

Lawsuit Claims New Texas Computer System Problems Result in Illegal Benefit Denials

DeLeon v. Hine, Cause No. 6N304045
(Travis County District Court, Texas)
(complaint, filed October 2003)

Plaintiffs are individuals who have not received TANF cash assistance, Food Stamps, and Medicaid for which they have

been found eligible. They claim that the loss of benefits results from implementation of a new computer system that has significant system-wide software and data processing errors and that the defendants have not established an alternative method of assuring issuance of benefits to those who have lost assistance as a result of the roll-out of the new computer system. Plaintiffs claim that the defendants have violated the federal Food Stamp and Medicaid Acts and that the denial of benefits without notice of the

reasons for denial and notice of the right to appeal violates the Texas and United States Constitutions. They seek declaratory and injunctive relief.

Plaintiffs' attorneys: Mario Caballero and Renee Trevino, *Texas Rural Legal Aid*, 434 S. Main, Suite 300, San Antonio, TX 78204, tel. 210-227-0111; James C. Harrington, *Texas Civil Rights Project*, Austin, TX (The Welfare Law Center is of counsel to Texas Rural Legal Aid).

RECENT NOTEWORTHY PUBLICATIONS

Minnesota Studies Examine Racial and Ethnic Disparities in Welfare Outcomes

Measuring Minnesota Family Investment Program Performance for Racial/Ethnic and Immigrant Groups, *Minnesota Department of Human Services, Study Brief #7 (November 2003)*

This briefing paper reports on an analysis of differences in welfare outcomes for different racial/ethnic groups and immigrants. It is part of a continuing series analyzing performance in the Minnesota Family Investment Program (MFIP), and the first to look at racial/ethnic differences. The methodology was developed in response to a directive from the legislature to control for individual and county economic differences of counties when measuring MFIP performance. The analysis finds that there are disparities in outcomes in MFIP. "African American, American Indian, Somali, and other black immigrant participant outcomes based on the "Self-support Index" were lower than those of other racial/ethnic and immigrant groups. When controlling for several individual demographic and county economic characteristics, the actual outcomes for these groups were lower than expected. Further analysis is necessary to determine how much

of the disparity can be explained by these factors and how much can be attributed to bias." The report noted that focus groups conducted as part of the analysis suggested that there might be differential treatment of various racial/ethnic/immigrant groups within and outside of the MFIP system. These results point to the need to reduce disparities and improve service delivery to black and American Indian welfare participants. Available on the web at: <http://edocs.dhs.state.mn.us/lfserver/Legacy/D M-0039G-ENG>.

Looking at Outcomes in Welfare by Race in Ramsey County, *Rahel Tekel, Larry Timmerman (Office of Performance Measurement and Evaluation, Ramsey County Human Services, January 2003)*

This report examines various welfare outcomes for different racial and ethnic groups, immigrant and non-immigrant families in Ramsey County, Minnesota, concluding overall that different groups have different experiences with the welfare system. The report examines caseload composition trends, employment while receiving cash assistance and case closure due to employment, duration of welfare receipt, extensions granted to those who reach welfare time limits, reasons for extensions, and sanctions, and sanctions. The authors identify a number of policy questions raised by the data. For example, how can the county make

its services flexible enough to respond to the challenges faced by different families? Should standards for success look beyond overall totals to similar outcomes for different populations? How does information about high sanction rates for those who get time limits extensions affect implementation of sanctions? What services are needed for long-term recipients who have significant needs? Available on the web at: http://www.co.ramsey.mn.us/hs/mfip/docs/racial_disparities_report.pdf

California Families' Experiences Reveal Failures of CalWORKS Policies and Practices

Falling Through the Cracks: How California's Welfare Policy Keeps Families Poor, *The Race and Public Policy Program, Applied Research Center (2003)*.

This report, based on in-depth interviews with 30 California families receiving CalWORKS assistance found the following recurring problems with the state's implementation of CalWORKS: 1) routine, unjust and illegal use of sanctions; 2) improper denial of exemptions; 3) denial of job training and education opportunities.