

California Public Benefits: The Basics for Non-Profit and Pro-Bono Advocacy

April 2, 2013

9:00 a.m. – 5:00 p.m.

Why You Should Attend

Low-income clients need your help to protect their rights to potentially life-saving benefits. Many low-income clients have difficulty navigating the confusing and bureaucratic process to establish and maintain eligibility for public benefits. Without legal assistance and advocacy large numbers of clients go without the benefits to which they are entitled, which can often lead to unnecessary hunger and homelessness. All attorneys who work with low income people should learn the basics of public benefits law and this course will teach the tools you need to assist clients with their public benefits legal issues.

What You Will Learn

- Overview of CalWORKs, CalFresh, General Assistance, Foster Care and other youth benefits
- Overview of Medi-Cal and other health benefits, including implementation of the Affordable Care Act
- Overview of Social Security Disability Insurance, Supplemental Security Income, and CAPI
- Understanding of common issues that result in Administrative hearings
- Understanding of strategies and procedures for filing writs

Who Should Attend

Attorneys assisting pro bono clients with benefits matters through representation or in clinical settings, firm pro bono coordinators and partners, corporate law department pro bono managers, law clinic students and faculty, public interest and non-profit organization attorneys and staff, benefits advocates, and benefits agency attorneys and staff.

Program Schedule

9:00

Program Overview and Introductions

Genevieve Richardson, Steven Weiss

9:15

CalWORKs

The Federal Temporary Assistance to Needy Families (TANF) program, known as CalWORKs in California, provides an essential but weakening safety-net to California families with minor children. Topics to be addressed by this panel include Welfare-to-Work requirements and exemptions, Time on Aid limits and extenders, child care and support services, and the Maximum Family Grant (MFG) or child exclusion rule.

Antionette Dozier, Amy P. Lee

10:15

CalFresh and General Assistance

The Federal Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps, called CalFresh in California, provides assistance to individuals and households to meet their basic nutritional needs. General Assistance (GA), also known as Interim Assistance (federally) or General Relief (in some counties), provides a meager cash stipend, technically a loan, to indigent individuals in California who are not eligible for other cash benefits. GA is state mandated, but county administered, resulting in a patchwork of different program rules. This panel will provide an overview of the CalFresh and GA programs, and identify common issues that result in hearings.

Stephanie Haffner, Maya Hazarika Watts

11:15

Networking Break

11:30

Youth Benefits: Foster Care Benefits, Adoption Assistance, Kin-GAP

Public benefits for children and youth in dependency and/or delinquency in out of home care can be the difference between a stable home in the community, institutionalization, or homelessness. Yet complicated and inconsistent rules can often lead to eligible youth being inappropriately denied or not even screened for benefits, health insurance, and housing to which they are entitled. AFDC-FC (or so-called foster care) benefits are not available to all children in foster care but are available to some youth who have never been in the foster care system. Other programs, such as extended foster care, CalWORKs, Kin-GAP (Kinship Guardianship assistance), Adoption Assistance (AAP), and SSI can be integral to youth transitioning out of care with appropriate planning and support. The session will also include an overview of AB 12 and how eligibility for extended foster care can impact various benefits programs, health access, and housing.

Brian Blalock, Angie Schwartz

12:30

Lunch

1:30

Health Benefits: Medi-Cal and the Affordable Care Act

Medi-Cal is a state and federally funded program that pays for medically necessary treatment services, medicines and devices for low-income persons, including children and persons with disabilities. The Affordable Care Act will greatly expand eligibility for Medi-Cal for lower income people in 2014, thousands of children have been shifted from the Healthy Families program in to Medi-Cal, and funding for and administration of the Early Periodic Screening, Diagnosis and Treatment (EPSDT) Medi-Cal program has been realigned to the counties while remaining a federal and state entitlement. This panel will provide an overview of Medi-Cal and the impact of these various changes, and issues that can result in the need for hearings and appeals.

Amy Chen, Shirley E. Sanematsu

2:45

Social Security Disability Insurance, Supplemental Security Income, and CAPI

Social Security disability benefits, including Supplemental Security Income (SSI) help many Californians with disabilities to maintain housing stability and to access other services. California's Cash Assistance Program for Immigrants (CAPI) provides similar benefits for immigrants who were made ineligible for SSI by the 1996 welfare reform due to their immigration status. This training will provide an overview of the SSDI and SSI programs, eligibility criteria, and common issues that result in the need for hearings and appeals.

Lisa Lunsford, Steven Weiss

3:45

Networking Break

4:00

Writs & Appeals

Public benefits cases can proceed from administrative hearings to court appeals. These include writ petitions in state court, or in Social Security cases, complaints in federal court. Participants will learn strategies and procedures for litigating administrative writs on behalf of individuals, and more broad-based challenges to government policies, tips for how to develop an adequate administrative record for purposes of appeal, when to consider a C.C.P. § 1085 writ petition rather than simply an administrative writ under C.C.P. §1094.5, and how to structure settlements to minimize their impact on receipt of public benefits.

Patti Prunhuber, Richard Rothschild, Steven Weiss

5:00

Adjourn

Faculty

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