



Court Orders Suffolk County DSS to Immediately Restore Child Care Benefits to Low-Income Working Families

On July 26, 2012 a federal court ordered Suffolk County Department of Social Services (DSS) to immediately restore child care benefits to all Suffolk County working families whose child care ended earlier this month when Suffolk County DSS implemented new income limits on who can receive these benefits. Suffolk County DSS must also immediately notify all families who lost child care and their child care providers that it is restoring benefits.

The court's ruling came after it found that Suffolk County DSS cut off families' child care without giving them adequate information about why they were no longer eligible and an explanation of who remained eligible. The court's ruling also means that Suffolk County DSS cannot implement the new eligibility limits and cut child care until it gives each family a written notice explaining why it thinks they do not meet the new eligibility rules. The new notices will have to include the dollar amount of the new eligibility limit, and contain the manner in which the county calculated the family's income. The notices will also have to the dollar amount of the higher eligibility level for children with special needs. Families who think Suffolk County DSS' decision is wrong will then be able to ask for a hearing to challenge the proposed cut-off.

The court's ruling came in a case brought by several Suffolk County low-income working parents whose child care ended earlier in July after they got a Suffolk County DSS notice telling them that the County does not have enough funding to serve all families and that their income was too high to qualify for continued child care under the new policy. It turned out that Suffolk County DSS incorrectly cut off these families, but they had no way of knowing that the cut-off was wrong because Suffolk County DSS' notice to them was inadequate. The case is *Torres v. Blass*.

Suffolk County families who lost child care after receiving notice from Suffolk County DSS can get more information by calling the offices of the plaintiffs' attorneys between 9:30 A.M. and 5:30 P.M., Monday through Friday:

Empire Justice Center: (631) 650-2317 (Spanish and English)
National Center for Law and Economic Justice: 1-800-520-7856 (English only)

Press inquiries:

Susan Antos, Empire Justice Center: (518)-462-6831, x 105

Marc Cohan, National Center for Law and Economic Justice: 212- 633-6967