



ADVANCING ECONOMIC JUSTICE

Advancing the cause of economic justice for low-income families, individuals, and communities across the country



Formerly Welfare Law Center

Spring 2007

California Settlement Strikes Down Barriers to Vital Benefits

In a major victory for thousands of low-income families with limited English proficiency, the Center recently settled its state court challenge regarding California's failure to comply with federal food stamp translation requirements.

The court approved the settlement agreement in December. As a result:

- The State will translate food stamp forms into eight languages – Arabic, Armenian, Cambodian, Farsi, Hmong, Korean, Lao, and Tagalog (and continue to translate forms into Spanish, Russian, Chinese and Vietnamese) – on a specific timetable and will report monthly on the translation progress.
- The State will instruct the counties (which administer the program) about the settlement, notify them monthly about the availability of new translations, and instruct them to use the translated forms.
- The State will monitor counties' use of translated forms through its civil rights

review process, annual food stamp program survey, and fair hearing codes.

- Each year for the term of the agreement, the State will estimate the language needs of the low-income population both participating and not participating in the food stamp program, as required by law. If the estimate requires the translation of materials into other languages, it will do so.

"Giving low-income families food stamp applications and other forms in their own language makes it easier for them to show their eligibility for desperately needed food. This settlement reflects the broad language diversity of those eligible for food stamps."

— Mary R. Mannix
NCLEJ Program Director/Senior Attorney

Our co-counsel in this case are Legal Services of Northern California, Bay Area Legal Aid, and Coalition of California Welfare Rights Organizations.

Previously, the Center played a pivotal role in getting the state agency in Arizona to complete its translation of public benefit forms into Spanish and to implement a detailed action plan for improving program access for those with limited English proficiency.

Congress understood that language barriers can prevent both lawful immigrants and citizens with limited English proficiency from participating in the critical food stamp program. To address this problem, it required states to provide bilingual services, including translation of food stamp forms, when a particular language minority population exceeded a specific threshold. Our work in California and Arizona shows the critical role advocates play in assuring that state and local governments comply with federal law.

Annual Dinner to Honor Charles Rangel, Cynthia Nixon, James Lipscomb, and Jillynn Stevens

Congressman Charles Rangel, award-winning actress Cynthia Nixon, MetLife Executive Vice President and General Counsel James L. Lipscomb, and advocate Jillynn Stevens will be honored at the Center's annual awards dinner on **Monday, May 14, 2007**, at **Chelsea Piers in New York City**.

Congressman Rangel, Chair of the Ways and Means Committee and one of the leading voices on issues of poverty in America, will receive the *James Corman Award for Public Service*. This award is named for past Center Board member and former Representative James Corman who was instrumental in fighting for the passage of the 1964 Civil Rights Act and was a leading advocate for low-income people. Senators Ted Kennedy and Charles Schumer, Wendell Primus, and Peter Edelman, previous recipients of the Corman Award, have



Congressman Charles Rangel



Cynthia Nixon

PHOTO: STEVEN SEBING



James L. Lipscomb



Dr. Jillynn Stevens

been invited to join us in honoring Congressman Rangel for his lifetime of public service.

Emmy- and Tony-award winning actress **Cynthia Nixon** has used her public profile to advocate for better public schools and fair school funding in New York, both as a parent and through her work as a spokesperson for the Alliance for Quality Education. She has also been involved with many other charitable causes, including Planned Parenthood and the Callen-Lorde Community Health Center. In addition to numerous acting accolades, she has received the "Distinguished Alumni Award" from Barnard College.

James L. Lipscomb has served as Executive Vice President and General Counsel of MetLife, Inc. since 2003 and has been with the company since 1972. We are pleased to honor him for his

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FROM THE EXECUTIVE DIRECTOR



For 42 years, the Center has advanced the cause of economic justice, and the successes continue:

- Thousands of needy families in California will get the federal food stamp benefits to which they are entitled under the law – now and for years to come – through our collaboration with our California colleagues.
- Single mothers in New York City now get a chance to pursue education and training to improve their job skills – and their children’s life chances – thanks to our litigation.
- Hurricane Katrina and Rita evacuees with disabilities are benefitting from our settlement with FEMA, which led to Senator Edward Kennedy’s letter reproduced on the next page.

As Bill Moyers recently reminded us, America’s “story joins the memory of struggles that have been waged with the possibility of victories yet to be won, including healthcare for every American and a living wage for every worker . . . that leave no one out.”

Our Dinner honorees this year are dedicated to assuring that no one is left out. I am gratified that we will be able to honor Charles Rangel with our *James Corman Award*. For many years, Jim Corman, formerly of our Board, chaired the Ways and Means subcommittee with direct responsibility for welfare programs. He and Congressman Rangel worked together to improve the lives of low-income families.

I am also pleased that we will be able to honor Cynthia Nixon for her tireless advocacy on behalf of New York City public school students; James Lipscomb of MetLife for his longstanding commitment to addressing pressing issues of poverty, inequity, and the role of in-house counsel in providing pro bono legal services; and Dr. Jillynn Stevens for her commitment to promoting education as a means of lifting poor families out of poverty.

I must also acknowledge the increased involvement of our Board members. Sandra Hauser, who had been on our staff for five years and is now at Sonnenschein Nath & Rosenthal, has been elected Secretary. We have been strengthened by the addition of five new Board members:

Lauren Aguiar, Skadden Arps

Jonathan Schwartz, Cablevision

Mary Lu Bilek, CUNY Law School

George Yankwitt, Bryan Cave

Anita Graham, Community Voices Heard

Sadly, this fall, we lost Inez Mitchell, a low-income representative from Rochester, New York. Her passionate faith in our mission throughout her 16 years of service will be missed.

Finally, thank you again to all those who contributed to our year-end campaign – including many new friends brought in by our Board members. It is because of that generous support that we can continue to help our low-income clients come closer to realizing the American Dream.

Henry A. Freedman
Executive Director

We've Been **Busy!** ...across New York State



The past several months have seen Center staff working closely with colleagues from across the state to promote economic opportunities for New Yorkers in need. Highlights of this work include the following:

- Marc Cohan, the Center's Director of Litigation, and Tedde Tasheff, Senior Attorney, attended settlement conferences before the Magistrate judge in Buffalo in *Martin v. Weiner*, our class-action complaint against the commissioners for the Erie County Department

of Social Services and the New York State Office of Temporary and Disability Assistance. The case is challenging, among other issues, Erie County's policies and practices of failing to process applications and provide food stamps, Medicaid, and cash assistance in a timely manner in violation of federal and state law.

- Senior Attorney Cary LaCheen, in collaboration with the Empire Justice Center, conducted an extensive analysis of local welfare agency self-evalua-

- tion forms on accommodating clients with disabilities and limited English proficiency, and provided it to the state and counties, with recommendations. This led to a meeting with the New York State welfare agency, which has agreed to conduct training for local welfare agencies on complying with disability rights laws, with input from the Center.
- Cary LaCheen also trained the staff of New Alternatives for Children, a multi-service agency for families with children with disabilities, on the rights of children with disabilities in the child care system.
- Laura Redman, our Pfizer/Equal Justice Works Fellow, participated in the two-day Pfizer Pro Bono Access to Health Care Conference in New York City, which addressed such topics as the Deficit Reduction Act of 2006, medical-legal partnerships, Katrina-related legal services work, and Pfizer's Community Health Advocacy program.

On the national level—

- Cary LaCheen's article, "New Provisions of the Temporary Assistance for Needy Families Program: Implications for Clients with Disabilities and Advocacy Opportunities" is the lead article in the January/February issue of *Clearinghouse Review* (see www.nclej.org).

Senator Kennedy Praises Center's Success on Behalf of Gulf Coast Evacuees with Disabilities

EDWARD M. KENNEDY
MASSACHUSETTS

United States Senate

WASHINGTON, DC 20510-2101

October 11, 2006

Henry A. Freedman
 Executive Director
 National Center for Law and Economic Justice
 275 Seventh Ave, Suite 1506
 New York, NY 10001

Dear Mr. Freedman,

Warmest congratulations to you and the Center for your impressive victory in *Brou v. FEMA* on behalf of disabled Katrina and Rita evacuees.

Because of your skillful leadership, the evacuees will finally receive the temporary housing they need, and once again have the dignity they deserve and the opportunity to care for themselves.

Your dedication and commitment to make sure that the federal government provides fairly for all its citizens will make a meaningful difference in thousands of lives in the Gulf Coast, and I commend you for your success.

The LEJ's great victory on behalf of disabled Gulf Coast hurricane victims reminds me of the words of my brother Robert Kennedy, who said, "Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring, those ripples build a current which can sweep down the mightiest walls of oppression and resistance."

Your extraordinary work to improve the lives of the disabled serves as an inspiration to us all, a shining example of how much dedicated attorneys can do to make our society truly fair and just for our all citizens. Well done.

With great respect and appreciation,

Sincerely,

Edward M. Kennedy

Annual Dinner

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long history of involvement with a wide range of civic and charitable organizations, including Lawyers Alliance for New York, the Citizens Budget Commission of New York (Chair); Graffiti Ministries, which serves the homeless, people with AIDS, and the impoverished on the Lower East Side; and the Center for Hope, which works with orphaned children in the Hinche region of Haiti.

Dr. Jillynn Stevens is Director of Policy, Advocacy and Research for the Federation of Protestant Welfare Agencies in New York City. Long an advocate for social and economic justice, she has worked to promote access to higher education for low-income people – drawing on her own experiences raising two children and attending college, while being supported by public assistance. She is a member of the Welfare Reform Network Steering Committee.

Please call **212-633-6967** for ticket or sponsorship information.

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We've Been Busy! ...across New York State

Senator Ted Kennedy Praises Center's Success



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Law Firms' *Pro Bono* Assistance a Boon to Center's Work

The Center's impact and reach have been helped immeasurably by private lawyers who have donated their expertise and time. Recent and ongoing assistance have been provided by the following firms:

Dewey Ballantine LLP: Assistance with two ongoing class action suits in New York brought to preserve due process in the public benefits administrative hearing process.

Hogan & Hartson LLP: Appeal of denials of Freedom of Information requests for documents related to a privatized program for assessing and serving welfare recipients with disabilities.

Kirkland & Ellis LLP: Continued assistance on ongoing litigation against FEMA on

behalf of Gulf Coast residents displaced by Hurricanes Katrina and Rita.

Sonnenschein Nath & Rosenthal LLP: Research on a variety of matters concerning the Americans with Disabilities Act, freedom of information laws, and procedural due process.

Weil Gotshal & Manges LLP: Collaboration with Center staff and colleagues in developing potential litigation on behalf of low income people.

Many thanks to all of these firms for upholding the finest traditions of the legal profession!

