

Quinnehtukqut Legal News



Volume 1 Issue 2

A Newsletter For Native Americans In Connecticut

Winter 1998

Welfare Update--1998

In 1997, the Connecticut Legislature passed a number of changes to the State's Public Assistance laws. This newsletter published a summary of many of those changes in its Summer edition. The following article goes into greater detail about some of those changes. If you have specific questions about how these changes affect you, call Statewide Legal Assistance at 1-800-453-3320.

General Assistance--New Eligibility Requirements.

You can get **medical assistance** even if you are **NOT** eligible for GA (General Assistance) or SAGA (State Administered General Assistance) cash benefits, if you are low income.

You can get **cash assistance ONLY** if you qualify as **UNEMPLOYABLE** or as a **TRANSITIONAL INDIVIDUAL**.

You are "UNEMPLOYABLE" if you: Are younger than 16; Are older than 65; Are older than 55 and have worked less than 6 months in the last 5 years; Have physical or mental problems which are expected to prevent work for at least 6 months; Have been granted Social Security, SSI, or another DSS program, but have not yet begun to get benefits; Are needed to care for a child under age 2 or an incapacitated child or spouse; Are a full time high school student; OR are a VISTA Volunteer. If you fall within one of these categories, you can get \$350 each month as long as you remain "unemployable."

The "TRANSITIONAL" category falls into three parts. You can be "short-term transitional" if you have a physical or mental problem which prevents work for 2-6 months. You can be "long-term transitional" if you have proof of a medical problem that prevents work for 6 months or more, but you have not yet been classified as "unemployable." Or, you can qualify if you have a mental illness or substance abuse problem **and** you are in a program approved by the Department of Mental Health and Addiction Services.

If you are long or short-term transitional, there is no time limit on how long you can get benefits. If you have a mental illness or substance abuse problem, you can get cash benefits for **no more than 16** months in the 24 months after you first get assistance. You can, however, get room and board paid at a residential substance abuse program, even if you cannot get cash benefits. If you fall within the "Transitional" category, you can get \$200/month if

you pay rent and \$150/month if you don't.

If you are unable to work for at least 6 months, but you are not getting benefits as an "unemployed" person, you may be able to be reclassified as unemployable. This is called petitioning for reclassification. Call legal assistance if you think you should petition for reclassification.

If you live in one of these cities, you can apply for benefits at the Connecticut Department of Social Services: Bridgeport; Danbury; Hartford; Manchester; Meriden; Middletown; New Britain; New Haven; Norwalk; Stamford; Waterbury.

Apply for assistance at the town welfare department for all other cities and towns. (Continued on next page)



Public housing residents may have been overcharged

Some people living in federally funded public housing may be overcharged in their rents.

If you live in federally funded public housing, went through a training program, and/or got support services through Jobs First or Job Connection (for example, if you got training for a specific occupation, were in a program to help you get a job or become job-ready, took a GED or ESL class, took a seminar that helped you get a job, such as learning how to write a resume, or received support services such as child care or transportation payments);

AND

Your rent went up because of your increased wages after getting a job, you may be entitled to a rent reduction.

If you lived in public housing but moved out sometime during the last three years, and you believe that your rent was increased because of your increased wages after you took a training program, you may be entitled to a refund. In order to be eligible, you will have to have documentation to show that you completed a training program, such as a Certificate of Completion.

If you believe you fall into one of these categories, call Statewide Legal Services at 1-800-453-3320 and ask to be referred to a housing attorney.



("Welfare Reform" continued from front page)
Penalties in the Temporary Family Assistance Program.

New Rules began on July 1, 1997, for Temporary Family Assistance (TFA). These rules have very harsh penalties. DSS calls these penalties "sanctions." It is **very** important that you know **what** the rules are, the reasons **why** you might be penalized, and know **how** to protect your rights.

If you have any questions, or believe you have been unfairly sanctioned, call Statewide Legal Services at 860-344-0380 (Middletown) or 1-800-453-3320 (for all other areas).

Sanctions are penalties reducing or eliminating your benefits for not cooperating with DSS. There are many reasons why you can be sanctioned. These include not complying with the digital imaging rule or committing "fraud." In addition, you can be sanctioned for the following reasons:

- ★ Not helping the state get child support for your children **without good cause**.
- ★ Not cooperating with "Employment Services" activities **without good cause**.
- ★ Receiving cash benefits **and** quitting a job, being fired for wilful misconduct, or intentionally reducing your earnings **without good cause**.
- ★ Not cooperating with "quality control" reviews **without good cause**. Quality control reviews are used to decide if your family is getting the correct amount of benefits. DSS must first call the head of the household and arrange a meeting.

The penalty for failing to cooperate in getting child support or with a quality control review has been drastically changed. **No one in the family will get benefits.**

If you fail to cooperate with Employment Services or quality control or if you quit your job, get fired for wilful misconduct, or intentionally reduce your earnings you can be sanctioned as follows:

- ✓ 1st time your benefits are reduced by 20% for 3 months
- ✓ 2nd time your benefits are reduced by 35% for 3 months
- ✓ 3rd time and every time after that, your family will get **NO** benefits for 3 months. At the end of 3 months, you have to reapply for TFA.

Voluntarily quitting your job **without good cause** will also affect your eligibility for food stamps. The 1st time, you will lose food stamps for 3 months, the second time for 6 months, and the third time you may become **completely ineligible for food stamps**.

If you have received an Employment Services

sanction at least once, or quit a job, were fired for wilful misconduct, or refused an offer of suitable employment in the last six months of the 21-month period during which you received TFA, **you may not qualify for an extension of your TFA benefits.**

Do not quit a job without first understanding DSS's rules about good cause and the rules of the unemployment compensation program run by the Department of Labor.

Good Cause means you have a good reason why you may not be able to cooperate. It is usually due to things beyond your control, such as:

- Illness, including illness during pregnancy, or illness of another member of your family ● If you cannot find safe, adequate child care, or DSS cannot guarantee payment for child care
- An emergency ● You have no transportation
- You are a victim of domestic violence ● You are homeless ● You are taking part in substance abuse treatment or counseling ●

You can also have good cause if your job:

- Makes unreasonable work demands ● Is "unsuitable" ● Results in a loss of income ● Has unfair terms or conditions, such as discrimination based on age, race, color, sex,

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About Pine Tree Legal Assistance

Pine Tree Legal Assistance is a non-profit organization which provides free legal help to poor people with civil (non-criminal) legal problems.

Pine Tree operates a special Native American Unit in its Bangor office. The Unit is staffed by attorney Eric Nelson who has worked for many years at Pine Tree on behalf of migrant farmworkers and Native Americans. Eric can be reached at 1-800-879-7463.

Pine Tree attorneys are not licensed to practice law in Connecticut. However, its Native American Unit may be able to give information and help to low-income Native Americans in Connecticut with federal legal problems, such as questions about the Indian Child Welfare Act and the Jay Treaty. The Telephone Number is 1-800-879-7463.



CREDITS

This Newsletter is published by Pine Tree Legal Assistance, Inc., a non-profit organization which provides free legal help to poor people with civil (non-criminal) legal problems in the State of Maine.

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The Editor wishes to thank the following people for their help in putting this Newsletter together:

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*You may also view this Newsletter on the Internet at
<http://www.pula.org/quinnehtukqut/legal.htm>*



FULL FAITH AND CREDIT: A NET OF PROTECTION

By: Jill E. Tompkins Shibles

*Chief Judge, Mashantucket Pequot Tribal Court
President, Eastern Tribal Court Judges Association
President, National Tribal Court Judges Association*

For many years, Native Americans who were granted orders by tribal courts were disappointed and frustrated to find that state courts would not honor them. Native Americans were left without the protection or benefits that the tribal order was supposed to give to them.

The U.S. Constitution requires each state to treat the laws and judicial decisions of another state as if it were its own. The process of one state court respecting and enforcing the orders of a different state's court is known as "full faith and credit". States are not required by the Constitution to give "full faith and credit" to the court orders of Native American tribes. Until recently, states could refuse to enforce tribal orders.

Congress has passed three important laws that now require state courts to honor child custody orders, child support orders and orders of protection issued by a tribal court.

Federal Indian Child Welfare Act

In 1978, Congress passed the Indian Child Welfare Act. This law applies to state court "child custody proceedings" of Native American children. A "child custody proceeding" is any case involving child protection, adoption, guardianship, termination of parental rights or voluntary placement of your child. The Act does not apply to

divorce cases where the question of custody of the married couple's child is being decided. Every state and Indian tribe in the United States is required by the Act to give full faith and credit to tribal court child custody orders.

If you are the parent of an Indian child and have been given custody of your child through a tribal court child custody proceeding, your order must be honored by another tribal court or a state court. Your child custody order is confidential. You should, however, always keep a copy of your child custody order in a safe place in case you need to show it to a different court other than the one that issued it.

There are also parts of the Act that tell state courts when they have authority over a case and when they must return a case to the tribal court. If you ever become involved in a later state court child custody proceeding involving your child, tell your lawyer about the tribal order. If you don't have a lawyer, be sure to tell the judge.

Federal Full Faith and Credit for Child Support Act

No matter where you go in the United States, collection of child support is a big problem. It's even tougher when Native Americans and tribal court orders are involved. For years, a parent who was ordered to pay child support for an Indian child could simply leave the reservation or state and avoid paying it. State and tribal courts often would not give full faith and credit to each other's child support orders.

Congress recognized the poverty that many Indian parents and children were living in as a result of the non-payment of child support. The Full Faith and Credit for Child Support Orders Act was passed in 1994 to help them. The Act requires state and tribal courts to treat each other's orders as if the order was its own. Tribal courts must also enforce the order of another tribal court. The Act allows the enforcing court to use all of its power to collect the child support that is due.

If you have a child support order for your child, the court should know about it before you need to have it enforced. Take a copy of your order to the court clerk's office and ask to have the order registered. There may be a fee for registering your order. This registration of your order will make it easier for the court to enforce it later.

Federal Violence Against Women Act

Imagine being a victim of domestic violence and receiving a tribal court order protecting you from the offender. When you left the reservation, however, you were told that your order was no good. Hundreds of Native Americans have found themselves in this situation when they have asked state law enforcement and courts to enforce the

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("Full Faith and Credit" continued from page 3)

tribal protection order.

Often Native Americans had to seek another protection order, this time from the state court, in order to be protected from further violence. A similar situation would result where a tribal court refused to recognize and enforce a state court protection order.

The net of protection first given by the tribal court protection order now extends throughout the United States as result of the passage of the Violence Against Women Act. The Act, commonly referred to as VAWA, requires state and tribal courts to give full faith and credit to the protection orders of each other. The types of protection orders that are covered include **any order issued to prevent violence, threatening acts, harassment or contact**. VAWA's full faith and credit requirement applies to all civil, criminal and temporary orders.

VAWA's full faith and credit requirement does not apply to support or child custody provisions that may be in the original protection order. Speak to your lawyer about using the full faith and credit requirements of either the Indian Child Welfare Act or the Full Faith and Credit for Support Act to enforce those portions of the order.

The custody provision may also be enforceable under the Parental Kidnapping Prevention Act (PKPA). The PKPA is a federal law that states the circumstances in which one state must honor and enforce a custody order from another state. It is not clear whether PKPA applies to tribal court orders.

The original protection order must be enforced **as it is written** under VAWA. Registration of the protection order is not required, but you may wish to register your order as an extra safeguard. Keep a copy of your protection order with you at all times. You are not required to have your protection order with you in order for a police officer or a court to enforce it. Registering your order, however, will allow it to be entered into a large computer database. That will allow police and courts throughout the state to enforce your order more easily.

Net of Protection

Once a court has issued an order, you should receive the benefits and protection of the order no matter where you go. A court order should be like your driver's license or passport. It should allow you and your children to travel to and from Indian Country knowing that you are protected. Full faith and credit is not given for every type of court order. However, these three federal Acts do give a net of protection in important areas. The acts help to ensure your and your children's safety and well-being.



Native American Legal Briefs

Mashantucket Pequot Tribal members subject to civil jurisdiction of Connecticut courts

Marilyn Charles, who lives in Rhode Island, asked the Connecticut Superior Court for a divorce from her husband, Owen Charles, a member of the Mashantucket Pequot Tribe living on the reservation in Ledyard. The Court decided that it could not hear the divorce, since the wife lived out of state and the husband was a member of the Tribe. The Supreme Court of Connecticut recently reversed that decision.

In a decision issued in November of 1997, The Supreme Court decided that members of the Mashantucket Pequot Tribe could be sued in State Court. The Court reached its decision by looking at federal law.

Under The Indian Civil Rights Act of 1968, members of Indian Tribes are subject to the civil jurisdiction of state courts only when a majority of the adult Indians have voted to accept jurisdiction. No such election has been held by the Mashantucket Pequots. However, the Court decided that another law overruled this general rule.

In 1983, Congress enacted the Mashantucket Pequot Indian Claims Settlement Act. The Connecticut Court looked at the language of that Act and decided that state courts have jurisdiction over Tribal members even though the Tribe did not vote to accept jurisdiction.

The decision only affects suits against **individual** members of the Pequot Tribe. It does not deal with any issues about whether the tribe itself can be sued. Also, the ruling only affects the Mashantucket Pequots.

This decision is consistent with an earlier case in which the Connecticut Court ruled that members of the Mashantucket Pequot Tribe were subject to the criminal jurisdiction of the State Courts.

Lending discrimination case settled; South Dakota Native Americans benefit

A recent Justice Department settlement with a
(Continued on page 9)



The articles in this paper are meant to provide information,

NOT to give legal advice.

No one should interpret any law without the help of an attorney who has been fully informed of all the facts involved.



Put Some Extra Money In Your Pocket! Claim Your Earned Income Credit

You could be eligible!

Did you work in 1997? You may be eligible for the Earned Income Credit. If so, you'll owe less in taxes, and you could get cash back. Even if you don't owe income tax, you can get the EIC.

☐ Were you raising one child in your home in 1997? Did your family earn less than \$25,760? You can get up to \$2,210.

☐ Were you raising more than one child in your home in 1997? Did your family earn less than \$29,290? You can get up to \$3,656.

☐ If you weren't raising a child, did you earn less than \$9,770 in 1997? Were you between ages 25 and 64? You can get up to \$332.

Here's how you get it:

☐ If you were raising children in 1997, file federal tax return Forms 1040 or 1040A, not Form 1040EZ. **Be sure to attach Schedule EIC.**

☐ If you weren't raising children in 1997, just file any federal tax return.

Questions & Answers About the EIC:

What if I don't know how to file a tax return?

To get free help filing your tax return and for more information about the Earned Income Credit, call the IRS at 1-800-829-1040.

What if I haven't filed a tax return in a long while?

You can still get the EIC. If you were eligible, you can claim the EIC for three years back. Call the IRS to find out how. If you owe back taxes, the EIC may lower your tax bill. You may also be able to work out a payment agreement.

Can I get a quick refund with my Earned Income Credit?
Yes. But it may not be your best choice.

Quick refunds take away money from your EIC. Remember, free tax help is available.

What if I'm not a U.S. citizen?

Many legal immigrants who are employed are eligible for the EIC, including *green card* holders, refugees, and others legally authorized to work. Getting the credit will not hurt your immigration status.

I work and get public Assistance benefits. If I get the EIC, will I lose my other benefits?

In most cases, no. The EIC does not affect federal benefits like TANF, Food Stamps, SSI, Medicaid or housing.

Get FREE Help Filing Your Taxes!

VITA, a program of the IRS, helps people fill out their tax forms for free. VITA sites are open from late January through April 15. To find the VITA site near you, call 1-800-829-1040. Be patient -- the line is often busy.

Remember, paying for tax preparation takes money away from YOUR refund.

Avoid Income Delays!

Be sure to provide the correct name and Social Security number for each person listed on your tax return.

VITA Sites Needed For 1998 Tax Year

VITA stands for Volunteer Income Tax Assistance. It is a free, IRS-sponsored program to help low-income workers, including anyone eligible for the EIC, fill out their tax returns. Using a VITA site allows low-income workers to get help filling out their tax returns without having to pay for tax preparation.

The IRS is always looking for additional VITA sites. If your Tribe or organization would be interested in setting up a VITA site to help its members, call your Regional Taxpayer Education Coordinator. The number in Connecticut is 860-240-4149.

The VITA sites for the 1997 tax year have already been set up. If you wish to set up a site, it would be for the 1998 tax year. It is best to call in September. The IRS will provide training to set up the site.

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national origin, sexual orientation, or disability.

Before you can be sanctioned, there are certain steps DSS must take.

First, DSS must send you a written notice explaining the reasons for the proposed sanctions and stating when the sanctions will begin. Before DSS sends a notice that they will sanction you for not cooperating with Employment Services, you must have an opportunity for a "Conciliation" meeting. No conciliation meeting will be provided, however, if the sanction is for quitting your job without good cause.

Second, DSS must give you a chance to ask for a fair hearing before the sanction can start.

Third, If you ask for a hearing within 10 days of getting the notice of sanctions, you will have a hearing. If the hearing officer agrees with you, your benefits will continue. If not, DSS can get back any overpayment by lowering your future monthly benefits. Your benefits will not be affected, however, until the hearing officer decides your case.

Ask for a fair hearing if conciliation does not work, or if you want to contest a sanction or any other action DSS proposes. ~~To ask for a Fair Hearing,~~ write to:

Department of Social Services
Office of Administrative Hearings and Appeals
25 Sigourney Street, 12th Floor
Hartford, CT 06106
Telephone: 1-800-462-0134

You can write your own letter or fill out a fair hearing form. You can get the form from your local DSS office.

Temporary Family Assistance--Time Limits.

Most families with children receive only 21 months of welfare cash benefits. You must also try to find and keep a job. Your 21 months start when you are put on Temporary Family Assistance or into the REACH for Jobs First program. If you don't know when your 21 months began, call your DSS worker to ask when your benefits began and when they will end. This information will help you plan for the future.

Some families do not have a time limit on cash benefits. They do not have to participate in Employment Services. Families will be included in this category if they include one of the following and no other adult in the family is required to work:

- An "incapacitated" adult (the person has a physical or mental health problem expected to last 30 days)
- An incapacitated family

member who needs full-time care • An adult over 60 years old • a woman who is pregnant or has just had a baby and is unable to work for medical reasons • A child under age one (NOTE: this does not apply if the child was conceived while the parent was receiving TFA or Jobs First, *unless* it is the first child of a parent under age 18) • A parent under age 18 who is attending school • The adult caring for the children is not the parent and only the children are receiving assistance • Members of the waiver control group (a small number of families served by DSS offices in New Haven and Manchester) • An unemployed foster parent •

If you think your family falls into one of these categories, contact your worker and ask to be classified as "exempt." You may need proof that you fit into an exempt category.

There is another limited exemption available to some families. Unemployed families where the adult has worked for less than 6 months in the past 5 years and has not completed 6th grade, may be exempt. These families **must** cooperate with Employment Services and try to find work. DSS will consider granting this exemption only after the family has received assistance for 20 months. ~~Your family will lose the exemption if the adult works for more than 2 months in a row.~~

Once you have reached the end of your 21 month limit, you have some options. Some families may qualify for a six month "extension." You can get an extension if you have cooperated with Employment Services and your family income is very low. You can also get an extension if you can't work because of circumstances beyond your control, such as domestic violence. You should get this extension even if DSS says you did not cooperate while you got cash benefits.

If you have too much income to qualify for an extension, you may be eligible for the Time-Limited Rental Assistance Plan (T-RAP). Rental assistance is for families that pay more than 40% of family income for rent and do not receive a housing subsidy. NOTE: if you lose cash benefits and are currently in public or subsidized housing, *immediately* ask to have your rental amount recalculated.

If you do not qualify for an extension, you may be eligible for "safety-net" benefits, although DSS has not yet decided what these will be. Also, if you are working or you begin a job within 6 months of the end of your cash benefits, your family will be eligible for Medicaid for a 24-month period. You may also get child care assistance.

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When your family reaches the 20th month of cash assistance a DSS worker will meet with you in an "exit interview" to decide what benefits, if any, you may be eligible for. **Be sure to go to the interview. If you do not, you may lose benefits. This is where your eligibility for some benefits (such as Medicaid and food stamps) will be decided or where you will be referred for other assistance.**

If you believe your family should be exempt from the time limit or that you should get assistance but that DSS is refusing to give it to you, ask for a Fair Hearing. **You must mail your request within 60 days of the problem.**

Don't Forget your Exit Interview!

There are 114 certificates each month for the Time-Limited Rental Assistance Program. Because of the low rate of turnout for exit interviews, there is a high likelihood that you will get a certificate if you are eligible. However, **you must go to your exit interview.**

~~If you are eligible, you should get a letter in the mail about two weeks after your interview.~~ As soon as you get your letter, complete the application and call one of the following agencies to apply: Community Renewal Team in Hartford (1-800-560-0128); The Community Action Agency of New Haven (1-800-244-7923); or New Opportunities for Waterville (1-800-525-9799).

If you went to your exit interview but have not gotten a letter, and you believe you are eligible, call your worker.



Children's Health - The HUSKY Plan

The following article appeared in the November 1997 edition of *CABHN FEVER*. If you would like to be on the mailing list for this publication, please call 860-278-5688.

The Connecticut General Assembly met in special session on October 29, 1997, and unanimously passed the HUSKY Act (Health Insurance for Uninsured Kids & Youth) which expands health insurance for children. Governor Rowland signed the act the next day.

The HUSKY Program has two parts. Part A is an expanded Medicaid program which provides health insurance coverage for children in families with incomes at or below 185% of the federal poverty level (\$29,693 for a family of four). Beginning January 1, 1998, all children and youth under age 19 who live in a low-income family will be eligible for HUSKY Part A.

The second part, HUSKY Part B, is a new program that will provide health insurance coverage to children and youth under age 19 who live in a family with income above 185% of the poverty limit. Part B does require some copayments. Families with incomes above 235% but at or below 300% of the poverty level will have to pay a premium of \$30 per child per month (with a maximum family payment of \$50/mo.). Families above 300% of the federal poverty level will be able to purchase HUSKY Part B coverage at full cost.

DSS is developing a simple application to enroll in the program. Some health care providers and community agencies will be able to take applications and grant temporary eligibility while the application is being processed. Once a child is found eligible for HUSKY benefits, eligibility will continue for one year unless the child reaches age 19 or moves out of state during the year.

A complete summary of the HUSKY Act is available from the Children's Health Council at 860-548-1661.



Domestic Violence and TFA:

How do I protect my benefits?

Most people getting welfare must help the state collect child support and must work or look for a job. If you don't cooperate, you can lose your benefits. However, if doing any of these things will put you or your children in danger of being hurt by your boyfriend or husband, **you need to tell your welfare worker in order to protect your benefits.**

Victims of Domestic Violence do not have to help the state collect child support or look for a job or work. They should also be able to get an extension of benefits for longer than 21 months. If you believe you are a victim of domestic violence, tell your welfare worker. You may even want to talk to legal services or an advocate at a domestic violence project before you talk to your worker. (See the list of Projects and legal service providers in the Index of Community Services listed on the last two pages of this Newsletter).

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Your worker can ask you for proof that you or your children are in danger.

Collecting Child Support: Your worker may ask you the name and social security number of your child's father; you may be asked to go to court hearings or to have blood tests done to prove who is the father. If doing these things could put you or your child in danger, tell your worker.

There may be other good reasons why you may not be able to help collect child support. For example, you don't have accurate information because the father lied to you; you have a mental disability that keeps you from getting the information; or, you have tried to help, but something beyond your control kept you from doing so. Always be sure to explain to your worker so that you don't lose your benefits.

Working or Looking for a Job: These are some reasons why you may not be able to look for a job or work:

- ☐ A boyfriend or husband does something to stop you looking for a job or working;
- ☐ A boyfriend or husband does something to interfere with the child care you need to work or look for a job;
- ☐ Looking for a job makes it more difficult for you to escape or prevent domestic violence;
- ☐ You need to go to court hearings because of domestic violence and that keeps you from looking for a job or working;
- ☐ You are asked to look for a job or you work in a location that puts you at risk of being hurt.

Getting an Extension: If your 21 month limit on getting TFA is running out, you should qualify for a six month extension if you can't get or keep a job because of domestic violence. There is no limit to the number of extensions you can get to protect yourself or your children from domestic violence. Again, **remember to tell your worker.**

What if My Worker Doesn't Help Me? If you told your worker about domestic violence and the worker doesn't believe you or asks you to do something that puts you or your children in danger, call legal services or a domestic violence project right away.

You also have the right to ask for a fair hearing. At the hearing, another person will decide if your worker made the right decision. To ask for a hearing, write to:

Department of Social Services
Office of Administrative Hearings and Appeals
25 Sigourney Street, 12th Floor
Hartford, CT 06106
Telephone 1-800-462-0134



Child Care Update--Maximus

The following article is based in part on an article that appeared in the November, 1997 edition of *CABIN FEVER*. If you would like to be on the mailing list for this publication, please call 860-278-5688.

Maximus is the administrator of the child care subsidy for eligible people in Connecticut. It continues to suffer some problems, although it has reduced its backload of problems significantly.

Clients have been experiencing some of the following problems:

- Couldn't get through to Maximus.
- Reached Maximus but couldn't leave message because voice mailbox was full.
- Reached Maximus but problem was not fixed
- Transferred to out of state operator who could not help
- Completed paperwork, but Maximus does not have a record of the person
- Person is in the system, but payment has not been made for a long time.
- Daycare provider refused or threatened to refuse to continue daycare because of payment delay.
- Childcare provider (whose TFA benefits have been or may be reduced because of expected payment from Maximus) cannot pay for basic necessities because of lack of payment from Maximus
- Childcare provider, not a TFA recipient, is not receiving timely Maximus payment which is threatening payment of necessities.

Be aware that benefits should begin in the month of your application. If your application was not processed because you could not get through or because of internal problems at Maximus, you may be entitled to payments retroactive to the date of your application.

Maximus child care payments are made after the child care has been received. Because of the delays at Maximus, some child care providers are not accepting children without advance payments. This is not a problem which Maximus can correct at this time.

If you have problems with Maximus, contact Statewide Legal Services (1-800-453-3320). To receive help with emergency cases, call Peter Palermino at DSS (860-424-5006).



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Nebraska bank will benefit Native Americans in South Dakota living on or near the Pine Ridge Reservation. The settlement is designed to make sure that Native Americans are treated fairly when they ask for a loan and to compensate those who were treated unfairly in the past.

The Justice Department claimed that loan officers for the First National Bank of Gordon refused to make secured loans if the collateral was located on a Native American reservation. The Department also claimed that the bank had credit requirements for Native Americans which were not used for white applicants.

Under the settlement, the bank agreed to a number of conditions. Among these were the creation of a \$175,000 fund to be used to compensate those harmed by the bank; setting up a money management education program to show Native Americans how to establish and maintain credit with the bank; and taking steps to increase the pool of qualified Native Americans to be considered for employment as loan officers at the bank.

How can I tell if I am a victim of lending discrimination?

You probably won't hear anyone say, "We don't make loans to Native Americans." What you will hear is:

- ✓ Your debt-to-income ratios are too high.
- ✓ The appraisal said "inadequate collateral."
- ✓ You need more money down.

Any time you're denied a loan, or the terms and conditions are changed, you could be a victim of lending discrimination. Call and find out. Contact HUD at 1-800-669-9777. TDD 1-800-927-9275. Statewide Legal Services at 1-800-453-3320.



Income Guidelines For Energy Assistance

If your income falls within these limits, you may be eligible for energy assistance. If your income falls within 0-150% of the poverty guidelines, you qualify for help from the Connecticut Energy Assistance Program (CEAP). If your income falls within 150-200% of the poverty guidelines **AND** you have a disabled or elderly (60+ years) member of

your household, you qualify for the State Appropriated Fuel Assistance Program (SAFA).

In order to qualify, you cannot have liquid assets greater than \$10,000 if you are a homeowner, or greater than \$7,000, if you are not. There is an exception, however. Your assets won't disqualify you if the amount of your assets over those limits plus your income are, when added together, less than the income limits for assistance.

Annual Poverty Income Amounts

Family Size	100%	125%	150%	200%
1	\$7,890	\$9,862	\$11,835	\$15,780
2	\$10,610	\$13,262	\$15,915	\$21,220
3	\$13,330	\$16,662	\$19,995	\$26,660
4	\$16,050	\$20,062	\$24,075	\$32,100
5	\$18,770	\$23,462	\$28,155	\$37,540
6	\$21,490	\$26,862	\$32,235	\$42,980

Energy Benefits--Home Owners

Income as % of poverty level*	Basic Heat Benefit (Primary heat only; benefit paid to vendor)	Basic Heat Benefit (Primary heat only; benefit paid to vendor)
	Vulnerable**	Nonvulnerable**
0%-100% (CEAP)	\$475	\$430
101%-125% (CEAP)	\$280	\$240
126%-150% (CEAP)	\$205	\$175
150%-200% (SAFA)	\$190 (all households)	

* If a household member gets TFA, AFDC or AABD, your household is automatically eligible for CEAP. The benefit level is determined by household income. If income exceeds 150% of poverty level, the household is eligible for the lowest CEAP benefit.

** Vulnerable households have a member who is disabled, 60+ years, or under 6 years; all others are nonvulnerable.

Energy Benefit--Renter Benefits

Income as % of Poverty level	"Renter" Benefit (Heat included in rent & rent exceeds 30% of gross income; benefit paid to household)
0%-100%	\$70
101%-125%	\$55
126%-150%	\$40
150%-200%	(No renter benefit)

You can apply for CEAP and SAFA assistance at local Community Action Agencies. Call 1-800-842-1132 or INFOLINE at 1-800-203-1234 for local sites. The application period is 10/97 through 3/16/98. If you receive AFDC, TFA, AABD or food stamps, DSS should send you preprinted application forms. The heating bills must be in the name of a household member and a copy of the bill should be included with your application.

Other Sources For Assistance:

Fuel Banks: Operation Fuel gives assistance to households between 150% and 200% of the poverty level, though there may be funds to help people at other income levels. Call INFOLINE at 1-800-203-1234 to get local sites.

(Continued on next page)



("Energy Assistance" continued from page 9)

Soldiers, Sailors and Marines Fund: This program gives energy assistance, including help with utility and energy bills for people who served in the military during certain time periods and were honorably discharged. Spouses and dependent children can also get assistance. Call INFOLINE for local sites.

Weatherization: These programs are interest subsidized loans for homeowners. They are available through Community Action Agencies and may be available from utilities. AFDC and AABD recipients may be able to get funding from DSS for repairs needed to allow them to stay in their homes.

Arrearage Forgiveness Programs: All gas companies have programs beginning each November where CEAP and SAFA eligible households are put on budget plans. If you stay on the budget plan, your back bills will be forgiven on a semi-annual basis. Northeast Utilities and United Illuminating also have programs. Apply to your utility.

Hardship: Low income "hardship" customers are entitled to have gas heat and electric service turned on between 11/1 and 1/15 of every year, even if they owe the utility money. The exception is if gas heat was provided during the prior winter because of "hardship" and the gas service was turned off between 4/15 and 10/31. If you fall into that category, you can get gas service only by paying the lesser of \$100, the minimum payments due under a payment arrangement, or 20% of the debt due to the gas company when the gas was shut off. However, gas and electric service **must** be provided year-round if a lack of service is life-threatening, even if you owe money to the utility. Apply for "hardship" protection at the utility every fall.



LOW INCOME? NEED LEGAL HELP? CALL STATEWIDE LEGAL SERVICES

What Is Statewide Legal Services?

Statewide Legal Services of Connecticut, Inc. (SLS) is the first place to call if you are low income and believe you have a legal problem. It is a toll-free telephone hotline.

SLS is a non-profit organization. It was started in February, 1996 to help meet the **non-criminal** legal needs of the poor in Connecticut. It is a free service.

What Kinds Of Legal Problems Can SLS Help Me With?

- Housing
- Family Matters
- Welfare
- Medicare
- Medicaid
- Other Government Benefits

How Will SLS Help Me?

If you meet income eligibility standards, SLS can help you as follows:

- **Problems that can be settled quickly.** SLS staff can handle some of these problems themselves. For example, SLS staff can negotiate with your landlord to allow you to stay in your apartment if you agree to pay your back rent. Or, the staff can call your local General Assistance office to explain a mistake.
- **More complicated problems.** SLS can refer you to one of the four legal service agencies in Connecticut, a law school clinic, a specialized legal services agency, or a **pro bono** (free) lawyer. SLS makes referrals based on its priorities and resource limitations.
- **Problems you can handle yourself.** SLS can give you **telephone instruction, send you written materials, or** tell you about classes or clinics to help you represent yourself.
- **Non-priority problems.** If you have a problem which cannot be accepted by SLS or a referral agency because of resource limitations or because your problem is a non-priority matter, SLS can give you general advice.

This Is A Different Way Of Giving Legal Services. Does It Work?

Yes. The benefits of this system are: faster response to clients' questions; better efficiency in handling routine matters and referrals; a broader network of legal and non-legal referrals; and more time for the staff of other legal service providers to help clients needing full legal representation.

Telephone Numbers To Call

In the Middletown calling area call:

1-860-344-0380

From other places in Connecticut call:

1-800-453-3320

Times To Call:

9 a.m. to 3 p.m.

Monday through Friday



We Want To Hear From You!

If you have comments, articles or ideas on how this newsletter can be helpful to you, please let us know.

Please send articles or letters to:

*Quinnehtukqut Legal News
Pine Tree Legal Assistance
Coe Building, 61 Main Street
Room 41
Bangor, ME 04401.*



INDEX of COMMUNITY RESOURCES

This is a list of some key resources which will offer you service or direct you to the best local resource.



CRISIS SERVICES

(available 24 hours a day)



INFOLINE.....1-800-203-1234

INFOLINE is a Statewide Information, Referral, and Crisis Intervention Service. Callers can get help 24 hours a day. The professional caseworkers answering the phone can give up-to-date information about agencies and programs, can make referrals, and can intervene in crises, including suicide prevention.

Child Abuse and Neglect:

Child Abuse & Neglect Hotline.....1-800-842-2288
TD 1-800-624-5518

Domestic Violence:

Ansonia:

The Umbrella Project.....203-736-9944

Bridgeport:

YWCA of Eastern Fairfield County.....203-334-6154

Danbury:

Women's Center of Greater Danbury.....203-731-5206

Dayville:

Domestic Violence Program/United Services, Inc...860-774-8648

Enfield:

Network Against Domestic Abuse.....860-763-4542

Falls Village:

Women's Emergency Services.....860-824-1080

Greenwich:

Domestic Abuse Service Greenwich YWCA.....203-622-0003

Hartford:

Hartford Interval House.....860-527-0550

Meriden:

Meriden-Wallingford Chrysalis.....203-238-1501

Middletown:

New Horizons.....860-347-6971

New Britain:

Prudence Crandall Center for Women.....860-225-6357

New Haven:

Domestic Violence Services of.....203-789-8104
Greater New Haven, Inc.

New London:

Women's Center of Southeastern Connecticut.....860-447-0366

Norwalk:

Women's Crisis Center, Inc.....203-852-1980

Stamford:

Domestic Violence Services, Inc.....203-357-8162

Torrington:

Susan B. Anthony Project.....860-482-7133

Waterbury:

Women's Emergency Shelter.....203-575-0036

Willimantic:

Domestic Violence Program/United Services, Inc...860-456-9476

Elder Abuse and Neglect:

INFOLINE (for after hours emergencies).....1-800-203-1234

Eastern Region:

Greater Norwich/New London Area203-886-0521

Windham Area.....860-450-7187

North Central Region:

Hartford Area.....860-566-7329

Manchester/New Britain/Bristol Areas.....860-647-5896

Or 860-647-5820

North West Region:

Torrington Area.....860-496-6950

Waterbury/Danbury Area.....203-596-4242

South Central Region:

Middletown/Meriden/Wallingford Areas.....860-344-2104

New Haven.....203-789-6913

South West Region:

Bridgeport Area.....203-579-6824

Norwalk Area.....203-899-1369

Stamford Area.....203-708-8984

Mental Health:

Bridgeport:

Greater Bridgeport Community.....203-579-6651
Mental Health Center

Danbury:

Danbury Hospital.....203-797-7899

East Hartford:

Emergency Services.....860-895-3100

Hartford:

Capitol Region Mental Health Center.....860-297-0999

Manchester:

Genesis Center.....860-643-3680

Meriden:

Crisis Stabilization Program.....203-238-8382

Middletown:

River Valley Service Mobile Crisis Team.....860-344-2040

New Haven:

Connecticut Mental Health Center.....203-789-7713

Norwich:

Southeastern Mental Health Authority.....860-886-9302

Plainville:

Community Response Team of Wheeler Clinic.....860-747-8719

Stamford:

F.S. DuBois Center

Community Crisis Intervention.....203-358-8500

Waterbury:

Waterbury Hospital Crisis Intervention Center.....203-573-6500

Willimantic:

United Services.....860-774-2020

Poison Control:

Connecticut Poison Control Center.....1-800-343-2722
TD 860-679-4346

**Sexual Assault Crisis Programs:***(Hotline Numbers)*

YWCA of Eastern Fairfield County, Inc	
Rape Crisis Service.....	203-332-8283
Women's Center of Greater Danbury	
Sexual Assault Crisis Service.....	203-731-5204
Hartford Sexual Assault Crisis Service	
of Hartford Region YWCA.....	860-522-6666
Central Connecticut Sexual Assault	
Crisis Service.....	203-235-4444
Meriden.....	203-235-4444
Middletown.....	860-635-4424
Rape Crisis Center of Milford.....	203-878-1212
New Britain YWCA Sexual Assault Crisis Service..	860-223-1787
Greater New Haven Sexual Assault Crisis Service..	203-624-2273
Women's Center of Southeastern Connecticut	
Sexual Assault Crisis Service.....	860-442-4357
Northeastern Connecticut Sexual	
Assault Crisis Service.....	860-456-2789
Susan B. Anthony Project for Women	
(Serving Northwestern Connecticut).....	860-482-7133
Women's Emergency Shelter Sexual Assault	
Crisis Service(serving greater Waterbury).....	203-753-3613
Rape and Sexual Abuse Crisis Center	
(Lower Fairfield County).....	203-329-2929

Youth Crisis:

Contact the nearest Youth Service Bureau through your town hall or call Connecticut Youth Services Association.....860-525-3298

LEGAL RESOURCES**Lawyer Referral Service:**

This service can recommend a private lawyer who, for a small fee, will assess a case and give an estimate of charges.

Fairfield County.....	203-335-4116
Hartford.....	860-525-6052
New Haven.....	203-562-5750
New London/Norwich.....	860-889-9384
Waterbury.....	203-753-1938

Legal Assistance Programs:

These organizations give free civil legal help to income eligible people. This help includes telephone advice, referrals, direct representation, and giving out self-help material, depending on the priorities and resources of the organization.

STATEWIDE.....	Statewide Legal Services.....1-800-453-3320
	in Middletown.....860-344-0380

Statewide Legal Services screens cases for all legal assistance programs in the state, giving brief service and advice, community education materials, and referrals to local legal services offices for non-criminal cases.

Bridgeport	Connecticut Legal Services.....203-336-3851
Danbury	Connecticut Legal Services.....1-800-541-8909
Hartford	Greater Hartford Legal Assistance (serving Greater Hartford and, through an Older Americans grant, senior citizens in the following towns that are also served by CLS: Andover, Berlin, Bolton, Columbia, Ellington, Hebron, New Britain, Plainville, Plymouth, Somers, Southington, Stafford, Tolland and Vernon.....860-541-5000
Meriden	Connecticut Legal Services.....1-800-233-7619
Middletown	Connecticut Legal Services.....860-225-8678
New Britain	Connecticut Legal Services.....1-800-233-7619
New Haven	New Haven Legal Assistance.....203-946-4811
New London	Connecticut Legal Services.....1-800-413-7798
Norwalk	Connecticut Legal Services.....203-348-9216

Rockville	Connecticut Legal Services.....1-800-413-7796
Stamford	Connecticut Legal Services.....1-800-541-8909
Torrington	Connecticut Legal Services.....1-800-413-7797
Waterbury	Connecticut Legal Service.....1-800-413-7797
Willimantic	Connecticut Legal Services.....1-800-413-7796
	Legal Assistance to Medicare Patients.1-800-413-7796

Connecticut Legal Rights Project	860-262-5030
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This organization helps mental health clients, residents of mental health facilities, and out-patient clients of community residential facilities.

Disabilities:**Connecticut Office Of Protection and Advocacy For Persons With Disabilities**

60B Weston Street
Hartford CT 06120
Tel.: 860-297-4300
Hartford Area TD: 860-566-2102
Toll Free and TD: 1-800-842-7303

**Discrimination:****Connecticut Commission on Human Rights and Opportunities**

Capitol Region:
1229 Albany Avenue
Hartford, CT 06112
Tel.: 860-566-7710
TD: 860-566-7710

Southwest Region:
1057 Broad Street
Bridgeport CT 06604
Tel.: 203-579-6246
TD: 203-579-6246

West Central Region:
50 Linden Street
Waterbury CT 06702
Tel.: 203-596-4237

Eastern Region:
City Hall, Room 210
100 Broadway
Norwich CT 06360
Tel.: 860-886-5703
TD: 860-886-5707

Central Office
21 Grand Street
Hartford CT 06106
Tel.: 860-541-3400
1-800-477-5737
FAX: 860-246-5068

**Social Security:**

Ansonia.....	203-735-6201
Bridgeport.....	203-365-8452
Bristol.....	860-584-2716
Danbury.....	203-748-3569
East Hartford.....	860-290-5420
Hartford.....	860-493-1857
Meriden.....	203-238-0346
Middletown.....	860-347-8562
New Britain.....	860-229-4844
New Haven.....	203-787-7771
New London.....	860-443-8456
Norwich.....	860-886-7116
Stamford.....	203-359-0030
Torrington.....	203-756-7476
Waterbury.....	203-756-7476
Willimantic.....	860-423-6386

Web Sites of Interest To Native Americans:

Nipmuc Indian Association
of Connecticut....<http://www.lib.uconn.edu/NativeTech/Nipmuc/PineTreeLegal>
Assistance.....<http://www.ptla.org/quinnehtukqut/qlegat.htm>