Welfare Bulletin

WELFARE LAW CENTER

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SELECTED RECENT CASE DEVELOPMENTS

W Va Court: Time Limit Extension Process Violates Due Process

State of West Virginia ex rel K.M. v. West Virginia Dept. of Health and Human Resources, *No. 30494 (Supreme Court of West Virginia, Dec. 9, 2002)*

This case, brought on behalf of a class as an original petition for a writ of mandamus, challenged the termination of TANF pursuant to the state's 60 month time limit as a violation of the state constitutional provision requiring the provision of subsistence necessary for survival and basic well-being, the constitutional right to an adequate education, equal protection and due process. Petitioners also claimed that the time limit extension policies were invalid in various respects either on their face or as applied. Following the recommendations of the Special Master (See October 2002 **Welfare Bulletin**), the court, in an opinion by Justice McGraw, concluded that the fair hearing procedures relating to the time limits extension process violate due process. It directed the state agency to provide the Fair Hearing Examiner with the authority to reverse or remand the decision of the time limits Extension Committee, and ruled that the Fair Hearing examiner shall be able to grant extensions up to the applicable limit and that a recipient seeking an extension has the right to appear, with or with our counsel, present evidence and cross examine adverse witnesses. The Fair Hearing Examiner must issue a written decision of findings and include information about procedures for court review. The court also directed the state agency to correct prospectively notices to recipients to more accurately reflect extension criteria. The state is directed to inform those who applied for and were denied an extension of their rights under the process outlined by the court.

With respect to the claims that termination of TANF violates the state constitutional obligation to aid the poor, the court held, upon a review of constitutional history and case law, that "by expressly including the office of Overseers of the Poor in Art. IX, § 2 of the West Virginia Constitution, the framers gave voice to the principle that government has a moral and legal responsibility to provide for the poor. The allocation of this responsibility rests with the Legislature, provided that the support granted is not constitutionally insufficient." Nonetheless, the court concluded that terminating cash assistance after five years is not unconstitutional because of the availability of other assistance or support, including housing assistance, medical benefits, food stamps, transportation assistance, clothing assistance, educational or vocational programs and free public education for children.

In examining the procedural due process issues, the court concluded that there is no constitutional right to a pre-termination hearing citing the "no entitlement" language of federal and state law. However, it agreed with petitioners that the extension process violated due process because the Fair Hearing Examiner has no authority to overturn the decision of the Extension Committee. Although it said that recipients "have no property right in the continuation of cash assistance, they do have a due process right that the system set up by DHHR will operate in a fair, reasonable, and logical fashion...once the State has established a scheme for making such payments, the State's scheme must provide the program participants with adequate due process protections."

Justice Maynard concurred in part and dissented with respect to the holding that the government has a moral and legal responsibility to the poor and the discussion of this point. Justice Starcher, concurring in an opinion filed on January 6, 2003, expressed appreciation that the court has recognized that the state is the "ultimate guarantor of a minimal level of subsistence to all of its citizens" and his opinion that the duty extends to basic medical care shelter, food, and education. He noted that the Court's opinion "does not preclude more narrowly drawn claims, even claims possibly seeking limited cash assistance, where other support systems are simply inadequate to achieve a minimal level of subsistence....it is precisely the facial existence of a wide array of support systems that have the cumulative effect of preventing utter destitution that precludes petitioners as a class from prevailing on their claim for an extension of cash benefits."

Petitioners' attorneys: *Larry Harless, Route #2, Box 186C, Cottageville, WV 25239; Dan Hedges, Mountain State Justice, 922 Quarrier Street, Ste. 925, Charleston, WV 25301-2648, tel. (304)344-5564, fax (304)344-3145.*

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Settlement in MA Case Involving Disability Determination Procedures

Thibault v. Department of Transitional Assistance, *Civil Action No. SUCV97004740C (Mass. Superior Ct., Suffolk) (Settlement Agreement)(2003)*

The parties have entered into a settlement of this challenge to the procedures for making disability determinations for welfare applicants and recipients. The settlement includes much improved disability determination procedures, a good cause exception for failure to comply with welfare agency requirements, nine months of monitoring activities, provisions for retroactive relief for those affected by the challenged practices and substantial attorneys fees. In 1998 the court had granted a preliminary injunction with respect to certain individuals who were denied a disability exemption because they did not comply with instructions in a letter from the private contractor responsible for disability determinations. The court found the letter overly confusing and technical and found that denying a disability finding solely for non- compliance with the letter "would likely be an arbitrary and technical practice rising `to the level of unreasonableness'. See Correia v. Dept. of Public Welfare, 414 Mass. 157 at 164 (1993)." The court barred reductions or terminations until such individuals have had their exemption request reviewed by the current contractor under procedures required be regulation. Plaintiffs' counsel had noted that the injunction prevented reductions or terminations for reaching the time limits or for sanctions for being unable to comply with work requirements and that denials for failure to comply with the letter amounted to about 56% of all disability denials. For prior reports on this case see the January 1999 and October 2002 issues of ***Welfare Bulletin***.

Plaintiffs' attorneys: *James Breslauer and Michael Raabe, Neighborhood Legal Services, 170 Common Street, Suite 300, Lawrence, MA 01840-1507, tel. 978-686-6900, e-mail: bres@nlsma.org ; Melanie Malherbe and Brian Flynn, Greater Boston Legal Services, 197 Friend Street, Boston, MA 02114-1802; tel. (617) 371-1270; fax (617)371-1222; Paul Osborne, Regnante, Sterio & Osborne.*

NE Court Rejects TANF Recipient's Effort to Have College Count as Work Activity

Kosmicki v. State of Nebraska, *652 N.W. 2d 883, 2002 Neb. LEXIS 226 (Nov. 8, 2002)*

The Nebraska Supreme Court has ruled against the TANF recipient in this case raising the question of a recipient's right to have college attendance count as a work activity. On an appeal from a sanction, the lower court had ruled that the recipient could renegotiate her self-sufficiency contract to include college attendance and that a prior contract with other activities was valid. Both parties then appealed. The Supreme Court concluded that the recipient had not shown that her college program was consistent with her achieving self-sufficiency within two years and thus that she was not entitled to renegotiate her contract to include college attendance. Furthermore, it upheld the validity of the earlier self-sufficiency contract. According to the opinion, State statute provides that cash assistance is limited to two years and requires recipients to participate in work activities, including full-time post-secondary education. State law also generally provides that the recipient and agency are to develop a self-sufficiency contract outlining the recipient's responsibilities and goals that can be accomplished within the cash assistance time limit. The recipient did not meet the terms of an earlier self-sufficiency contract. Her request to amend the contract to include college attendance was denied because she could not finish the degree program within her two year time limit. The Supreme Court concluded that the statute and its history supported a conclusion that her post secondary education was not an acceptable work activity if it could not be completed within the two year limit for cash assistance.

The court also ruled against the recipient on her claim that her earlier self-sufficiency contract was void. First, even if it was void, her post-secondary education goal was not acceptable. Second, the court rejected arguments based on contract law, concluding that the legislature's use of the term "contract" did not indicate an intent that the body of contract law should apply. Instead the individual's legal obligations are governed by the state statute. The self-sufficiency contract is not "given legal effect by agreement of the parties and is therefore not a contract as that term is generally used in civil law." Even if contract law applied, the recipient failed to show that there was duress. The state's requirement that she enter the contract in order to receive benefits was legal. The court rejected the argument that the agency had failed to do a new assessment upon her reapplication for benefits and also rejected claims that the contract was an adhesion contract and void.

Plaintiff's attorneys: *Rebecca Gould, Milo Mumgaard, Sue Ellen Wall, Nebraska Appleseed Center for Law in the Public Interest, 941 O St., Suite 105, Lincoln, NE 68508, tel. 402 438-8853, e-mail: mmumgaard@neappleseed.org.*

Sixth Circuit, En Banc, Affirms Lower Court Ruling Invalidating Michigan TANF Drug Testing Policy

Marchwinski v. Howard, *2003 U.S. App. LEXIS 6893 (6th Circuit, April 7, 2003)*

After the Sixth Circuit reversed the district court's granting of a preliminary injunction in this challenge to a Michigan statute that authorizes imposition of a drug testing requirement as a TANF eligibility condition, plaintiffs sought en banc review. Because the court was equally divided, the judgment of the district court is affirmed. For prior decisions, see 113 F. Supp. 2d 1134, 2000 U.S. Dist. LEXIS 16340 (E.D. Mich. 2000) and 309 F. 3d 330, 2002 U.S. App. LEXIS 21692 (Oct. 18, 2002).

Plaintiffs' attorneys: *Robert A. Sedler, Wayne Statue University law School, 468 W. Ferry, Detroit, MI 48202, tel. (313) 577-3968; Cameron R. Getto and David R. Getto, Sommers Schwartz, Silver & Schwartz, P.C., 2000 Town Center, Suite 900, Southfield, MI 48075, tel. (248) 355-0300; Kary L. Moss, American Civil Liberties Union of MI, 1249 Washington Boulevard, Suite 2910, Detroit, MI 48226, tel. (313) 961-7728; Graham Boyd, American Civil Liberties Union Foundation, 160 Foster Street, New Haven, CT 06511, tel. (203) 787-4188.*

Court Bars Reduction of Current Food Stamps to Re-Pay Pre 1996 Agency Error Overpayments

Stone v. Hamilton, *No. 02-1476 (7th Cir., Oct. 18, 2002)*

Reversing the district court, the Court of Appeals has held that the 1996 amendment to 7 U.S.C 2022 (b), the federal Food Stamp Act provision which requires states to collect agency error overpayments by involuntary means, including reduction in a household's Food Stamp allotment, cannot be applied retroactively to Food Stamp overpayments that occurred before the amendment. Before 1996 federal law did not allow a state to involuntarily reduce a recipient's current allotment to recover agency error overpayments, but allowed collection "by other means." In analyzing the issue, the court noted that retroactive application of law is disfavored and that the statute was silent on the issue. The court looked at whether the application of the statute had a retroactive effect, that is whether from a commonsense point of view it attaches new legal consequences to pre-enactment events. The court noted that recipients were liable for pre-1996 agency error overpayments. However, as a practical matter there were no legal consequences for the overpayments because recipients' indigence meant that the state was highly unlikely to collect either through a collection action or tax intercept. Since the 1996 amendment, collection is guaranteed, and recipients' liability for pre-1996 overpayments is therefore increased. State notices under the pre-1996 rule describing its limited ability to collect created expectations that recipients as a practical matter would not have to repay. Recipients may have relied on the state's notice and not exercised appeal rights. Even though they relied on a mere likelihood, they relied nonetheless. The court concluded that it would be contrary to "familiar considerations of fair notice, reasonable reliance, and settled expectations" to change the rules now regarding overpayments that occurred before the 1996 amendment. Furthermore, these same considerations prohibit the state from seeking to collect so long after the error occurred. As to the named plaintiffs, the state failed to act for twelve to fifteen years.

Plaintiffs' attorney: *Jackie Suess, Indiana Civil Liberties Union, 1031 E. Washington Street, Indianapolis, IN 46202-3952, tel. 317-635-4059, e-mail: jacquelyn.bowie.suess@iclu.org.*

California Court Upholds Home Visits

Smith v. Los Angeles County Board of Supervisors, *2002 Cal. App. Lexis 5232 (Dec. 26, 2002)*

The appellate court, affirming the trial court, has upheld a Los Angeles County pilot program that makes a home visit a condition of eligibility for CalWORKS benefits. As described in the court's opinion the pilot program was developed after media reports about welfare fraud and a grand jury report on welfare fraud. The county agency described the program as part of the eligibility determination process and involving verification of information provided by new applicants before granting benefits and assessment of the family's need for services. Agency workers are required to notify applicants that the visit will occur within 10 days of intake, the visit must take into account the person's work or education schedule, may only be conducted on weekdays between specified hours, and may not involve opening of drawers or closets during the walk-through of the home. The court noted a county economist's report calculating $4.3 million in savings to the home visit policy, resulting from not paying benefits to ineligible participants, and that the pilot program identified 120 cases that were ineligible. While petitioners disputed these calculations, the court said the parties agreed that there was a significant saving.

The court rejected the claims that the program is pre-empted by state law and that it violates specific state regulations on home visits. It viewed the home visit policy as part of the eligibility determination process rather than an impermissible additional eligibility condition and gave deference to the state's position that the policy is consistent with state law. Agreeing that the program is part of the eligibility process, the court rejected the claim that the policy was an early fraud detection prevention and detection program which requires a reason to believe a fraud investigation is necessary. The court also rejected claims that the policy violates state and federal constitutional rights. With respect to the U.S. Constitution's Fourth Amendment protection against unreasonable search and seizure the court doubted that a home visit is a search but if it is, found it justified under the "special needs" rationale. It said that this conclusion was consistent with the Supreme Court's decision in **Wyman v. James**. The court distinguished a California case, **Parrish v. Civil Service Commission**, which involved an early morning mass raid on welfare recipients' homes and a thorough search of homes. Finally the court rejected petitioners' claim of violation of their state constitutional right to privacy, saying that it does not provide protection greater than the protection afforded under the Fourth Amendment or its state counterpart.

Petitioners' attorneys: *Yolanda Aria, Silvia Argueta, Legal Aid Foundation of Los Angeles; Robert Neuman, Richard Rothschild, Western Center on Law and Poverty; Kate Meiss, Dora Lopez, San Fernando Valley Neighborhood Legal Services; ACLU Foundation of Southern California.*

International Human Rights Law Argued Against Child Exclusion Rules

Soujourner A. v. New Jersey Dep't. of Human Services, *Docket No. 52,981, Supreme Court of New Jersey, Oct. 29, 2002*

The Center for Economic and Social Rights and other organizations argue in their amicus curiae brief that U. S. laws should be construed to be consistent with international law, and that the child exclusion provision violates U. S. human rights obligations in that it (1) constitutes a prohibited discrimination based on birth status, (2) penalizes or discriminates against children for parental choices, (3) violates privacy rights and the right to make religious choices, and (4) is prohibited race discrimination. There is substantial citation to American caselaw and other sources.

Plaintiffs' attorneys: *Catherine Albisa, Center for Economic and Social Rights, 162 Montague Street, 2nd Floor, Brooklyn,*

NY 11201, tel. 718-237-9145, ext. 11; Rhonda Copelon, International Women's Human Rights Clinic, CUNY Law School, 65-21 Main Street, Flushing, NY 11367, tel. 718-340-4300; Cindy Soohoo, 44 Perry Street, Apt. 4R, New York, NY 10014

Termination from Ohio TANF Program Due to Time Limits Contrary to Law When County Failed to Complete Self-Sufficiency Plan

Ricks v. Ohio Department of Job and Family Services, *Case No. 436274 (Cuyahoga County Common Pleas Court, April 2, 2002)*

The court found that the termination of the appellant's Ohio Works First cash assistance (OWF) was not in accordance with the law because the county failed to follow the requirements of O.R.C. §5107.41 (appraisal and setting up a self-sufficiency plan), even though the termination was based on the denial of a hardship extension.

The appellant had received 38 months of OWF when she received notice that her benefits were to be terminated as a result of having received the maximum number of months (36) of OWF permitted under the law. She did not subsequently apply for a hardship extension; instead, she appealed the termination of benefits due to having reached the OWF time limit. The appellant asserted that the county failed to prepare the appellant to become self-sufficient (the county had not even prepared a self-sufficiency plan) and therefore her benefits should not be terminated. The hearing officer overruled the appeal, reasoning that the appellant could apply for a hardship extension if she needed additional months of assistance; because she did not apply for a hardship extension, she was ineligible for OWF.

The administrative appeal examiner affirmed the state hearing decision. The appellant filed an appeal with the common pleas court. The appellant asserted that the Ohio Department of Job and Family Services failed to require the county to comply with federal regulations and state statutes concerning self-sufficiency plans and contracts, and therefore the administrative appeal decision violated the Due Process Clause, the Equal Protection Clause and the due course of law provision of the Ohio Constitution.

The court of common pleas issued a two-sentence decision which reversed the administrative appeal, and found that terminating the appellant from the OWF program after the county failed to complete self-sufficiency plans for the appellant to assist her in moving toward self-sufficiency was not in accordance with the law.

Appellant's representative: *Maria Smith, Legal Aid Society of Cleveland, 1223 West Sixth Street, Cleveland, OH 44113, Tel. 216-861-5107, fax: 216-687-0779.*

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RECENT NOTEWORTHY PUBLICATIONS

Audit Finds Inappropriate and Racially Discriminatory Sanctions in WI W-2 Program

Sanctioning of Wisconsin Works W-2 Participants *(State of Wisconsin Legislative Audit Bureau. December 10, 2002)*

A second review of sanctions for noncooperation with the Wisconsin W-2 welfare work program requirements shows a high rate of inappropriate sanctions, although not as high as in the earlier report. The largest numbers of sanctions, and the highest rates of sanctioning, were to be found in the various non-profit and for-profit entities administering the program in Milwaukee – sanction rates as high as 40% of all program participants, with the sanction averaging over 42% of the month's benefit in every Milwaukee agency.

The study examined sanctions that were inappropriate because the participant was in a category that was not subject to sanction, but did not study sanctions imposed because good cause was not found. The categories that were exempt from sanction were parents of infants, and parents in unsubsidized employment who were not receiving case management services but not benefits. Inappropriate sanctions arose because the parent was also in subsidized employment at some time during the month in issue and, presumably, was determined non-compliant with some requirement at that time.

The report also found repeated errors by agencies in making corrective payments for inappropriate sanctions. Two of the Milwaukee agencies were found to have made many overpayments by not following directions from the state agency, and were therefore barred from recouping those overpayments. Also, agencies erred in half the cases in which they determined, in their subsequent review, that sanctions were correct.

The report identifies four concerns raised by the findings: (1) participants may have been harmed in making progress to self-sufficiency by not having funds to which they were entitled, (2) the errors artificially raise the sanction rate, thereby overstating the extent to which participants are failing to comply with work and training requirements, (3) missing and contradictory information in the database used to examine agency actions raises questions about the utility of the database as a tool for oversight, and (4) delays in correcting incorrect sanctions reduces the benefit of making the corrections.

The report featured, without comment or analysis, its finding that sanctions were applied to 47% of the African-Americans

and persons of Hispanic origin on the rolls and to 23% of white persons on the rolls. Press coverage of the report noted that the HHS Office for Civil Rights is investigating racial discrimination in the W-2 program as the result of earlier, similar, statistics. To see the complaint, go to www.welfarelaw.org/other_resources.htm#discrimination. The report is available on the web at: www.legis.state.wi.us/lab/Reports/ltr_W2_02.htm

MN Report Examines TANF Sanctions

MFIP Families and Sanctions: A Call for Services, *Regina Wagner, Khanh Nguyen, Maureen O'Connell, Barbara Collins (The Legal Services Advocacy Project, 2002)*

Minnesota's Legal Services Advocacy Project analyzed administrative data from the state welfare agency for the December 2001 Minnesota Family Investment Program (MFIP) caseload to understand how those sanctioned for failure to comply with work requirements compare to non-sanctioned participants. According to the Executive Summary, the analysis revealed the following: "More than one fourth of the participants on the December 2001 MFIP caseload had been sanctioned in 2001...; most resolved their sanctions within three months. Disparities in sanction rates exist between the racial and ethnic groups on MFIP. Sanctioned participants differ from non-sanctioned participants in key areas that point to greater difficulties in exiting MFIP, including: lower earnings, inability to retain continuous employment, and more months of MFIP cash assistance used. These outcomes indicate that sanctioned participants are likely to have multiple barriers to employment. Sanction resolution and prevention strategies that emphasize early intervention and the use of specialized staff to assess a participant's barriers to both employment and compliance are showing positive results." With respect to racial and ethnic disparities, the report noted that African Americans and American Indians are sanctioned at much higher rates than participants from other racial and ethnic groups (35.5% and 30.6% respectively). Asians (19.3%), Somalis and other Black Immigrants (14.5%), and Hmong (11.1%) had the lowest sanction rates during the period. Whites and Hispanics had sanction rates tat were about equal to the average for the caseload (26%). The authors suggest that the higher rates might indicate discrimination in administration of employment programs and employment discrimination. Lower sanction rates for some groups could indicate successful interactions between participants and employment providers that might be a model for others. The disparities warrant further study.

The study further found that "Sanctioned participants differed from non-sanctioned families in key areas that point to greater difficulties in exiting MFIP." For example, although on average sanctioned families worked the same number of months as those not sanctioned, they had lower average earnings, and fewer sanctioned participants reported working throughout the year. The report also found that "strategies for resolving and preventing sanctions show positive results."

Among the report's recommendations are that: 1) all county agencies have sanction prevention and resolution strategies that focus on individual circumstances; 2) the legislature should require that counties have such policies before implementing full family sanctions; 3) the state agency should study further the differences between sanctioned and non-sanctioned families; 4) there should be an analysis at the county level of racial and ethnic data regarding sanctions, and if disparities are identified, action to eliminate the disparities should be taken; 5) the state and county agencies should identify both harmful and effective practices that contribute to sanction trends for racial and ethnic groups; 6) agency staff and employment providers should receive training on exemptions and good cause policies.

The report is available on the web at: www.mnlegalservices.org/lsap/index.shtml.

Higher Minimum Wages = Less Welfare Receipt

The Effects of Higher Minimum Wages on Welfare Recipiency: Another Look, *Mark D. Turner, Alena Bicakova (Joint Center for Poverty Research, JCPR Working Paper 328, 03-06-2003)*

This paper analyzes the effect of an increase in the minimum wage on welfare participation. Some economists and policy makers believe that a higher minimum wage will expand the welfare rolls because employers would hire fewer low-skilled workers due to increased per worker labor costs. Proponents of a minimum wage increase argue that it would create an incentive for current welfare recipients to find work and leave welfare. Proponents also argue that higher minimum wages encourage single mothers not to take-up welfare, thus reducing welfare rolls. The authors analyze the effect of the minimum wage on welfare participation using a dataset from the Panel Study of Income Dynamics (PSID) from 1979-1992 and combining the PSID data with information on federal and state minimum wages and local labor market conditions. Consistent with some earlier research, they found that higher minimum wages reduce welfare spell lengths. In contrast to their initial hypothesis, they found consistent empirical evidence that long-term welfare recipients were more likely to leave welfare following a minimum wage increase than otherwise similar short-term recipients. The full report available at http://WWW.JCPR.ORG/WP/wpPROFILE.CFM?id=386

Examination of Welfare Privatization

Privatization of Child Welfare Services: Challenges and Successes, *Madelyn Freundlich and Sarah Gerstenzang (Children's Rights, Nov. 2002)(Executive Summary)*

This study aimed to examine the extent to which the growing trend toward privatization of child welfare services has achieved benefits and the extent to which it has resulted in negative consequences for children and families. Six privatization initiatives, reflecting different approacheson key issues such as scope, target population, structure and design, services, and financing, were studied (in Kansas; Florida; Missouri; Hamilton County, Ohio; Wayne County, Michigan; Maine). Based on the lessons learned from the case studies, the Executive Summary outlines seventeen recommendations for communities considering privatization. These include the establishment of goals, outcomes, and performance measures; requirements of a strong agency infrastructure, agency leadership and commitment to monitoring; delineation of the roles of the public and private agencies; phased-in approaches to implementing initiatives, adequate information management systems; a carefully designed contracting process; effective monitoring systems; adequate funding; and consumer involvement at all levels, including program design, implementation, and evaluation. The press release is available atwww.childrensrights.org/press. For a copy of the study, executive summary, and fact sheet on child welfare privatization contact Geoffrey Know at 212 229-0540 or Jennine Meyer at 212 683-2210.

Understanding and Impact of Welfare Rules about Marriage is Limited

Mothers' Beliefs About Welfare Rules, Fragile Families Research Brief *(Center for Research on Child Wellbeing, Princeton University, Sept. 2002)*

The study finds that the majority of mothers in their sub-sample are either unaware of or do not believe that two parent families can receive welfare benefits, and that a large minority are either unaware of or do not believe that mothers cohabiting with the child's father can get benefits. The answers vary significantly by city. The authors find no association between beliefs about two-parent family eligibility and the decision to cohabit or get married, and therefore warn that persons advocating proposals to encourage marriage among two-parent families "should be aware that ... mothers do not seem to put a priority on public assistance requirements in decisions regarding cohabitation or marriage." The report is available on the web at: http://crcw.princeton.edu/index.asp.

How to Conduct Focus Groups of Low-Income Parents

From Their Lives: A Manual on How to Conduct Focus Groups of Low-Income Parents, *Helen Ward and Julie Atkin (The Institute for Child and Family Policy of the Muskie School of Public Service, University of Southern Maine, Sept. 2002).*

This publication, part of an initiative at the Ford Foundation to address the needs of the working poor, provides the reader with an overview of focus group methodology in general but also discusses the particular issues involved in conducting focus groups of low-income parents.

The manual is intended for advocacy organizations that address issues affecting low-income families and children.

Focus groups have by used by advocacy organizations as an effective tool for learning more about the concerns of parents and conveying those concerns to policy makers. Focus groups can:

- enable advocacy groups to fashion an agenda that more accurately reflects the concerns of the population they seek to represent;
- provide the personal stories to supplement data in order to reach policy makers more effectively;
- inform the design of further research on a given topic;
- increase the credibility of advocates by bringing parents' voices into the policy debate;
- act as a springboard for advocates to engage more parents in their work

The manual covers all aspects of a focus group project from the initial planning stages through the analysis and reporting of findings. To illustrate points made in the text, "field notes" are provided which give readers real-life examples drawn from the experience of researchers at the Institute in conducting focus groups of low-income parents in a number of states.

Electronic copies available at www.muskie.usm.maine.edu/focusgroupmanual, as well as the site for the Ford Foundation initiative, www.familyassets.net. For free hard copies, call 1-800-HELP-KID (1-800-435-7549) or send an email to clearing@usm.maine.edu indicating that you would like a copy of the focus group manual.

About The Welfare Law Center

The Welfare Law Center is a national legal and policy organization that works with and on behalf of poor people to ensure that adequate income support is available when necessary to meet basic needs and foster healthy individual and family development. The Center achieves its goals through legal and policy analysis, legal representation, public education, training, and aid and support to advocates. Contributions to the Center are tax deductible.

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LEGAL & POLICY STAFF

Henry A. Freedman,
Executive Director
freedman@welfarelaw.org
Marc Cohan
Director of Litigation
cohan@welfarelaw.org
Cary LaCheen
Senior Attorney
lacheen@welfarelaw.org
Mary R. Mannix
Program Director
mannix@welfarelaw.org
Rebecca L. Scharf
Senior Attorney
scharf@welfarelaw.org

LINC PROJECT

Dirk Slater, *Senior Circuit Rider*
dirk@welfarelaw.org
Askia Foreman, *Circuit Rider*
askia@welfarelaw.org
Amanda Hickman, *Circuit Rider*
amanda@welfarelaw.org

DEVELOPMENT DIRECTOR

Amy Shefrin
shefrin@welfarelaw.org

SUPPORT STAFF

Susanne Evarts
evarts@welfarelaw.org
Peter Kendall
kendall@welfarelaw.org
Kay Khan
khan@welfarelaw.org
Michelle Peeples
peeples@welfarelaw.org

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Welfare Law Center
275 Seventh Avenue, Suite 1205
New York, NY 10001-6708

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