

YOUR WELFARE RIGHTS

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THIS PAMPHLET IS ABOUT YOUR WELFARE RIGHTS

YOU HAVE A RIGHT TO APPLY FOR WELFARE.

YOU HAVE A RIGHT TO RECEIVE A WRITTEN ANSWER TO YOUR APPLICATION IN 30 DAYS.

: YOU HAVE A RIGHT TO A FAIR HEARING IF YOU ARE NOT SATISFIED WITH THE WELFARE DEPARTMENT'S ANSWER TO YOUR APPLICATION OR IF YOU THINK THE WELFARE DEPARTMENT HAS NOT GIVEN YOU ALL OF YOUR WELFARE RIGHTS.

MANY COUNTY WELFARE DEPARTMENTS IN MISSISSIPPI HAVE NOT GIVEN ALL OF THE PEOPLE THEIR WELFARE RIGHTS. IN THE PAST, MANY PEOPLE DID NOT GET THEIR RIGHTS FOR 2 REASONS:

1. Most of the people did not know what their welfare rights were.
2. Since the people did not know what rights they had, many welfare home visitors told them that they were not eligible for welfare when they really were.

THIS PAMPHLET TELLS YOU BRIEFLY WHAT YOUR WELFARE RIGHTS ARE.

WELFARE LAWS ARE HARD TO UNDERSTAND. IF YOU HAVE ANY QUESTIONS ABOUT WELFARE LAWS AND YOU CANNOT FIND ANYONE WHO CAN HELP YOU UNDERSTAND YOUR WELFARE RIGHTS, WRITE A LETTER TO:

Marian E. Wright
Henry M. Aronson
538½ N. Farish Street
Jackson, Mississippi

THEY WILL EITHER GIVE YOU INFORMATION OR THEY WILL SEND YOU THE NAME AND ADDRESS OF SOMEONE IN YOUR AREA WHO CAN GIVE YOU ADVICE.

ON THE NEXT FEW PAGES, WE WILL DESCRIBE THE 4 WELFARE PROGRAMS

IN MISSISSIPPI:

1.) The Aid To Dependent Children Program (ADC)

The Families with Children Who Have a Right to Welfare Money.

(See pages 4,5 and 6)

2.) Old Age Assistance (OAA)

The Old People who Have a Right to Receive Welfare Aid.
(See Pages 7)

3.) Aid to the Blind (AB)

The Blind people who Have a Right to Receive Welfare Aid.
(See Page 8)

4.) Aid to the Disabled (AD)

The person who is Physically or Mentally Ill permanently and Cannot Work Who has a Right to Receive Welfare Aid.

(See Page 9)

THE REQUIREMENTS FOR THE 4 PROGRAMS AND FOR NEED DISCUSSED
ON PAGES 4 TO 11 ARE THE GENERAL RULES. THERE ARE MANY
EXCEPTIONS TO THESE RULES AND THESE EXCEPTIONS MAY
APPLY IN YOUR CASE IN FIGURING OUT WHETHER OR NOT
YOU ARE ELIGIBLE FOR WELFARE. HOWEVER, THIS
PAMPHLET SHOULD HELP YOU DECIDE WHETHER OR NOT YOU
ARE ELIGIBLE FOR WELFARE.

AID TO DEPENDENT CHILDREN

If you can answer "yes" to all of the following questions, you may be able to get money from the Aid to Dependent Children Program (ADC).

1. Are you taking care of a child or children?
Yes___ No___
2. Is the child or children who you are applying for under the age of 16 (or under the age of 18 and going to school regularly or not going to school because of an illness) ? Yes___ No___
3. Are you the child's brother, sister, father, mother, first cousin, nephew, niece, adoptive parent, adoptive parent of the child's natural parent, or child of an adoptive parent or grandparent?
Yes___ No___
4. Is the child going without the care or support of one or both parents, because one (or both) of the parents is dead, always away from home, or too sick or injured to take care of the child (or children) or to work to make money for the child?
Yes___ No___
5. Has the child lived in Mississippi for at least one year; or, if the child is under one year old, did his mother live in Mississippi for a year before the child was born?
Yes___ No___
6. Is the child in need? Read pages 10 and 11 very carefully to see what "need" means.
Yes___ No___

AID TO DEPENDENT CHILDREN (ADC) (continued from page 4)

A mother recently wrote us:

"I was on the welfare once, but one of my daughters got pregnant and they took all of" my "children off because of her pregnancy. I don't see why they took all the children off because of one, but she"(the home visitor) "say that was the law and they could't help me."*-

The welfare worker was not right.

THE LAW SAYS THAT IF AN ILLEGITIMATE CHILD LIVES IN A HOME AND IF WHOEVER TAKES CARE OF THE BABY MEETS ALL OF THE REQUIREMENTS ON PAGE 4, THEN THE WELFARE DEPARTMENT MUST GIVE THE CHILD ADC WELFARE.

MISSISSIPPI LAW SAYS THAT IF A FAMILY HAS BEEN GETTING WELFARE MONEY FOR THE CHILDREN, AND THEN ONE OF THE CHILDREN GETS ILLEGITIMATELY PREGNANT OR HAS AN ILLEGITIMATE BABY, THE CHILDREN WHO USED TO GET WELFARE MONEY WILL CONTINUE TO GET WELFARE. PAYMENTS FOR THE NEW BABY WILL EITHER BE INCLUDED IN PAYMENTS TO THE OTHER CHILDREN OR A SEPARATE PAYMENT WILL BE GIVEN TO THE NEW MOTHER AND HER CHILD.

The Welfare Department often does not follow these laws. The Welfare Department often cuts a family off welfare when a mother gets pregnant illegitimately or when an illegitimate child is born. If such a mother applies for welfare, the welfare department often refuses to give her money because the child is illegitimate. If this happens to you, ask for a fair hearing.

The Welfare Offices have tried many times to force mothers of illegitimate children to withdraw their applications for welfare by threatening to have the Court take away their children unless the mother withdraws her application for ADC welfare.

The law says that the welfare office is not allowed to threaten a mother in this way. If the welfare office ever threatens to take you to court to decide whether or not your children will live with you or someone else, see a lawyer immediately! For information write to: Marian Wright and Henry Aronson, 538½ N. Farish St., Jackson.

* In all letters quoted, facts have been changed slightly to protect the privacy of the people involved.

AID TO DEPENDENT CHILDREN(continued from page 5)

THE WELFARE DEPARTMENTS HAVE OFTEN NOT GIVEN WELFARE OR CUT OFF WELFARE TO A MOTHER AND HER CHILDREN, BECAUSE IT SAYS "THERE IS A MAN IN THE HOUSE".

THERE IS A MISSISSIPPI LAW THAT SAYS A WOMAN IS NOT ELIGIBLE FOR ADC WELFARE IF THERE IS A MAN

- (1) ACTUALLY LIVING IN THE HOUSE AND
- (2) ACTING AS A HUSBAND TO THE MOTHER.

THE WELFARE DEPARTMENTS ARE WRONG WHEN THEY DO NOT GIVE WELFARE TO A WOMAN WHO SOMETIMES HAS A MAN OVER TO HER HOUSE TO TALK AND EAT. THE WELFARE OFFICE IS WRONG WHEN IT CUTS OFF THE WELFARE MONEY FROM A WOMAN, AFTER A MALE CIVIL RIGHTS WORKER IS SEEN ENTERING A WOMAN'S HOME TO TALK WITH HER.

Here are some examples of women who were cut off ADC Welfare. They should ask for fair hearings, (See page 17 and 18) because the welfare worker should not have cut them off:

- 1.) A lady who lives alone with her 5 children was cut off aid because the father of her last 2 children was seen bringing a bottle of milk to her house every week.

*She should still get welfare, because this man did not live at her house and he did not act as a husband to her any more.

- 2.) A young woman was cut off welfare because a male boarder lived in her house. He paid for his room and food. They had no sexual relationship.

* She should still get welfare. Although a man lived in her house, he did not act as her husband.

- 3.) Mrs. B's neighbor told the welfare worker that Mrs. B was living with a man in her house and had sexual relations with him. Mrs. B's welfare was cut off.

*Mrs. B. can not be cut off because of what anyone says about her, unless the welfare department can prove that it is true. (The welfare worker can search Mrs. B's home for a man only if she has a search warrant)

OLD AGE ASSISTANCE

If you can answer "yes" to all of the questions below, you may be eligible for Old Age Welfare payments.

1. Are you 65 years old or over? Yes___ No___
2. Are you in need? (Read pages 10 and 11 very carefully to find out what "need" means) Yes___ No___
3. Is it true that you are not living in a public institution, or if you are, is it true that you will soon be out of the institution? Yes___ No___
4. Have you lived in Mississippi for the last year? Yes___ No___

Here is a letter from a lady who should be getting Old Age Assistance:

"I was cut off welfare because I didn't look old enough... I asked them" (the welfare home visitor) "why, but they didn't tell me. I'm about 75. I was on the Old Age Pension about 9 years. I got proof of my age. I went down there to talk to them about it, but they said the same thing again. I wasn't old enough..."

THIS LADY SHOULD HAVE ASKED FOR A FAIR HEARING.
SHE HAD A RIGHT TO ONE.

THERE ARE MANY WAYS YOU CAN PROOVE YOUR AGE.
PROOF CAN BE:

THE DATE OF YOUR BIRTH WRITTEN IN A FAMILY
BIBLE AT THE TIME OF YOUR BIRTH, OR

OLD PICTURES WITH NAMES AND DATES WRITTEN
ON THEM, OR

OLD LETTERS WHICH TELL THE AGES OF CHILDREN, OR

YOUR MARRIAGE CERTIFICATE GIVING YOUR AGE, OR

DOCTOR'S RECORDS, OR

A SWORN STATEMENT BY YOU IN WHICH YOU TELL YOUR AGE.

AID TO THE BLIND

If you can answer "yes" to all of the questions below, you may be able to get aid to the blind welfare payments.

1. Are you completely blind or are your eyes so weak that even with glasses you can not do the ordinary things which people who can see are able to do?
Yes___ No___
2. Is it true that if you are now in a public institution you will not stay in it if you receive welfare money?
Yes___ No___
3. Is it true that you are not receiving Old Age Assistance welfare money?
Yes___ No___
4. If you are between the ages of 6 and 21, are you attending public school or are you attending the state school for the blind or are you excused from school for some illness or problem you have?
Yes___ No___
5. Are you in need? Read pages 10 and 11 very carefully to find out if you meet the requirements for need.
Yes___ No___

AID TO THE PERMANENTLY AND TOTALLY DISABLED

If you can answer "yes" to the all of the questions below, you may be able to get Aid to the Disabled welfare:

1. Is there something physically or mentally wrong with you which is permanent and prevents you from doing any work at the going rate of pay in your community? Yes__ No__
2. Are you between the ages of 18 and 65? Yes__ No__
3. Have you lived in Mississippi for a year? Yes__ No__
4. Are you in need? Read pages 10 and 11 very carefully to figure out if you are "in need" by Mississippi standards. Yes__ No__

The following conditions, when severe, often totally disable a person from work:

hypertension, heart disease, lung disease, diabetes, arthritis, ulcers, mental illness, malignancy, and epilepsy. These are only the most common disabling conditions. There are many others.

Sometimes a person's doctor says after the examination that the person is totally disabled, but the answer to the person's application for welfare says, "The Medical Review Team does not find you disabled enough" and so the person does not get welfare. If this happens to you, ask for a fair hearing.

NEED

ONLY A PERSON IN NEED CAN GET WELFARE MONEY

You may need money, but if you have more income, property and cash than the welfare rules say a person or family needs to pay for such basic things as food, clothing, rent, electricity, heat, water, mortgage payments, taxes, special clothes for work, a few small tools to work with, then you are not in what the welfare department calls "need" and you cannot get welfare money.

(The welfare department has charts which say how much a person or family can spend for food, clothing, rent, electricity, heat and water.)

If you can answer "yes" to all of the following questions, you may be "in need"; if you can also say "yes" to all of the questions for any welfare program (such as listed on page 4 for Aid To Dependent Children, page 7 for Old Age Assistance, page 8 for Aid To The Blind, and page 9 for Aid To The Disabled) you may be able to get welfare money.

1. Do you have less money than you need to pay for the food, clothing, rent, electricity, heat, water, mortgage, taxes, special clothes for work & laundry bills for these clothes, room and board, nurse, burial insurance, fire insurance, someone to take care of the children while you work, transportation to work, tools and license which your boss doesn't give you, the food for the animals or the fertilizer and the seed and small tools if you farm, or the cost of your supplies if you are in business?

Yes ____ No ____

2. Is the assessed value of your home and the land it is on worth less than \$2500 (or less than \$5000 if you own it with someone else)? Assessed value means the value set by the county so that you know how much taxes to pay on the property.

Yes ____ No ____

NEED (cont'd from page 10)

3. If there is no one whom you support, is the cash that you have and the property not used for business any truck, tractor or car that you have worth less than \$500?
OR/ If you do support another person or more, is the cash that you have and the property not used for business and any truck, car or tractor that you have worth less than \$800?

Yes ___ No ___

We received the following letter from an 86- year old lady who was cut off welfare because the home visit r said she was no longer "in need":

"I was cut off welfare 16 months ago when 3 of my sons in other cities sent me checks for a total of \$40 and I cashed them. At the same time my grand daughter, with whom I live, cashed for herself a \$70 check written out to me. She kept the \$70 which was right. After that I got no more welfare. The home visitor told me that my welfare had been cut off because 'my children can support me'. In the year after this happened "one boy sent me \$3 five times, another sent \$2 one time. The home visitor recently told me that there was little chance of my getting back on welfare."

THIS LADY SHOULD HAVE ASKED FOR A FAIR HEARING. HER WELFARE SHOULD NOT HAVE BEEN CUT OFF.

THE LAW SAYS THAT MONEY AND GOODS ARE COUNTED AS INCOME ONLY IF THEY COME REGULARLY. THIS LADY DID NOT GET MONEY FROM HER SONS REGULARLY, SO IT COULD NOT BE COUNTED AS INCOME. THESE CHECKS WERE GIFTS AND SHOULD BE COUNTED IN THE \$500 CASH WHICH A PERSON WHO DOES NOT SUPPORT ANYBODY ELSE CAN HAVE.

UNDER THE FEDERALLY SUPPORTED PUBLIC ASSISTANCE LAWS, THE ONLY PEOPLE WHO APPEAR TO BE LIABLE FOR THE SUPPORT OF RELATIVES ARE HUSBAND AND WIFE FOR EACH OTHER AND NATURAL PARENTS FOR THEIR CHILDREN WHO ARE UNDER THE AGE OF 21. IF THE WELFARE DEPARTMENT TRIES TO MAKE SOMEONE SUPPORT A RELATIVE WHO IS NOT A SPOUSE OR MINOR CHILD WITHOUT VOLUNTARILY AGREEING, HE SHOULD GET A LAWYER TO ADVISE HIM IMMEDIATELY.

THE NEXT FEW PAGES WILL DISCUSS:

YOUR RIGHT TO APPLY FOR WELFARE (pages 12 and 13)

YOUR RIGHT TO RECEIVE A WRITTEN ANSWER TO
YOUR APPLICATION FOR WELFARE IN 30 DAYS
(pages 14 and 15)

YOUR RIGHT TO RECEIVE MONEY PAYMENTS TO SPEND
THE WAY YOU WANT IF YOU MEET ALL REQUIREMENTS
FOR WELFARE (page 16)

YOUR RIGHT TO A FAIR HEARING IF YOU ARE NOT
SATISFIED WITH THE ANSWER TO YOUR APPLICATION
OR IF YOU THINK THAT YOU DID NOT GET ALL OF
YOUR WELFARE RIGHTS. (pages 17 and 18)

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YOUR RIGHT TO APPLY FOR WELFARE

WHERE DO I GO TO ASK FOR WELFARE MONEY?

To the County Welfare Office in the county
where you live now.

WHAT SHOULD I DO IF IT IS IMPOSSIBLE FOR ME TO GET
TO THE COUNTY WELFARE OFFICE?

Write a letter to your welfare office and tell
them what your needs are. Ask them to
send someone out to see you.

The date of this letter is the date of your
application-- be sure to put the date on
your letter and make a carbon copy of your
letter and keep it.

OR, you can send someone to the office to
apply for you.

CAN I SEND SOMEONE ELSE TO APPLY FOR ME AT THE
COUNTY WELFARE OFFICE?

Yes.

Give the person you send a letter telling the
welfare office that you want this person
to apply for you and sign the letter. Or
call the office and tell them that you are
sending someone to apply for you.

YOUR RIGHT TO APPLY FOR WELFARE(continued from page 12)

CAN I BRING SOMEONE WITH ME FOR ADVICE WHEN I APPLY FOR WELFARE?

Yes.

A recent letter from a high official of the State Department of Welfare says:

"...whenever a client asks that a particular person be allowed to sit in on an interview for the purpose of assisting in giving helpful information, it has always been our policy to grant his request."

WHAT DO I SAY WHEN I APPLY FOR WELFARE?

Tell them that you would like to apply for welfare and what your needs are.

You do not need to give them proof of your wages, age, who you live with, etc. at the time you apply--you and they can get the proof after you apply.

DO I WRITE OUT A FORM TO APPLY?

Yes.

A friend can help you or the welfare worker must help you if you ask for help.

CAN I BRING THE FORM HOME TO FILL IT OUT IF I WANT?

Yes.

CAN THE WELFARE OFFICE REFUSE TO GIVE ME A FORM OR TAKE MY APPLICATION?

No.

YOUR RIGHT TO A PROMPT, WRITTEN ANSWER:

MUST THE WELFARE OFFICE'S ANSWER BE IN WRITING?

YES.

KEEP THE ANSWER FOR YOUR OWN RECORDS!

CAN I GET AN ANSWER IMMEDIATELY?

NO. NOT USUALLY.

YOU MUST RECEIVE AN ANSWER IN 30 DAYS.

(In Mississippi, the welfare department often keeps a person waiting more than 30 days because Mississippi law says that the answer does not have to be sent to you for 60 days. The Federal government in Washington says you must get an answer in 30 days and the Federal government in Washington is stronger than the government of Mississippi. Ask for this Federal right-- it is yours.)

HOW WILL I GET MY ANSWER?

IT WILL PROBABLY COME IN THE MAIL.

WHAT MUST THE ANSWER SAY?

IT MUST TELL YOU EITHER

THAT YOU CAN GET MONEY AND HOW MUCH YOU WILL GET AND
ON WHAT DATE OF EVERY MONTH IT WILL COME,

OR

THAT YOU CANNOT GET MONEY: IF SO, IT MUST TELL YOU
EXACTLY WHAT REQUIREMENTS YOU DID NOT MEET.

IF I MEET THE REQUIREMENTS FOR WELFARE MONEY, CAN THE WELFARE
DEPARTMENT REJECT MY APPLICATION?

NO.

YOU HAVE A RIGHT TO RECEIVE WELFARE MONEY IF YOU MEET
ALL REQUIREMENTS, EVEN IF THE WELFARE OFFICE TELLS YOU
THAT THE COUNTY HAS TOO LITTLE MONEY.

A 67 YEAR OLD LADY WHO LIVES IN MISSISSIPPI SENT IN THIS LETTER:

"Since my husband died...I have been receiving \$30 per month from Social Security. I have no other income...for myself and two daughters and 6 grandchildren, all of whom I support in my home...\$30 is not enough...I went to the welfare office for the first time in April, 1966." I asked for Old Age Assistance. They asked me some questions and I signed some papers. They said I would get a check. I did not get a check and I think it was May when I went back. They signed me up again. I did not get any help and I believe it was June when I returned. They said I would have to sign up again and I would get a check on July 2. I signed but got no check. In July I went to pick up my surplus commodities ticket. As I was leaving a woman stopped me and said she thought I could get a check on July 1. I signed up again. I got no check..."

THIS LADY SHOULD HAVE GOTTEN A WRITTEN ANSWER WITHIN 30 DAYS AFTER SHE FIRST APPLIED IN APRIL 1966.

THERE IS NO REASON WHY SHE MUST REAPPLY IF SHE DOES NOT GET A WRITTEN ANSWER.

INSTEAD, SINCE SHE DID NOT GET A WRITTEN ANSWER IN 30 DAYS,

SHE SHOULD HAVE ASKED FOR A FAIR HEARING. SHE HAD A

RIGHT TO A FAIR HEARING. (THIS PAMPHLET WILL EXPLAIN WHAT

A FAIR HEARING IS ON PAGE 17).

YOUR RIGHT TO RECEIVE WELFARE MONEY IF YOUR APPLICATION IS ACCEPTED.

WHEN WILL I RECEIVE MY MONEY?

THE DATE ON WHICH YOUR CHECK WILL BE SENT EACH MONTH IS

ON THE FRONT OF YOUR LETTER WHICH TOLD YOU THAT YOU

~~WOULD GET~~ WELFARE.

THE FIRST CHECK MUST COME WITHIN 30 DAYS AFTER YOU APPLIED

FOR WELFARE. (Mississippi Law says 60 days; Federal Law says 30 days. Ask for your Federal right.)

CAN THE WELFARE WORKER GIVE PART OF MY CHECK TO MY LANDLORD

OR GROCER TO PAY ANY OF MY BILLS?

NO.

YOU HAVE A RIGHT TOPAY YOUR BILLS YOURSELF. BUT IN THE

CASE OF A HOSPITAL OR DOCTOR BILL, THE WELFARE OFFICE

CAN PAY IT FOR YOU.

CAN THE WELFARE HOME VISITOR TELL ME HOW TO SPEND MY WELFARE

MONEY?

NO.

YOU MAY SPEND YOUR MONEY ANY WAY YOU WISH.

CAN THE WELFARE WORKER MAKE ME TAKE FOOD STAMPS OR ANYTHING

ELSE INSTEAD OF PAYING ME WITH MONEY?

NO.

THE WELFARE DEPARTMENT MUST PAY YOU BY CHECK.

YOUR RIGHT TO A FAIR HEARING:

WHAT IS A FAIR HEARING?

IT IS AN INFORMAL MEETING WHERE YOU CAN TELL YOUR STORY TO A STATE WELFARE PERSON INSTEAD OF TO A COUNTY WELFARE WORKER AND ALSO GET THE HELP OF A LAWYER. THE STATE WELFARE PERSON WILL DECIDE IF YOU SHOULD BE GETTING WELFARE MONEY.

WHO CAN ASK FOR A FAIR HEARING?

ANYONE CAN ASK FOR A FAIR HEARING WHO IS NOT SATISFIED WITH THE ANSWER THEIR APPLICATION FOR WELFARE GOT, OR WHO WAS CUT OFF WELFARE OR THOUGHT THE AMOUNT OF WELFARE WAS TOO SMALL, OR WHOSE APPLICATION GOT NO ANSWER IN 30 DAYS, OR WHO THOUGHT THAT THE WELFARE DEPARTMENT DID NOT TREAT HIM FAIRLY.

HOW CAN I GET BACK PAY IF THE COUNTY WELFARE DEPARTMENT MADE A MISTAKE WHEN IT DID NOT GIVE ME WELFARE MONEY OR CUT MY GRANT?

A FAIR HEARING IS THE ONLY WAY YOU CAN GET BACK PAY.

CAN I MAKE JUST A COMPLAINT INSTEAD OF ASKING FOR A FAIR HEARING?

YES. BUT IF YOU ARE NOT SATISFIED AFTER YOU MAKE YOUR COMPLAINT, THE FEDERAL GOVERNMENT IN WASHINGTON CAN NOT HELP YOU. A FAIR HEARING MAY NOT GIVE YOU SATISFACTION EITHER, BUT IF IT DOES NOT, THE FEDERAL GOVERNMENT IN WASHINGTON WILL BE TOLD ABOUT IT. IF THE FEDERAL GOVERNMENT HEARS ABOUT ENOUGH UNFAIR CASES, IT WILL DO SOMETHING TO HELP THE PEOPLE.

A COMPLAINT WILL NOT GET YOU BACK PAY. A HEARING CAN GET YOU 2 MONTHS BACK PAY.

CAN I ASK FOR A FAIR HEARING AT ANY TIME?

NO.

YOU MUST ASK WITHIN 90 DAYS AFTER THE WELFARE DEPARTMENT TREATED YOU UNFAIRLY. WHENEVER YOU CAN, ASK IMMEDIATELY FOR A FAIR HEARING.

FAIR HEARING (continued from page 17)

HOW DO I GET A FAIR HEARING?

TELL YOUR COUNTY WELFARE OFFICE THAT YOU WOULD LIKE TO REQUEST A FAIR HEARING.

THE COUNTY WELFARE WORKER CAN THEN TRY TO SATISFY YOU. IF SHE DOES SATISFY YOU IMMEDIATELY (THAT VERY DAY AND HOUR) AND GIVES YOU THE SATISFACTORY ANSWER IN WRITING, YOU WILL NOT NEED A FAIR HEARING.

IF YOU ARE NOT SATISFIED WITH WHAT THE COUNTY WELFARE WORKER OFFERS YOU, THE COUNTY OFFICE MUST GIVE YOU AN APPLICATION FOR A FAIR HEARING TO FILL OUT. SEND ONE COPY TO THE PUBLIC ASSISTANCE DIVISION, DEPARTMENT OF WELFARE, STATE OFFICE BUILDING, JACKSON, MISS.

IF YOU WANT TO, YOU CAN REQUEST A FAIR HEARING BY WRITING A LETTER DIRECTLY TO THE PUBLIC ASSISTANCE DIVISION OF THE DEPARTMENT OF WELFARE IN JACKSON. STATE IN BRIEF WHY YOU WANT A FAIR HEARING.

WHEN WILL MY FAIR HEARING BE?

YOU WILL GET A LETTER FROM JACKSON TELLING YOU THAT THEY RECEIVED YOUR REQUEST FOR A FAIR HEARING SEVERAL DAYS AFTER YOU SEND IN YOUR REQUEST.

YOUR HEARING MUST TAKE PLACE WITHIN 60 DAYS AFTER THE STATE WELFARE OFFICE GOT YOUR LETTER.

If your hearing is not held in 60 days, write a letter of complaint to:
Public Assistance Division, Department of Welfare
State Office Building, Jackson, Miss

Send copies to: The Commissioner of Welfare,
Department of Health, Education, and Welfare
Washington, D.C.

and

Marian E. Wright
Henry M. Aronson
538½ N. Farish St., Jackson, Miss.

YOU WILL FIND OUT WHEN YOUR HEARING WILL BE AT LEAST 5 DAYS AHEAD OF TIME.

CAN I BRING A LAWYER AND/OR ANYONE ELSE FOR ADVICE OR AS A WITNESS TO THE HEARING?

YES.

WELFARE CALENDAR

We suggest that each community keep a welfare calendar. This may help you keep track of the progress of each welfare case you deal with. Mark down the name of the person on the date by which the client's case must receive some action by the welfare department. Check back with the client on the day after the deadline date has passed. When a case has not received action on time, request a fair hearing immediately. Please mark down dates by which action must be taken even if you will not be in the county on that day. If you give the calendar to someone else in the community with whom you've been working on welfare, all cases will always get a follow-up.

CRUCIAL DEADLINES TO BE MET:

A written answer to the application must come within 30 days
Application for welfare

A written answer to the application must come within 30 days from the time of application.

(Although Mississippi law allows for a 60 day period in ADC and Aid to the Blind, Federal law, which is clearly superior, states that 30 days is the maximum in all types of welfare cases. See The Mississippi Welfare Rights Handbook, issued by the NAACP Legal Defense and Educational Fund, Inc., p.35)

Receipt of Payments if Application is Accepted

The date on which the check will be mailed each month is on the front of the notice of approval of the application. The first check must arrive within 30 days after the date of application.

(Although Mississippi law allows for a 60 day period, Federal law states that 30 days is the maximum.)

Fair Hearing

Application: You can request a fair hearing up to 90 days after the client receives an unsatisfactory decision or treatment from the welfare department.

Whenever possible, file for a fair hearing immediately whenever the welfare department does not meet a deadline; for example, 31 days after application for welfare if no answer has come.

Acknowledgement of the request for a fair hearing

An acknowledgement, together with the pamphlet "Fair Hearings", will be sent to the complainant when the Public Assistance Division of the Miss. State Welfare Department receives the request. This may take several days.

Notification of the date, time and place of the hearing

The hearing should be held within 60 days after the Welfare Department acknowledges the request for a fair hearing.

(Although Mississippi law allows for "60 days if possible", Federal law says that the period set must be a specific number of days. See The Mississippi Welfare Rights Handbook, p. 38)

The client must receive notification of the date, time and place at least 5 days before the hearing.