

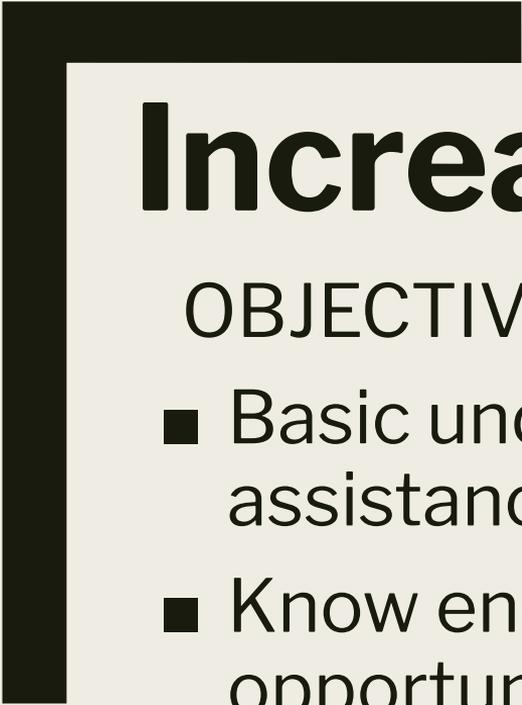
Maximizing Income & Reducing Expenses

Julie McCormack, Marion Hohn, & Betsy Gwin

May 2, 2024

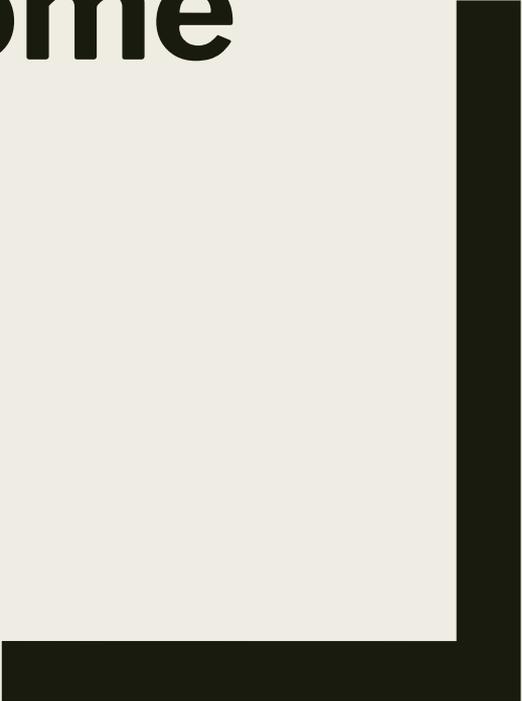
Introductions

Panel



Increasing Income

OBJECTIVES:

- Basic understanding of cash assistance programs
 - Know enough to spot opportunities for clients
 - Know where to apply and refer to legal assistance
- 

Cash Programs Covered

- TAFDC & Child Support
- EAEDC
- Social Security Disability
- Unemployment
- Veterans Benefits
- Tax Credits

Transitional Assistance for Families with Dependent Children

Betsy Gwin

TAFDC – What is it?

- TAFDC = Transitional Aid to Families with Dependent Children
- Cash assistance (“welfare”) program in Massachusetts
- For low-income pregnant people and families with children
- Administered by the Department of Transitional Assistance (DTA)
- Work program and 24-month limit

TAFDC - What is it?

- Cash grant paid twice a month
- September Clothing Allowance (\$450/child)*
- Infant benefit for new babies (under 6 months)
- Potential for child care and transportation benefits
- Education and training
- Relocation benefit
- Transitional Support Services (post-TAFDC)

Who is eligible for TAFDC?

■ Families with dependent children

- Child under age 18 living in household
 - or age 18 and expected to graduate from high school by 19th birthday
- Parent or other relative caretaker
- Ineligible noncitizen parents can get TAFDC for their eligible children

■ Pregnant person

- Teens under age 20: any time in pregnancy
- 20 years & up: within 120 days of due date

TAFDC “Need Standards”

Maximum monthly TAFDC grant amount (Oct. 2022)

# of people	Public/ subsidized housing	Private housing/ no subsidy
1	\$513	\$553
2	\$648	\$688
3	\$783	\$823
4	\$912	\$952

TAFDC Calculation Basics

- Monthly gross **earned** income
- Subtract **deductions & disregards**
- + Add countable **unearned** income
- ≡ The result is countable income
- ⇒ Compare to Need Standard for household size

TAFDC Calculation Basics

- Calculate gross earned income:
 - *weekly gross* x **4.333** *OR*
 - *bi-weekly gross* x **2.167**
- Deductions & disregards
 - Standard work expense deduction = **Subtract \$200**
 - 50% disregard = If TAFDC recipient in past 4 months, also **subtract ½ of the balance**
 - Dependent care costs:
 - Based on age of dependent and # hours worked
 - **Capped at \$200**

Dependent care deduction

Actual costs of care and transportation, up to the maximum limit:

Maximum Dependent Care Deductions			
Hours of Work		Age of Dependent	
Weekly	Monthly	2 or over	Under 2
1-10	1-43	\$44	\$50
11-20	44-87	\$88	\$100
21-30	88-130	\$132	\$150
31+	131+	\$175	\$200

TAFDC – Meet Sylvia

- Sylvia has 2 children
- She earns \$150 per week
- Pays \$180/mo. for preschool
- Has Sec. 8
- **Is she eligible?**



Gross monthly wages :

\$150 x 4.33 = \$649.50 (rounded to) \$650.00

Subtract \$200 work expense deduction - 200.00

= \$450.00

Subtract \$180 childcare - 180.00

Countable income = \$270.00

TAFDC Calculation - Income Disregards

■ **6-month 100% Earned Income disregard**

- DTA will not count ANY wages for six months (12 payments) as long as total income stays below 200% of federal poverty level
- In a 2-parent household, **each** parent's wages are disregarded
- Applies if total household income is under 200% of the federal poverty level
- Once the 6 months has ended, calculate countable income as usual to determine if still eligible

TAFDC Example (Sylvia) cont.

- Need Standard for household of 3: \$783 (subsidized hsg)
 - Her countable income was **\$270.00**
 - This is less than \$783, so Sylvia is eligible for TAFDC!
She gets through the front door.
- For six months, her wages are non-countable and her income will be
 $\$650$ (her wages) + $\$783$ (TAFDC) = **$\$1,433.00$**

TAFDC Example (Sylvia) cont.

- After six months, the 100% wage disregard ends. TAFDC is recalculated.

- To determine countable earned income:

\$650 wages

-\$200 work expense deduction

= \$450 then divide by 2 = \$225 (50% disregard)

-\$180 monthly child care cost

= \$45 countable wages

- Need standard \$783 – \$45 = \$738 monthly TAFDC

Sylvia earns \$650 (wages) + \$738 (TAFDC) = **\$1,388** (a \$45 reduction)

TAFDC - Transitional Benefits

If TAFDC closes due to wages:

■	<u>Work Stipend</u>	<u>Transportation</u>
Month 1	\$200	\$80
Month 2	\$150	\$60
Month 3	\$100	\$40
Month 4	\$ 50	\$20

- Transitional childcare for 12 months

How to Apply for TAFDC

In-person at DTA office - but likely sent to self-service kiosk

Apply online/via smartphone: DTAConnect.com

- Application is available in English, Spanish, Portuguese, Chinese, and Vietnamese.

Call any local DTA office directly to apply by phone - if needed, leave a message and a case manager will call the applicant back.

- Local office contact information:

Mass.gov/orgs/department-of-transitional-assistance/locations

DTA Rights

- Right to apply
- Right to be notified of proofs needed
 - should be fewer than in the past!
- Right to written notice of approval and amount of benefits, or denial and reason
- Right to interpreter in preferred language
- Right to non-discrimination, including disability-related: ADA reasonable accommodation
 - *Client Assistance Coordinator (CAC)*
- Right to appeal

DTA Advocacy Tips

- Advocacy Guides on: [MassLegalServices.org](https://www.mass.gov/info-details/mass-legal-services)
- Legal resource finder: [masslrf.org](https://www.mass.gov/info-details/mass-legal-services)
- Check DTA regulations & DTA Online Guide:
 - [www.mass.gov/dta/regulations](https://www.mass.gov/info-details/dta-regulations)
 - <https://www.mass.gov/info-details/the-department-of-transitional-assistance-online-guide>
- If “stuck”: Contact DTA Ombudsperson –
Sara Craven, 617-348-5354,
sara.craven@state.ma.us

MassLegal
Services

Child Support & TAFDC

■ Families on TAFDC

- *Child support for a child on the TAFDC grant is assigned to state, \$50 pass-through to family*
- *Must cooperate unless there is “good cause”*
 - Grandparent caregivers
 - Haitian New Arrivals separated involuntarily
 - Domestic violence

■ Families not on TAFDC

- *Child support can be obtained or upwardly modified*
- *Dept. of Revenue can assist*
- *Increases effective from date of filing motion for modification, so don't delay!*

Questions



Emergency Assistance to Elderly, Disabled and Children

Marion Hohn

EAEDC - What is it?

- EAEDC = Emergency Aid to Elders, Disabled and Children
 - State-funded (MA only) **cash assistance** program for very low income households
- Administered by DTA
- MassHealth & SNAP eligibility

EAEDC Categories



- Disabled (largest group)
- Mass. Rehab Commission (MRC) Participants
- Elders
- Caring for Disabled Person
- Caretaker Families

EAEDC - Disabled

- EAEDC disability process is easier to meet than SSI
 - Can qualify within 30 days
 - Medical Provider completes a **Medical Provider Statement (MPS)** & confirms disability or health condition that reduces ability to support oneself & lasts at least **60 days**
 - Can self-declare disability if unable to get a medical appointment by MPS due date (must have appointment pending)
 - MPS can be completed by:
 - *Doctor (MD), Physician Assistant (PA), Nurse Practitioner (APRN or NP), Osteopath (DO), Psychologist (PhD), Podiatrist (DPM), Licensed Clinical Social Worker (LCSW), Licensed Mental Health Counselor (LMHC), Psychiatrist (MD), or Certified Nurse Midwife*

EAEDC - Mass. Rehab Commission (MRC) Participants

- verified with a letter from MRC indicating active participation in an education or training program with MRC

EAEDC - Elders

- 65 years of age or older

EAEDC – Caring for Disabled Person

- caring for a person with a disability in the home

Who must:

- be **disabled**, in need of **constant care**, and at **risk of institutionalization** without constant care; (verified by a **written statement** from the disabled person's physician) &
- **cannot** have: countable income (earned or unearned) **\$1500+ monthly**

- Caregiver must meet EAEDC financial eligibility rules

EAEDC – Caretaker Families

- Adult caring for & living with an unrelated or distantly related child (must be ineligible for TAFDC due to the TAFDC relationship rules)
- Child and adult may both qualify for aid
 - Qualifying adult can chose to be included
- Adult caretaker must get legal guardianship or custody within 6 months (unless good cause)



EAEDC – Immigrants

- Legal permanent residents (LPR), refugees, asylees, Cuban/Haitian entrants, parolees and
- Immigrants “permanently residing under color of law” or PRUCOL (DHS is aware of, not intend to deport)
 - Includes pending petitions/applications for immigration relief
 - Not an “immigration status” but a benefits category

EAEDC - Immigrants continued

- No counting of sponsor income
- No 5-year bar for EAEDC, may help jump 5-year bar in SNAP if severely disabled LPR
- Some disabled immigrants in families may qualify for EAEDC if not eligible for TAFDC
- Immigrants ineligible for SSI may qualify

EAEDC – Financial Eligibility

- Income Rules:
 - *\$ for \$ unearned income counts against grant*
 - *DTA does not count all earned income when determining eligibility and benefit amount for EAEDC*
- Assets do not count



Living Arrangement	Income Limit/Payment Level
<p>You live alone. Or you live with your spouse or children who don't get TAFDC or EAEDC. You have shelter costs (mortgage, rent, etc.)</p>	<p>\$401/month + \$121 for every household member</p>
<p>You do not have a place to live, or you live in a shelter during the night. You have no shelter costs.</p>	<p>\$401/month + \$121 for every person who shelters with you</p>
<p>You live in a licensed rest home, also known as a residential care facility.</p>	<p>EAEDC pays facility's monthly rate. You get \$72.80/month.</p>
<p>You live with your spouse who gets EAEDC personally or TAFDC for a young extended family member. You</p>	<p>\$267.30/month + \$80.80 for every household member</p>

EAEDC – Calculation Basics: Earned Income

- Calculate gross earned income
 - weekly gross x **4.333** OR
 - Bi-weekly gross x **2.167**
- Deductions & disregards
 - Standard work expense deduction = **Subtract \$200**
 - **Subtract \$30 and 1/3** of the remaining income for 4 consecutive calendar months
 - **Subtract \$30** for the next 8 calendar months

Example

Mark **works part-time** and applied for EAEDC because his disability prevents him from working more hours. He is gross earning are \$250 bi-weekly.

- $\$250 \times 2.167 = \541.75
- Subtract \$200 = \$341.75
- Subtract \$30 = \$311.75

During months 1 - 4:

- Subtract $\frac{1}{3}$ of \$311.75:
 - $\$311.75 - \$93.53 = \$218.22$
- Countable income = \$218.22
- Max EAEDC amount: \$401
- Subtract \$218.22 from \$401
- Mark's EAEDC amount = \$182.78

During months 5 -12:

- $\$250 \times 2.167 = \541.75
- Subtract \$200 = \$341.75
- Subtract \$30 = \$311.75
- Max EAEDC amount: \$401
- Subtract \$311.75 from \$401
- Mark's EAEDC amount = \$89.25

EAEDC – Meet George

- George was working in landscaping, but his father had a stroke and requires assistance.
- George leaves his landscaping job and moves in with his father to take care of him.
- Now George has no income.
- **How can we help George?**



EAEDC – Meet James

- James is in his mid-30s and has cognitive, mental and physical disabilities.
- He tells you he is homeless, lacks transportation, and is not familiar with the area.
- He also tells you that he applied for EAEDC and was denied because he did not submit the verifications on time.
- He also tells you that he was unable to provide a medical report because he does not know any medical providers in MA
- **How can we help James?**



Questions



Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI)

Julie McCormack

SSDI/SSI Disability – What is it?

- Two cash assistance programs paid monthly, administered by the Social Security Administration (SSA)
- Social Security Disability Insurance (SSDI)
 - Disabled or retired
 - Must have work history (10 yrs plus, less if < 26)
 - No income/asset test
 - Citizen or Qualified Non-Citizen, Residency not required
- Supplemental Security Income (SSI)
 - Disabled or elderly (65+)
 - low income and assets
 - No work history requirement
 - Citizen or Qualified Non-Citizen, Residency **IS** required
 - In MA, additional \$\$ - SSP State Supplemental Payment
- Some low wage workers get both SSDI and SSI



SSDI v SSI – what’s different?

SSDI	
Payment	Max. \$3,822/m
Eligibility	Disabled & Insured
Insured	FICA/Taxes on earnings, 5 of 10 years pre injury/illness
Spouse & Dependents ↑ \$\$\$	
Payment up to 1 year prior to app	
Insurance Program	

SSI (+ SSP)	
Payment	Max \$943/m, SSP \$114.39
Eligibility	Disabled/Elderly & Poor
Poor	Income < Payment Rate Resources < \$2000
Household ↑, \$\$\$ ↓	
Payment from application date	
Welfare Program	

Both SSI and SSDI use the same MEDICAL standards for disability

Who is “Disabled”?

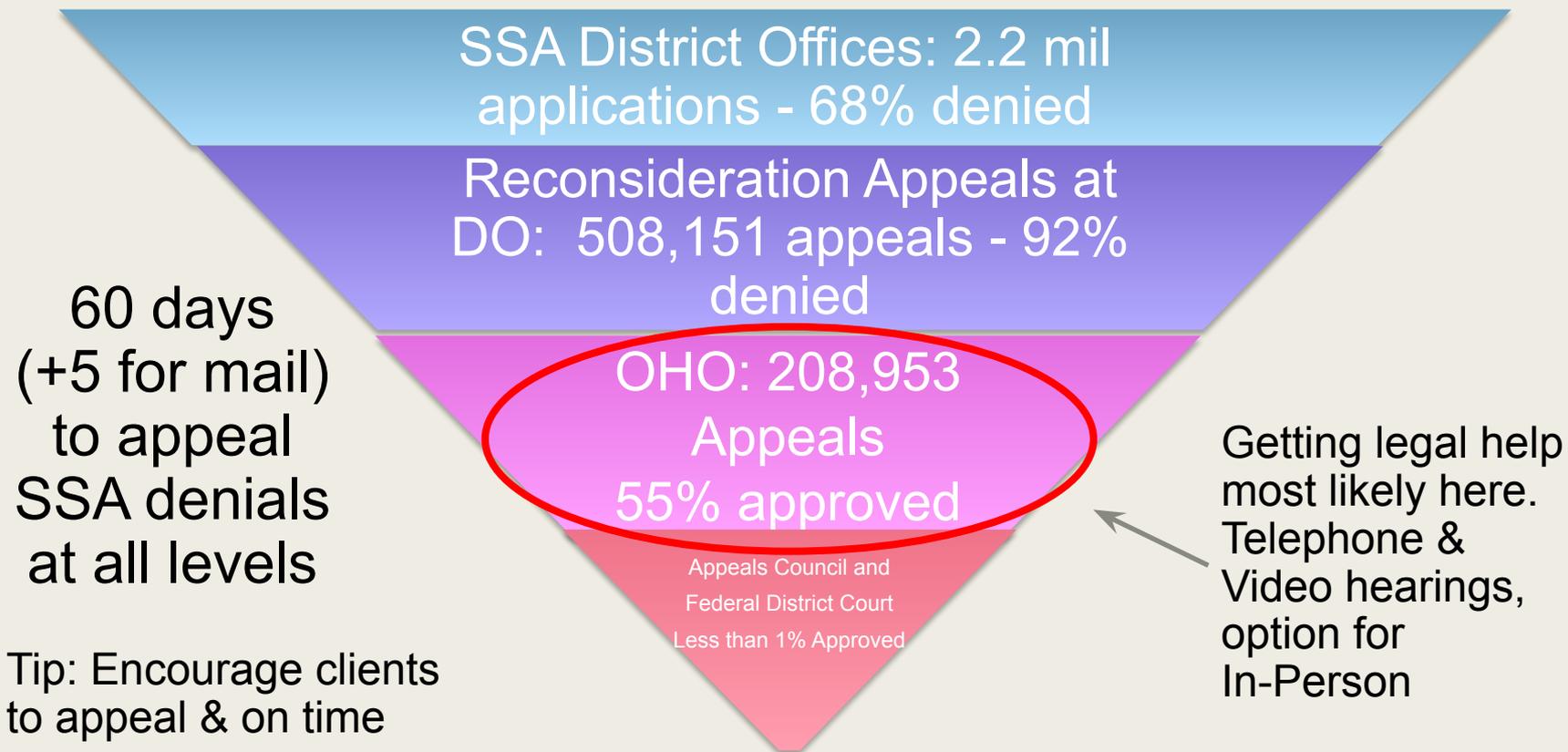
- An adult who is unable, due to mental and/or physical problems, to support themselves through earning.
- A child who has marked and severe functional limitations due to mental and/or physical problems.
- Lasting at least 12 Months
- FUNCTIONAL assessment.
- Looking at sets of medical criteria called “Listings” - different sets for adults/children
- For adults, also considering age, education and past work history.
- Requires significant support from treating doctors and other medical providers.

How do I apply?

- You can call SSA at 1-800-772-1213 (TTY 1-800-325-0778); or
- You can complete an application for Retirement, Spouse's, Medicare or Disability Benefits online at <https://www.ssa.gov/>

Since the pandemic, visits to SSA offices have been limited - appointments are STRONGLY recommended, using online services encouraged.

The SSA Disability Claims Process



Drug Abuse and Alcoholism (DAA)

- If DAA is “material” to the issue of disability, then eligibility **MUST** be denied



Complicating, but **NOT** automatically disqualifying for people with a substance abuse history or current habit, or people with ongoing disabilities caused by DAA (e.g., organic brain damage, liver disease)

SSI & SSDI – Meet James (again)

- James is in his mid-30s and has cognitive, mental and physical disabilities.
- homeless,
- lacks transportation, and is not familiar with the area,
- Approved for EAEDC (thx, Marion!).

What about SSI?

What about SSDI?



What if I Disagree with SSA? How do I File an Appeal?

- Online at <https://www.ssa.gov/benefits/disability/appeal.html>
- Sending an appeal in writing by Mail or Fax to the local SSA office
Use <https://www.ssa.gov/locator/> to find mailing and fax information
- Appeals must be filed within **60 days** of receiving notice (SSA assumes you get the notice within 5 days, so deadline is **65 days from notice date**)
- “Good Cause” for filing a late appeal applies if good reason, including COVID, caused the delay - SSA will still accept the appeal (be sure to explain the delay)

SSA will provide an interpreter during calls to **1-800-772-1213**

- For Spanish, press 7. For other languages, wait through prompts to request once a live representative comes on the line

SSDI/SSI and Wages

- Low wage/limited work history/low asset recipients often get a combination of SSI and SSDI – capped at SSI payment level + \$20
- The two programs have very different work incentives rules
- Paid training programs and stipends DO NOT count as wages

SSI Recipient & Wages: Meet Elena

- If no income other than wages and SSI, take gross wages, subtract \$85 (\$20 general disregard, \$65 earnings disregard) and $\frac{1}{2}$ of balance, subtract the result from the SSI payment level.

Elena lives alone and gets SSI of \$1057.39/month
She gets a job earning \$210/week (\$903/month)
How much of the \$903 is counted?

\$903 wages	\$1057.39 SSI
- <u>\$85</u>	<u>\$409</u>
\$818 - Countable wages	\$648.39 SSI
subtract $\frac{1}{2}$ of \$818 = \$409	



Elena earns \$903 plus gets \$648.39 in SSI = **\$1,551.39**

SSDI Recipient & Wages

- SSDI Work Incentives are different (BETTER) from SSI!
 1. **Trial Work Period** – Earnings over \$1,110 p.m.
9 months (not necessarily consecutive) in 5 years
No impact on SSDI benefit
 2. **Extended Period of Eligibility** – 36 consecutive months after end of Trial Work Period -
in any month earning under SGA (currently \$1,550),
no impact on SSDI
 3. **After** end of Extended Period of Eligibility
If earn over SGA in a month, benefits terminate.
Can apply for expedited reinstatement

Questions



Unemployment Insurance

Julie McCormack

UI – What is it?

- Unemployment Insurance Benefits - cash and other assistance
- Dept. of Unemployment Assistance
- Must Be:
 - *legally authorized to work in the U.S.*
 - *unemployed, or working significantly reduced hours, through no fault of your own*
 - *able, available and actively seeking suitable work*
- And Have:
 - *earned at least \$6,300 and 30 x your weekly benefit amount*
 - *worked 15 weeks (about 3 months) in prior 12 months*
- Must certify weekly

UI - Separation from Work

- Unemployment must be for a reason that isn't the employee's fault
- Myth buster: Not all Firings and Quits are disqualifying

UI- Applying and Dealing with DUA

- Apply through UI online (English) or 877-626-6800 (Multilingual)
 - *Desktop computer for English Form*
 - *Smartphone/tablet for Spanish, Portuguese, Chinese, Vietnamese and Haitian Creole)*
 - *English UI application is NOT mobile friendly*
 - *UI application is available in Spanish, Portuguese, Chinese, Vietnamese and Haitian Creole, but must choose “mail” for subsequent interactions as the rest of the system is English only through desktop computer*
- Weekly Certification - through UI Online (English only on desktop) or Telecert. Telecert available in English, Spanish, Portuguese and Cantonese. Instructions available in 13 languages.

UI - Weekly Certification (even if not yet getting benefits)

To qualify for benefits, each week, must be:

- Physically able to work
- Available to work
- Actively looking for SUITABLE work (3 work search attempts)
- Register with a MassHire Career Center if required

UI Benefit Amounts & Earnings from Part-Time Work

- Benefits generally $\frac{1}{2}$ of weekly wages, capped at \$1033/week (adjusted yearly)
- Plus \$25 per dependent child
- There is an online eligibility calculator at www.mass.gov/topics/unemployment (helpful website)
- Effect of part-time work on Unemployment Benefits:
 - *Can earn up to $\frac{1}{3}$ of benefit amount with no impact on Unemployment check*
 - *Additional earnings will be deducted from the Unemployment check*

UI and Wages – Meet Sam

- Sam is single and has 1 child. She gets \$300/week in UI benefits, plus an additional \$25 dependents benefits
- She earns about \$100/week driving with Lyft.
No impact on benefits since less than 1/3.
- Some weeks she earns up to \$200/week.
The first \$100 in wages = no effect.
The additional \$100 in earnings is subtracted from benefits, so:

UI Benefits: \$325.00

First \$100 Wages: + \$100.00

Second \$100 Wages - \$100.00

Sam's weekly income = **\$425.00**



UI - Overpayments

UI Overpayments - Options

- Appeal
- Seek Waiver

Can apply through DUA On-line

Must show

a) Not at fault, and

b) Either Repayment would cause hardship **or** else
be against “equity and good conscience”

- Repayment Agreements

UI - Sleuthing Problems to Assist Clients

- DUA On-Line - With client's permission, log into UI online account
 - *Will need client's SSN and password*
 - *Check Monetary Determination to make sure all jobs/wages are included*
 - *Look at "View and Maintain Account Information"*
 - *Look at Monetary Issues and Summary*



UI - Sleuthing Problems to Assist Clients, cont.

- Disqualifications Can Be Appealed!
- Waivers can be requested for Overpayments
- Often state legislators (or Congress members) are able to assist clients with getting through the DUA bureaucracy

Questions



Veterans Affairs (VA) & Chapter 115 Veterans Services Benefits

Betsy Gwin

Screening question

“Have you or anyone in your family served in the military?”

Programs for Veterans

US Dept. Veterans Affairs

- Pension Benefits (<100%FPL)
- Service-Connected Disability Compensation (NOT means tested) – **Max \$3,877/m**
- Survivor/Dependent Benefits
- VA Healthcare
- Compensation for Injuries Caused by VA Healthcare
- Others: Burial Expenses, Education Benefits, Voc. Rehab., Home Loans, etc.

MA Veterans Services/ Ch. 115

- Critical source of financial supports
 - *Temporary crises*
 - *Long-standing needs*
 - **Eligibility up to 200% FPL**
- Helps fill gaps left by other programs or caused by delays at VA or SSA or elsewhere
- Local VSOs connect veterans to services/resources
- Can cover medical expenses, moving costs, rent or utility arrearages, etc.

How do Veterans and Military Families Apply?

- To apply for all Veterans-related Benefits, contact the local Veterans Service Officer (VSO) in your city or town.
- To find your local VSO visit <https://massvetben.org/find-your-vso/>
Or check your city or town's website.
- You can also call Executive Office of Veterans Services (EOVS):
617-210-5480.
- Information and resources about filing for federal VA benefits can be found at <https://www.benefits.va.gov/BENEFITS/Applying.asp>
- Disabled American Veterans (DAV) can also assist with applications and appeals <https://www.dav.org/get-help/>

**Financial benefits are available to
low-income Massachusetts
veterans.**

FIND OUT IF YOU MIGHT BE ELIGIBLE



Veterans Benefits & Wages

- **VA Service-Connected Disability Compensation**
 - *No limit on earnings even if 100% service connected disability rating*
 - *Rating % depends on severity of disability*
- **VA Non-Service Connected Pension**
 - *Over 65 or totally disabled (NOT connected to military service)*
 - *Income must be <100%FPL*
- **MA Ch. 115** can cover workers with earnings up to 200%FPL

Questions

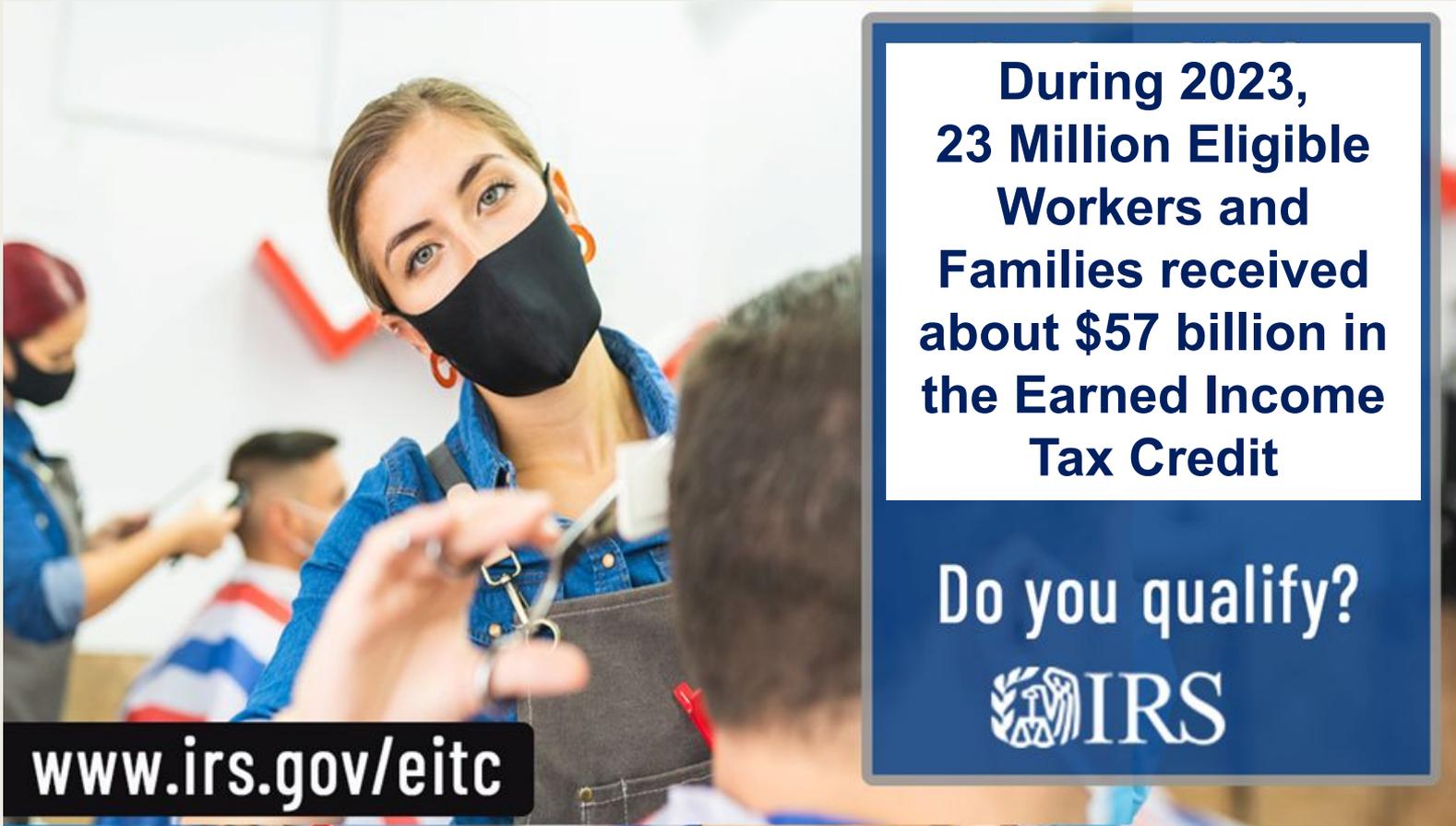


Earned Income Tax Credit & Child Tax Credit

Julie McCormack

Tax Benefits – EITC, etc.

- Earned Income Tax Credit
 - *For working people with low or moderate income*
 - *Even workers without children who owe **\$0** taxes can get **\$\$** back*
 - **1 in 5** eligible workers don't get the EITC;
 - they don't know about it,
 - don't know how to claim it, or
 - don't know where to find trustworthy tax help
 - *Can claim credit for up to three prior years if eligible and not previously claimed*



**During 2023,
23 Million Eligible
Workers and
Families received
about \$57 billion in
the Earned Income
Tax Credit**

www.irs.gov/eitc

Do you qualify?



EITC 2023 Credit Amounts (current tax year)

- Credit amount up to:

- **\$7,430** with three or more qualifying children

 - Income limit of \$56,838 (\$63,398 if married)

- **\$6,604** with two qualifying children

 - Income limit of \$52,918 (\$59,478 if married)

- **\$3,995** with one qualifying child

 - Income limit of \$46,560 (\$53,120 if married)

- **\$600** with no qualifying children

 - Income limit of \$17,640 (\$24,210 if married)

 - *workers age 25 - 64 if not full-time students, earnings over \$1*

COVID-related Recovery Rebate Credit

If you didn't get your full Economic Impact Payments in 2020-2021, you may be eligible to claim the Recovery Rebate Credit for up to **THREE years**

Deadline for tax filing is **THREE years from tax filing due date**

– so May 17, 2024 for returns that were due in 2021 – last chance!

Anyone with income of \$79,000 or less can file their own Federal tax return electronically for free through the IRS Free File Program <https://www.irs.gov/>

Anyone who earned less than \$70,000 in 2023 can find free tax help by going to

<https://www.bostontaxhelp.org/> or
<https://irs.treasury.gov/freetaxprep/>

Massachusetts Earned Income Credit

- Massachusetts also has an Earned Income Credit, which is 30% of the federal credit
- The average federal EITC last year was \$2,411; Massachusetts would add \$723
- Must file a state tax return

Federal Child Tax Credit

- For 2023, the child tax credit was worth \$2,000 per qualifying dependent child if your modified adjusted gross income was \$400,000 or below (married filing jointly) or \$200,000 or below (all other filers)
- For children 17 and younger (includes other young relatives)
- CHILD has to have a SSN valid for work
- CHILD has to be US Citizen, national or LPR
- No Income Required for this Credit! Just file tax return

MA Child & Family Tax Credit

- For 2023, \$310 per qualifying individual
 - A dependent child under age 13 (incl. relatives);
 - A disabled dependent or spouse; and/or
 - A dependent age 65 or over.

The dependent cannot be you or your spouse at the end of the tax year.

- MA residents for at least part of the tax year
- Do not have to have a SSN, do not have to have earned income

<https://www.findyourfunds.org/>

Website created by coalition of MA service partners to help eligible filers find all the information they need for these payments and credits.



Questions



RECAP

Opportunities for Action and Advocacy

- Lift Kids Out of Deep Poverty - campaign to raise cash assistance levels to 50% FPL
- Feeding Our Neighbors - restoring cash and SNAP assistance for legally present immigrants in MA
- An Act to Further Family Centered Child Support

Lift Our Kids

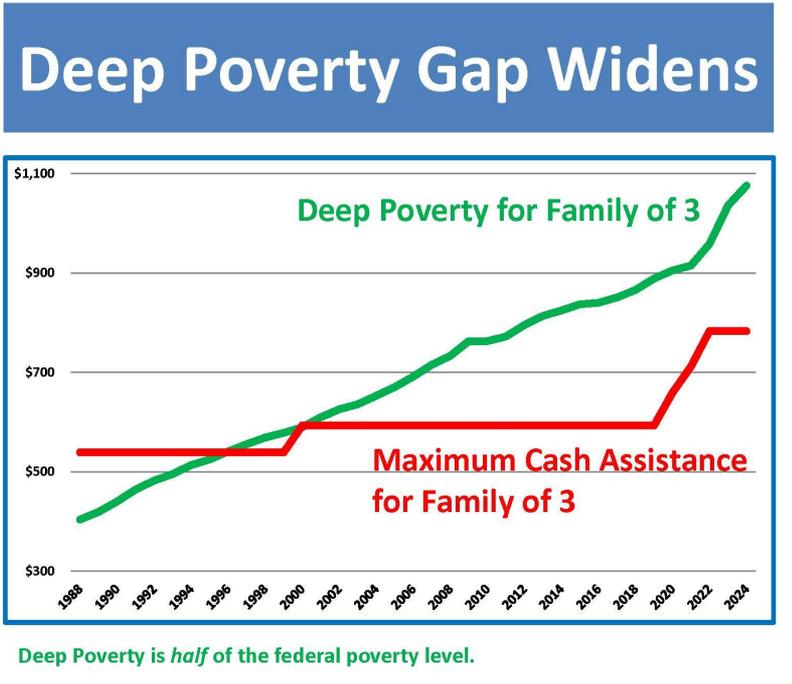
An Act to Lift Kids Out of Deep Poverty (H.144/S.75), filed by lead sponsors Representative Marjorie Decker and Senator Sal DiDomenico, sets a floor for financial assistance at 50% of the federal poverty level.

For family of 3, grant would increase from \$783 to \$1076 a month (with no other income).

Lift Our Kids Coalition made up of 160 organizations from across Commonwealth.

Coalition advocating for TAFDC/EAEDC increases in FY25 budget

To learn more, visit <http://www.liftourkidsma.org>



Feeding Our Neighbors Coalition: Restore Basic Benefits for Massachusetts Immigrant Residents!

An Act establishing basic needs assistance for Massachusetts immigrant residents (H. 135, S.76)

Filed by Senator Sal DiDomenico, Representatives
Antonio Cabral and Judith Garcia

More info: Pat Baker, MLRI pbaker@mlri.org
Norieliz De Jesus, La Colaborativa,
norielizd@la-colaborativa.org

Get involved!

<https://www.feedingourneighborsma.org/>

- This bill would restore basic food assistance (SNAP) to legally present immigrants (elderly, disabled, families with children) and cash benefits (TAFDC) to families with minor children.
- Will impact low income immigrants with pending asylum, humanitarian parole, victims of violence, TPS, Dreamers.
- MA provided state funded benefits 1997 to 2002 after 1996 Welfare Reform Law.
- Six states currently provide state-funded benefits to legally present but federally-ineligible immigrants: CA, CT, IL, ME, MN & WA.
- Succeeded in getting \$6M in state-funded SNAP for FY24, advocating to make permanent

Family-Centered Child Support

- H.127 (Barber, Armini), S.70 (Creem)
- Parental choice - Would allow custodial parents who receive TAFDC for a child to opt out of formal child support system when pursuing a court order for support is not in the child's best interest
- 100% pass-through - Would pay to the family all child support collected for a child who receives assistance instead of sending most of it to the state and federal governments
- For more info, email:
 - ChildSupportChoice@mlri.org

Hypo #1

Questions:

If Rosalie loses her job, what are her income options?

What are ways Rosalie can increase her family's income?

Rosalie is 34 and has one child, age 6.

She is a veteran.

She hit her TAFDC time limit a little over one year ago, and her TAFDC stopped then.

She works 12 hours per week as a waitress, and usually makes \$160 per week including tips. Rosalie cannot work more than 12 hours per week because of depression and anxiety which makes her feel very overwhelmed by all the things that she needs to do to care for her family.

She sometimes misses scheduled hours of work because she has unpredictable panic attacks which make her unable to leave her home.

Increasing Opportunity & Reducing Expenses

OBJECTIVES:

- Basic understanding of cash saving and non-cash subsidies and resources
- Know enough to spot potential for clients

Programs Covered

- Transportation
- Child Care
- SNAP/Food Supports
- Education and Training
- Utilities
- Homelessness Prevention Funds
- Health Insurance

Transportation

Julie McCormack

Transportation Subsidies

- Disabled MassHealth recipients can get reduced cost transportation with “The Ride” to medical appointments
 - *pilot “on-demand” \$40 subsidy Uber/Lyft/Curb*
 - *provider options pilot using Lyft or Curb*
- Free MBTA use for children 11 and under, and blind/vision impaired individuals
- Reduced fare MBTA use for seniors, disabled individuals, students, low-income adults 18-25, and anyone getting DTA or other safety net benefits (starting summer 2024)
- www.mbta.com/fares/reduced
- **PVTA & WRTA also provide subsidies***

Reduced One-Way Fares



Subway One-Way

\$1.10

with reduced fare card

1 free transfer to Local Bus within 2
hours



Local Bus One-Way

\$0.85

with reduced fare card

1 free transfer to Local Bus within 2
hours



Inner Express Bus One-Way

\$2.10

with reduced fare card

1 free transfer to Local Bus within 2
hours



Outer Express Bus One-Way

\$2.60

with reduced fare card

1 free transfer to Local Bus within 2
hours

TAFDC Transportation Assistance

- TAFDC Recipients who are working or in most Employment Development Plan activities receive **\$80**/month transportation stipend
- Automatic unless declined
- Can start 1 month before the activity starts
- Bluebikes discount
<https://www.bluebikes.com/pricing/income-eligible-program>

Questions



Child Care

Betsy Gwin

Subsidized Child Care

Who is eligible for subsidized child care?

- **TAFDC recipients**
- **Former TAFDC recipients**
- Homeless families (with EOHLC referral)
- Teen parents
- DCF-involved families
- Other income-eligible families
(but long wait list)

Child Care for TAFDC Recipients

- TAFDC recipients get **FREE** child care for approved activities
- If work-program required, DTA will authorize 12 weeks of childcare to look for work or an activity
- If working or enrolled in activity, DTA will authorize 12 months full-time childcare
 - *Non-parent caregivers not on the TAFDC grant can get childcare if doing paid work*
- No Wait List!
- Also covers children not on the TAFDC grant (e.g. who receive SSI)

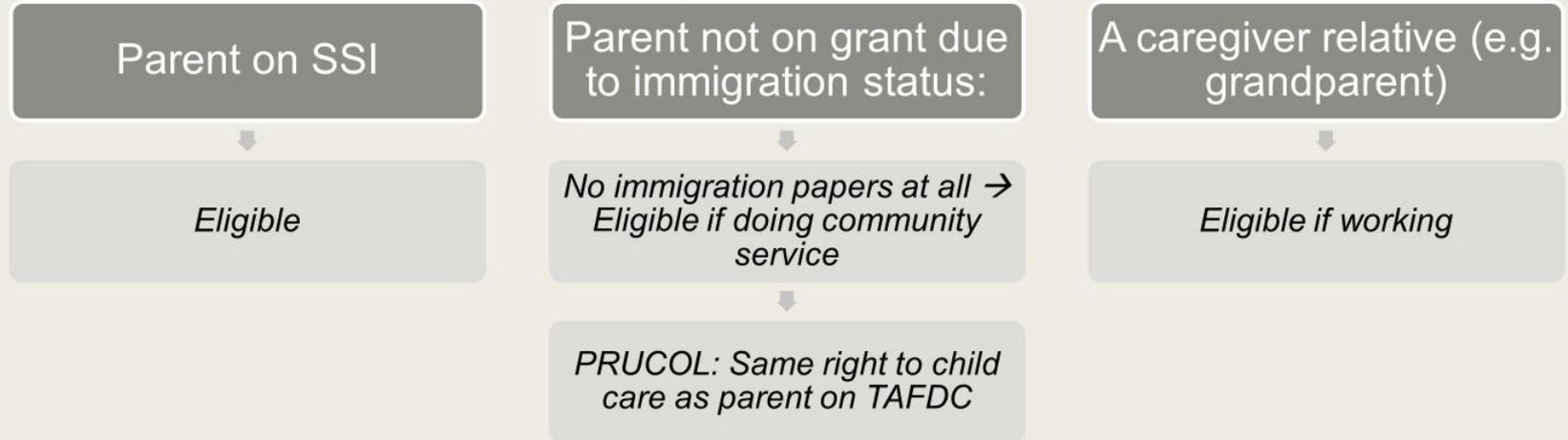
Child Care for TAFDC Recipients in Shelter

- Previously, TAFDC Child care has been limited to families where a parent is in a work activity
- DTA recently extended child care to families currently on TAFDC who are in shelter
 - *Policy written for **families in shelter only**, not homeless families generally (e.g. doubled up or waiting to get in shelter)*
 - *Includes EOHLC, Domestic Violence, Young Parent Living Programs, and other emergency shelter placements*
- TAFDC recipient unable to participate in a program due to being homeless or due to DTA not having an appropriate Pathways to Work activity available

Child Care - TAFDC Recipients

- Get child care referral from DTA
 - *Contact Full Engagement Worker (DTA.EmploymentServices@state.ma.us)*
- Contact Child Care Resource and Referral Agency (CCR&R) to set up an appointment
- CCR&R will issue childcare voucher
- Find a provider
 - CCR&R Locator:
<http://www.eec.state.ma.us/ChildCareSearch>
 - Call 211

TAFDC Child Care: What if the parent isn't on the grant?



Child Care - former TAFDC Recipients

- Former TAFDC recipients can get Transitional child care [**even if short time on TAFDC**]
 - *Former TAFDC recipient whose case closed within the past **24** months and is now employed or in education or training*
 - No wait list
 - No fees for first 12 month after TAFDC case closed
 - *Notify CCR&R when TAFDC case closes, but no need to renew voucher until it expires*
- At end of transitional child care, eligible to switch to income-eligible child care without going on waitlist

Subsidized Child Care

Service need (hours of care)

- Part-time (20-30 hrs) or full-time (30-50 hrs)
- Includes paid employment, education and training, retirement, disability, homelessness
- Includes study time
 - *For each hour in education or training, count 2.5 hours to allow for home work/study*
- Includes travel time
 - *Add up to 5 hours/week if 20 hours or more of activity*

Questions



Education & Training

Julie McCormack

Education and Training

3 Main Means of Access:

- *DTA Education and Training*
- *Unemployment benefits Education and Training*
- *Individual Training Accounts*

DTA Employment & Training

- TAFDC Pathways to Self-Sufficiency
- Usually limited training – 4-12 weeks, CNA, medical office work, food service, dental asst.
- DTA Works – (30 hours/week up to 6 months at DTA office) dtaworks@state.ma.us
- DTA child care and transportation \$ for approved non-DTA programs including college
- Young Parents Program (pregnant or parenting 14-21 without high school diploma)
- SNAP Path to Work

Unemployment Benefits Education & Training – Section 30

- Section 30 extends Unemployment Benefits (does not pay for the training)

*Up to additional 26 weeks of UI benefits,
eliminates obligation to do job search*

- Must apply within first 20 weeks unless good cause
- Unemployed and unlikely to obtain suitable work with current skills
- Vocational, basic skills – can include ELL
- Generally must be full-time

Career Center ITAs

- Individual Training Accounts (ITAs) through MassHire Career Centers – pays cost of training program
- Unemployed/underemployed workers who lack skills to get a job that leads to self-sufficiency
- Must first utilize basic and core services
- Must be an approved program
- Can be combined with Section 30
- <https://www.mass.gov/service-details/workforce-individual-training-program-ita>

Questions



Supplemental Nutrition Assistance Program (SNAP) & WIC

Marion Hohn

SNAP (Food Stamps)



- Families/individuals can often get SNAP even if ineligible for cash assistance – income limits are higher:
 - *200% of FPL for most households*
- There is no asset limit for most SNAP households
- Many college students can qualify
- SNAP awarded from date of application, so don't delay!
- SNAP calculators available at:
 - www.masslegalservices.org/content/massachusetts-snap-calculators

SNAP Benefits

- Max SNAP benefit



person = \$291



2 persons = \$535

- Minimum SNAP benefit for 1 and 2 persons = \$23
- Free School meals
- Discount on Gas & Electric Utilities
- Discount on Telephone Bills/Broadband
- Healthy Incentives Program (HIP) - extra \$40-\$80
- MBTA Youth Pass 
- SNAP Card to Ride Program
- EBT Card to Culture

SNAP Calculation Basics

- Calculate gross income:
 - Multiply weekly income by 4.333; multiply bi-weekly income by 2.167
- For self-employment income including gig workers:
 - Only count pre-tax net income – *after* all business-related expenses

In general, SNAP looks at “anticipated” income over certification period, not income from terminated sources

SNAP Calculation Basics

In general, SNAP is based on **income after 6 possible deductions:**

1. A **standard deduction** based on household size
2. The **20% earned income deduction** (off gross income),
 - Or pre-tax self employment - after business expenses
 - includes verified child support paid out of earnings
3. **Health care** costs of 60+ or disabled members only
4. **Dependent care costs** (child or disabled adults)
5. Legally-obligated **child support** paid out
6. **Shelter costs**
 - rent/homeownership + utilities (standard utility allowance)
 - OR homeless deduction

How to apply for SNAP

- On-line @ DTACConnect.com or DTACConnect App
- In person @ a DTA office
 - By phone 877-382-2363 (press #7) or if 60+: 833-712-8027
- Mailing or faxing a paper SNAP application
 - <https://www.mass.gov/how-to/apply-for-snap-benefits-food-stamps>
- Through the SSA when applying for or renewing SSI benefits
- By phone through DTA Outreach Partner:
 - <https://www.mass.gov/info-details/snap-outreach-partners>
- Via checkbox on MassHealth/Medicare Savings Plan applications



No Service 6:19 AM Home Logout



Cash Benefits Status: Active

EBT Balance Next TAFDC Benefit \$342.00 on 2/10/17
\$30.03
 Effective as of 1/12/17 Benefit Detail >

SNAP Benefits Status: Active

EBT Balance Next SNAP Benefit \$343.00 on 2/10/17
\$217.83
 Effective as of 1/12/17 Benefit Detail >

Alerts

! TAFDC Reevaluation Due
 Reevaluation Date: 1/21/17
 It is time to reevaluate your TAFDC benefits. Your Transitional Aid to Families with Dependent Children (TAFDC) benefits are due to end on 1/21/17. >

! SNAP Reevaluation Due
 Reevaluation Date: 1/21/17
 It is time to recertify your SNAP benefits. Your Supplemental Nutrition Assistance Program (SNAP) benefits >

Home Activity My Info Upload More

No Service 5:16 PM



If you are the head of household, please enter your information to access your cases with DTA.

SOCIAL SECURITY #

YEAR OF BIRTH (YYYY)

Login

DTA Information

85

SNAP - Immigrants: NO waiting period

- Entered US as a Refugee
- Granted Political Asylum
- Granted Withholding of Deportation
- Victims of Trafficking (in persons)

- Haitians or Cubans with Pending Asylum, Humanitarian Parole, in removal proceedings
- Iraqi and Afghan with Special Immigrant Visa status (SIV) and Humanitarian parolees
- Afghan evacuees and Ukrainians with Humanitarian Parole

SNAP- Immigrants: But possible waiting period

MAY need to wait 5 years:

- **Legal Permanent Residents**
 - LPR via relative, lottery, employer petitions
- **Humanitarian Parole** with 365+ days of parole status
- Certain **battered immigrants** (VAWA petitioners)

Exceptions to 5-year wait:

- Children - under age 18
- Adults who receive disability-based benefit
 - e.g. EAEDC cash, MassHealth/disabled
- LPRs who have 10 years of countable work history
 - Work of self, spouse, parents before LPR turned 18

Women, Infants & Children (WIC)

- For pregnant or breastfeeding mothers & children under 5
- In addition to & does not affect SNAP
- Can be used for Baby food, Brown rice, Canned fish, Cereal, Cheese, Dried or canned beans/peas, Eggs, Fruit juice, Fruits & vegetables, Infant formula, Milk, Peanut butter, Tortillas, Whole grain bread and pasta, Tofu, Yogurt
- Available regardless of immigration or citizenship status



www.mass.gov/women-in-fants-children-wic-nutrition-program

Questions



Utilities & Fuel Assistance

Julie McCormack

Utilities – Fuel Assistance

- Households are eligible up to 60% of area median income

Household Size	Income Limit
1 person	\$45,392
2 person household	\$59,359
3 person household	\$73,326

Utilities – Fuel Assistance

- Up to \$1,950 paid to fuel provider if heat with oil/propane/kerosene or electricity, up to \$1,450 paid directly if heat is included in rent
- For subsidized housing renters, amounts are slightly lower - \$1,365 max to the fuel provider, \$1.105 if utilities are included in the rent
- Homeowners and renters are eligible, even if heat included in rent, so long as any household member has eligibility
- Fuel Assistance/LIHEAP is not considered for Public Charge
- Direct payment if NOT in subsidized housing and heat included in rent (!)
- Households with very high energy costs can qualify for an additional \$200 payment
- Application period typically October through March

To find local agency: **1-800-632-8175** or

www.mass.gov/service-details/learn-about-low-income-home-energy-assistance-program-liheap

Utilities – Discount Rates

- Discount utility rates
 - *Eligibility is 60% of state median income*
 - *Bill can be reduced 16-32%*
 - *Automatically reduced if on public benefits or fuel assistance (usually)*
 - *Can also apply and prove income*
 - *Some retroactive adjustments available*
 - *Not required for Municipal Utilities*

Utilities – Payment Plans

- Payment plans available for arrearages
- Before termination, company must offer a payment plan of at least four months (equal payments)
- Arrearage Management Programs available through utilities – partial forgiveness of arrearage in exchange for remaining current at a set flat rate

Utilities – Shut-offs

■ **Shut-off Prevention – Winter Moratorium:**

- *A utility used for heat cannot be shut off if there is financial hardship and it is between November 15 - March 15 (sometimes extended)*
- *Financial hardship standard is also 60% of state median income*

▶ **Shut-off Protection:**

No shut-off of gas and/or electricity if there is financial hardship and

- ▶ Someone living in the home has a chronic, severe illness. Verified by a doctor, nurse practitioner or physician's assistant by letter every 3 months (or call in case of emergency)
- ▶ Everyone in the household is 65 or older or a minor
- ▶ There is a child under one year old in the home

Utilities – DPU (How to Get Help)

- Massachusetts Department of Public Utilities regulates utilities
- DPU Consumer Division can be helpful for information and disputes with utility companies
- Consumer Division contact information:
 - 1-877-886-5066 or
 - www.mass.gov/dpu-consumer-information/need-to-know

Lifeline - Federal Phone/Internet Discount

- \$9.25 discount on phone/internet monthly bill
- Limited to one discount per household
- Eligible if in your household:
 - *income is less than 135% of Federal Poverty Level*
 - *a member receives a federal assistance program such as;*
 - Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps
 - Medicaid
 - Supplemental Security Income (SSI)
 - Federal Public Housing Assistance (FPHA)
 - Veterans Pension and Survivors Benefit
 - Tribal Programs (and live on federally-recognized Tribal lands) (\$25)

Application is:

- Asking your current provider if they provide the Lifeline discount
- Online at <https://nationalverifier.servicenowservices.com/lifeline>
- Mailing an application form and proof of eligibility to
 - *Lifeline Support Center*
 - *P.O. Box 7081*
 - *London, KY 40742*

Affordable Connectivity Program

- \$30 per month for broadband service (\$75 for HHs on Tribal lands)
- \$100 to purchase a laptop, desktop computer, or tablet (HH contributes \$10-\$50)*
- limited to one monthly service discount and one device discount per HH

Who Is Eligible?

- Qualifies for the Lifeline program;
- Receives SNAP/P-EBT, or did so in the 2019-2020 school year;
- Received a Federal Pell Grant during the current award year;
- Substantial loss of income since February 29, 2020 and/or on Unemployment
- Meets eligibility criteria for providers' existing low-income or COVID-19 program.

How Can I Sign Up for the Benefit?

Through your provider or online at <https://www.affordableconnectivity.gov/>

Applications no longer being accepted, \$\$ ends this month

Questions



Homelessness Prevention Funds

Marion Hohn

Homelessness Prevention Funds

- RAFT
- Emergency Assistance HomeBASE
- Local Funds Including CDBG, ESG,
Affordable Housing Trusts



Homelessness Prevention Funds

■ **RAFT:**

- Administered by regional non-profits
(List and look-up link in additional materials)
- Eligibility up to 50% of AMI (60% if D.V.)
- Up to \$7,000 per 12 months for households with housing crisis
- Can be used for rent, utilities, moving costs, and mortgage payments
- No immigration status requirements
- Online application (you cannot save and come back to it later)

Homelessness Prevention Funds

Emergency Assistance (EA)

- Administered by the Executive Office of Housing & Livable Communities (EOHLC)
- Apply in person or call (866) 584-0653
 - <https://www.mass.gov/how-to/apply-for-ea-emergency-family-shelter>
- Pregnant woman or household with a child under age 21
- Income at or below 115% FPL
- Qualifying Reason for Homelessness
- Not disqualified
- Immigrant eligibility similar to EAEDC (including PRUCOL)

2 EA programs: family shelter & HomeBASE

Homelessness Prevention Funds

EA Shelter

- Waiting list & priorities for placement
- Presumptive eligibility
- Proposed 9 months time limit for most families with possibility of two 90-day extensions for some families
- Accommodations
- Appeals

Homelessness Prevention Funds

EA HomeBase

- up to \$30,000 over a 2-year period, with the possibility of a 3rd year
- can help pay for
 - 1st & last month's rent, security deposit, & broker's fee for a new apartment
 - Monthly payments to help with rent for up to three years
 - Furniture, moving expenses, & utilities, based on families' needs
 - Overdue rent and/or utility payments

Homelessness Prevention Funds

■ **Check availability of municipal funds**

- ESG/Emergency Solutions Grant
- CDBG/Community Development Block Grant
- Affordable Housing Trust funds

■ **Private funds**

- United Way
- Salvation Army
- Community Action Agencies
- Lend-a-Hand, Family To Family, HomeStart, Heading Home, Jewish Family and Children's Services

Other funds for specific groups e.g. the Supportive Services for Veteran Families program

Questions



Medical Assistance Programs

Marion Hohn

Medical Assistance Programs

- **Medicare** - 65+ or automatic with SSDI after 24 months
- **MassHealth** (Automatic with SSI and DTA cash programs)
 - Can also apply separate from cash assistance
 - Multiple Programs and Coverage Levels
 - **Make sure to complete renewal forms**
- **Medicare Savings Programs (MSPs)**, f.k.a. MassHealth Buy-In (MHBI)
 - MassHealth may help pay Medicare Parts A, B Premiums, nonpharmacy copayments and deductibles.
 - No asset test
- Extra Help pays Medicare Part D – automatic with Buy-Ins

Medical Assistance Programs

- **Premium assistance** (MassHealth) - if paying for employer provided / student health insurance
- **ConnectorCare** health insurance plans - households with income below 500% FPL & ineligible for Medicare, MassHealth (other than MassHealth Limited) or other public health insurance programs
- **Children's Medical Security Plan** - primary & preventive medical & dental services for certain uninsured children who do not qualify for any other MassHealth types of coverage (other than MassHealth Limited)
- **Health Safety Net**
 - pays for some health services provided by **acute care hospitals or community health centers** for certain low income, uninsured & underinsured patients
 - not insurance, cannot be used at tax time to show you were covered by health insurance

Questions



RECAP



Hypo #2

Questions:

What can Maria do about her bills?

Nutrition assistance?

Medications?

Maria is 8 months pregnant with her first child.

Until recently she lived with her boyfriend but after an argument escalated and became physical, she got a restraining order against him.

She works as a waitress but has had to reduce her hours to 15 hours per week because of complications with her pregnancy. At about \$13.00 per hour incl. tips, she is unable to pay her bills.

She tells you she can't afford her pre-natal vitamins. She is behind on her rent and (non-heat) utility bills. She also has not been able to make her student loan payments.

Reducing Barriers and Liabilities

OBJECTIVES:

- Basic understanding of cash saving and expense reducing options and other resources
- Know enough to spot potential for clients

Programs Covered

- DTA and SSA Overpayments
- Bankruptcy
- Student Loans
- Child Support Modification
- CORI Sealing & Expungement

DTA & SSA OVERPAYMENTS

Julie McCormack

DTA Overpayments

- TAFDC & EAEDC & SNAP
- Agency Error
- Unintentional Overpayment
- Intentional Overpayment
- Zombie Debts
- **Get help: Contact legal services**
 - <https://masslrf.org/en/home>
 - <https://mlac.org/wp-content/uploads/2020/06/MLAC-Legal-Aid-Org-Map-and-Contact-2020.pdf>



Social Security Overpayments



Get help: Contact legal services:

<https://masslrf.org/en/home>

<https://mlac.org/wp-content/uploads/2020/06/MLAC-Legal-Aid-Org-Map-and-Contact-2020.pdf>

- Usually SSI – over income and/or over assets
- Agency Error – repayment required even if earnings or other changes were reported
- Huge issues with SSA closure during pandemic, recent improvement attempts
- Appeal within 30 days (aid pending) keeps payment level
- 2 forms of appeal
 - *Waiver* – no fault and cannot afford to repay
 - *Reconsideration* – dispute the amount of the overpayment
- Repayment capped at 10% of total monthly payment
SSA often tries to take MORE – resist
Monthly repayment as low as \$25, no interest, no penalties
Can be discharged in bankruptcy

Questions



Bankruptcy

Julie McCormack

Bankruptcy

- Consider bankruptcy as a way to eliminate many types of debt – incl. SSI Overpayments, medical debt
- Fresh start by discharging debt
- Can temporarily stop eviction/foreclosure if judgment for possession has not issued
- Utility terminations – can stop threatened termination; continued service conditioned on payment of current bills as they are issued

Bankruptcy (cont.)

- Chapter 7 (liquidation)
 - *Generally filed when there are few assets, can protect home with a homestead declaration*
 - *Can generally keep a car if worth under \$7,500 (\$15,000 for elders) after deducting the amount owed from the value of the car*
 - *Will probably not prevent foreclosure or prevent repossession if behind on mortgage or car payments and can't pay off arrears quickly*
- Chapter 13 (reorganization)
 - *Gives you a chance to pay off debts over an extended period of time and avoid eviction, foreclosure or other outcomes*
 - *Generally filed where more assets, including property or a business*

Bankruptcy (cont.)

- Cannot discharge certain debts such as child support, alimony, criminal fines
- Usually cannot discharge debt for student loans, tax debt
- Must get consumer credit counseling

Student Loans – Permanent Disability Discharge

- While generally can't discharge student loans in bankruptcy, you can get federal student loans “discharged” in the case of “permanent disability”
 - *VA determination of 100% disability*
 - *SSA disability determination with review 5-7 years from the disability determination*
 - *MD or DO certification of total and permanent disability (at least 5 years)*

Student Loans – Permanent Disability Discharge (cont.)

- *If SSA or MD certification, discharge is not finalized until 3 years have passed*
- *Can limit ability to get federal student loans in the future*
- *Can get more info or apply online at www.disabilitydischarge.com*
- *victims of “predatory” student loans through for-profit schools have recourse – contact AG’s office*

Questions



Child Support Modifications

Betsy Gwin

Child Support Modification

- Individuals required by court order to pay child support who can no longer make payments due to unemployment or disability should request a modification as soon as possible
- Modifications must be by court order – tell clients to file a motion to modify as soon as possible, since child support continues to accrue
- www.mass.gov/how-to/request-a-change-to-your-child-support-court-order

Questions



Criminal Record (CORI) Sealing & Expungement

Julie McCormack

CRIMINAL RECORD/CORI SEALING

- CORI = Criminal Offender Record Information; state-wide system of accessing criminal records in Massachusetts.
- Highly visible criminal records lead to discrimination in accessing jobs, housing, loans, etc.
 - *1 in 3 Americans have a criminal record, according to the FBI.*
- Reforms have made sealing a records easier and have created expungement options.

CORI Sealing (cont'd)

- Sealing allows most non-sexual offense charges or convictions, after a certain waiting period, to be “invisible” to most of the public—a huge economic benefit to those trying to access housing and employment.
 - *3 years after misdemeanor (used to be 5)*
 - *7 years after felony (used to be 10)*
- If a case was dismissed or ended with a not guilty finding or a nolle prosequi (the prosecutor dropped the case), it can be sealed by a judge without any waiting period.

CORI Sealing and Expungement

- Some charges and/or convictions can be “expunged” – removed completely
- See <https://www.masslegalhelp.org/cori/how-to-seal>
- Many online and some in-person clinics – online information to assist folks in starting the process themselves, or to enroll in videoconferenced clinic meetings
- Free to seal or expunge, copy of CORI costs \$25 (can be waived)

Questions



Opportunities for Action and Advocacy

CLEAN SLATE-SECOND CHANCE COALITION BILLS

S.1598 / H.979: An Act providing easier and greater access to sealing (Rep. Mary Keefe, Sen. Cindy Friedman)

- *Requires Commissioner of Probation to automatically seal criminal and juvenile cases after applicable waiting periods without the filing of a petition.*
- *Other states have successfully passed automatic record sealing laws that are a huge success, seal millions of records and help people get back to work and to earn higher wages.*

■ **H.1493 / S.998: An Act to remove collateral consequences and protect the presumption of innocence (Rep. Brandy Fluker-Oakley, Sen. Adam Gomez).**

- *Requires immediate sealing of criminal cases at the time of a final disposition if the charge did not end in a conviction.*
- *Many other states seal charges that end favorably at the time of the final disposition of the case.*

RECAP



Questions

