

-- BUSH URGES THE PASSAGE OF HR 4737 – TANG REAUTHORIZATION -
In his press conference on 7/9/02 Bush listed his priorities for Congress and TANF reauthorization was the last item on his list.

-- WASHINGTON LOBBYISTS WANT FOLKS TO LOBBY THE US SENATE TO PASS HR 4737. Washingtonian advocates have sent out the word urging advocates to lobby United States Senators to act on the TANF bill that has passed the Senate Finance Committee. Some advocates find it hard to lobby for the mean-spirited bill that would treat women and men with children like subhumans. However, the bills rejected by the Clinton Administration before TANF was passed were much better than TANF. Thus, the thought is that a worse bill can emerge next year.

WISCONSIN GETS 14.3 MILLION DUE TO THE ALLEGED SUCCESS OF W-2
– Tommy Thompson, the former Governor of Wisconsin, whose claim to fame is that he terrorized welfare recipients in Wisconsin, announced a \$14.3 million payment to the State of Wisconsin for allegedly its outstanding record in implementing "welfare reform" – they call it "reform" for some misguided reason.

Wisconsin State Senator G. Moore said in a letter to the current Governor McCallum, who received the \$14.3 million from the former Governor that many jobs given to W-2 participants were marginal positions that offered little if any skill building. The letter also stated success was measured based on the reduction of the caseload and not reduction of poverty. Senator Moore stated that the caseload has gone up 42% in Wisconsin as the economy tanked. The Senator urged the Governor to use the money for W-2 families.

STATISTIC OF THE WEEK – Food Stamp Expedited Services Considered

When a household (HH) applies for food stamps, the county is required to make a determination of expedited services (ES) food stamp benefits immediately. Given the fact that county welfare administrators are not "responsible" like "corporate America", often the counties do not even consider an applicant for ES.

For example, during February of 2002, 7% of the applicants in Orange County were considered for ES. On the other hand, neighboring Los Angeles County considered 61% of the applicants for ES and San Diego County considered 62% for ES. Could it be that the applicants in Orange County all had income that made them ineligible for being considered for ES? Other irresponsible counties are Imperial at 1.59%; Stanislaus at 6%, San Joaquin at 7%, Nevada at 8%; El Dorado at 10%; Sacramento at 11.56%, Alameda at 14%.

Statewide 40% of the applicants were considered for ES. Interestingly, there were only 10 counties that were above the 40%.

The top 10 counties considering food stamp applicants for ES are:

San Diego	62.08%
Los Angeles	60.88%
Sonoma	60.20%
Tuolumne	59.05%
Santa Cruz	53.46%
San Francisco	49.21%

Santa Clara	48.41%
Napa	42.13%
San Luis Obispo	40.38%
Riverside	39.61%

All other counties are below the statewide average.

Attached is a Microsoft excel documents which has a table that are the basis of this report from the State Department of Social Services DFA 296 reports.

CCWRO SERVICES

CCWRO SERVICES AVAILABLE TO LEGAL SERVICES PROGRAMS & WELFARE RECIPIENTS REFERRED TO US BY LEGAL SERVICES PROGRAMS

Types of Services Offered:

Litigation, Fair Hearing Representation, Fair Hearing Consultation, Informational Services, Research Services, In depth Consultation.

Programs Covered

CalWORKs, Welfare to Work (WtW), Food Stamps, Medi-Cal. General Assistance and
Refugee Immigration Problems

Coalition of California Welfare Rights Organizations, Inc.

1901 Alhambra Blvd., Sacramento, CA 95816

Tel. 916-736-0616

After 6 PM - 916-387-8341

Message/cell number 916-712-0071

FAX 916-736-2645

e-mail address: ccwro@aol.com