



Testimony of the Legal Aid Society

**Hearing on Int. No.'s 648, 649 and 657
Relating to the New York City Human Resources Administration and
Youth and Young Adult Applicants and Recipients of Public Assistance**

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Prepared by
The Legal Aid Society
Civil Practice
Juvenile Rights Practice
199 Water Street
New York, NY 10038

Prepared by:

Kimberly Forte, Supervising Attorney, LGBT Law and Policy Unit
Kathleen Kelleher, Staff Attorney, Civil Practice, Law Reform Unit
Susan Welber, Staff Attorney, Civil Practice, Law Reform Unit

Introduction

The Legal Aid Society is pleased to have the opportunity to testify before the New York City Council's General Welfare Committee on the important issue of barriers faced by youth and young adults seeking access to public assistance. We appreciate the Council's leadership in requiring purposeful action by the City's Human Resources Administration (HRA) to adopt better practices relating to providing assistance to youth and young adults.

The Legal Aid Society is the nation's oldest and largest non-profit law firm dedicated to serving low-income families and individuals.

The Society's Juvenile Rights Practice (JRP) provides comprehensive representation as attorneys for children who appear before the New York City Family Court in abuse, neglect, juvenile delinquency, and other proceedings affecting children's rights and welfare in every borough of the City. Last year, JRP staff represented some 34,000 children. JRP's perspective on issues raised in this testimony comes from daily contacts with children and their families and frequent interactions with the courts, social service providers, and State and City agencies. In addition to representing many thousands of children, youth and adults each year in trial and appellate courts, JRP also pursues impact litigation and other law reform initiatives on behalf of our clients.

The Legal Aid Society's Civil Practice has offices in every borough of the City, and worked on more than 43,000 individual legal matters last year winning over 90 percent of the cases that go to court or an administrative hearing. An additional two million individuals benefit from the Civil Practice's pending class action litigation. The Civil Practice works to improve the lives of needy New Yorkers by helping vulnerable families and individuals on issues ranging from health care, housing, homelessness prevention, employment law, education, foreclosure prevention, consumer law, community economic development, public assistance, immigration, family law and domestic violence and disability-related issues.

Through the Society's Public Benefits practice, we represent a large number of clients who are forced to rely upon public assistance to get through difficult times that are often caused by change of circumstances such as unemployment, disabling medical and mental health conditions, domestic violence, homelessness or even the need for child care. Our clients usually have two goals when they seek out public assistance. In the short-term, they seek to obtain and maintain subsistence income so they can keep a roof over their heads or end a period of homelessness and feed their children. In the long-term, they seek a path to a more stable income, whether through acquiring skills and education that will facilitate employment, finding paid employment directly or obtaining a more adequate level of public benefits they may qualify for such as Social Security.

Recommendations

We are pleased to see the Introduction of Bills 648, 649, and 657, and we look forward to working with City Council members and staff on refining the bill language so that the final result will be even more useful to the Council, advocates and young people themselves. For example, Intro 657 could contain a request designed to extract information that would illustrate HRA's

existing capacity to give credit to youth and young adult applicants already participating in qualifying education and training programs without unnecessarily requiring them to attend additional HRA appointments. This would be of great service to youth and young adults because these unnecessary HRA appointments often conflict with school and force young people to choose between subsistence and education.

We also believe that the Youth and Young Adult Applicant Plan called for by Intro 649 would be even better if other City agencies that serve young people were required to contribute to such a plan and if advocates were also involved in the process.

Additionally, as we indicated in our previous testimony regarding these issue, the Society feels strongly that NYC's Administration for Children's Services (ACS) should partner with HRA in the effort to provide better access to public assistance to youth and young adult constituents, and any proposed legislation should include requirements that apply to ACS. For example, Bill 648 which would require HRA to prominently display information for youth and young adults on its website, could also require ACS to display the same information on its website and in its offices, especially in light of the high numbers of youth formerly in foster care who depend on public assistance to survive.

Finally, in addition to the proposed requirements Bills 648, 649 and 657 create, we ask that the Council consider the recommendations from our previous testimony when developing its final proposed legislation:

1. The Council can require HRA to issue a comprehensive policy directive dedicated to eligibility and other rules applying to teens and young adults and require HRA to train and monitor its staff on these rules. Advocates have long requested that HRA issue such a policy, and the agency has yet to do so. Such a policy would clarify the rules for workers and hopefully lead to more accurate information being provided to teens/young adults. Advocates could also use the policy to point HRA workers to their own rules in support of client advocacy efforts. This directive should clearly lay out the options available to teens/young adults when they reach 18 and are no longer required to be a part of the family's public assistance household. HRA should also be encouraged to develop a one page information sheet, written in basic English and available in other languages, that can be distributed to teens/young adults and their families.
2. Regarding youth in foster care who cannot open a case prior to their discharge from care, the Council can require HRA to change the criteria for issuing a presumptive eligibility letter. The criteria should be that if a youth in ACS's care is applying for housing during the requisite period between ages 18 and 21 and that youth has no source of income at the time NYCHA requires proof of income, she will receive a presumptive PA eligibility letter. HRA may argue that this encourages a youth to use PA as default income and to not seek employment. However, ACS is responsible for assisting a youth to find employment and should be doing so until a youth turns 21 years of age. In our experience, the majority of our clients very much want to obtain jobs and be self-sufficient, but are often

unable to do so despite their best efforts.

3. The Council can require HRA to closely examine its call-in policies for teens and report to the Council with a complete list of all appointments to which youths between the ages of 16-21 may be called in during school hours. Where school attendance verification has not otherwise been obtained and is needed to determine whether the teen is exempt from work requirements, teens/young adults should have the option of either signing a release allowing HRA to seek school public school enrollment information from the Department of Education directly or coming in for appointments at HRA Job Centers. When teens and young adults choose to be interviewed in person, HRA should designate special after-school hours appointment times, so teens and young adults do not needlessly miss school. The Council can require HRA to cease calling in teens and young adults whose school attendance is already verified and are therefore exempt from work requirements for unnecessary work-related appointments.
4. The Council can require HRA to revise the call-in notices sent to 18 year olds being called in for finger imaging to say explicitly that such appointments are not mandatory.
5. HRA can be required to include language in its mandatory appointment notices informing teens/young adults and their parents that they have the option of bringing a parent or guardian to their appointment. The Council can also require HRA to include the rules on bringing a parent to the appointment.

Conclusion

We at The Legal Aid Society remain available to answer any questions the Committee may have about the barriers teens and young adults seeking public assistance face. Thank you for this opportunity to present this information based on the experience of our clients.

Kimberly Forte
Supervising Attorney
Legal Aid Society
LGBT Law and Policy Initiative
T: 212/577-3915

Kathleen Kelleher
Staff Attorney
Legal Aid Society
Civil Practice, Law Reform Unit
T: 212/577-3307

