

Law on the Frontlines

Legal Reference for Public Libraries



Navigating the Law: Public Benefits Law

This session is being recorded

TMSLL/CMCLLD/MdA2JC 2024 03 rev.

Introductions

The Frontlines Workgroup includes representatives from the Thurgood Marshall State Law Library, Conference of Maryland Court Law Library Directors, the Maryland Access to Justice Commission, and the Access to Justice Department of the Administrative Office of the Courts.

Instructors for each course will vary but the information provided is based on the core curriculum of the ongoing Frontlines Project.

Today's instructors are...

Catherine McGuire

Thurgood Marshall
State Law Library

Joan Bellistri

Anne Arundel
County Public Law
Library

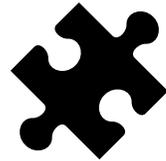
Joy Hollerbach

Thurgood Marshall
State Law Library

Learning Outcomes



Describe the general topic of law



Identify best descriptive resources



Utilize primary sources of law for the topic



Assess and select among options for referral

Access to Justice

A quick review...



What is Public Benefits Law?

- Food stamps (SNAP, TANF)
- Temporary Cash Assistance (TCA)
- Social Security (SSI, SSDI)
- Medicaid
- Utilities relief
- Unemployment insurance

Spans multiple areas of law

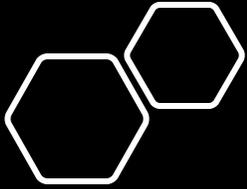
*Section 8 / Public Housing is a public benefit,
but is generally viewed through the
landlord/tenant lens*

Common Areas of Concern

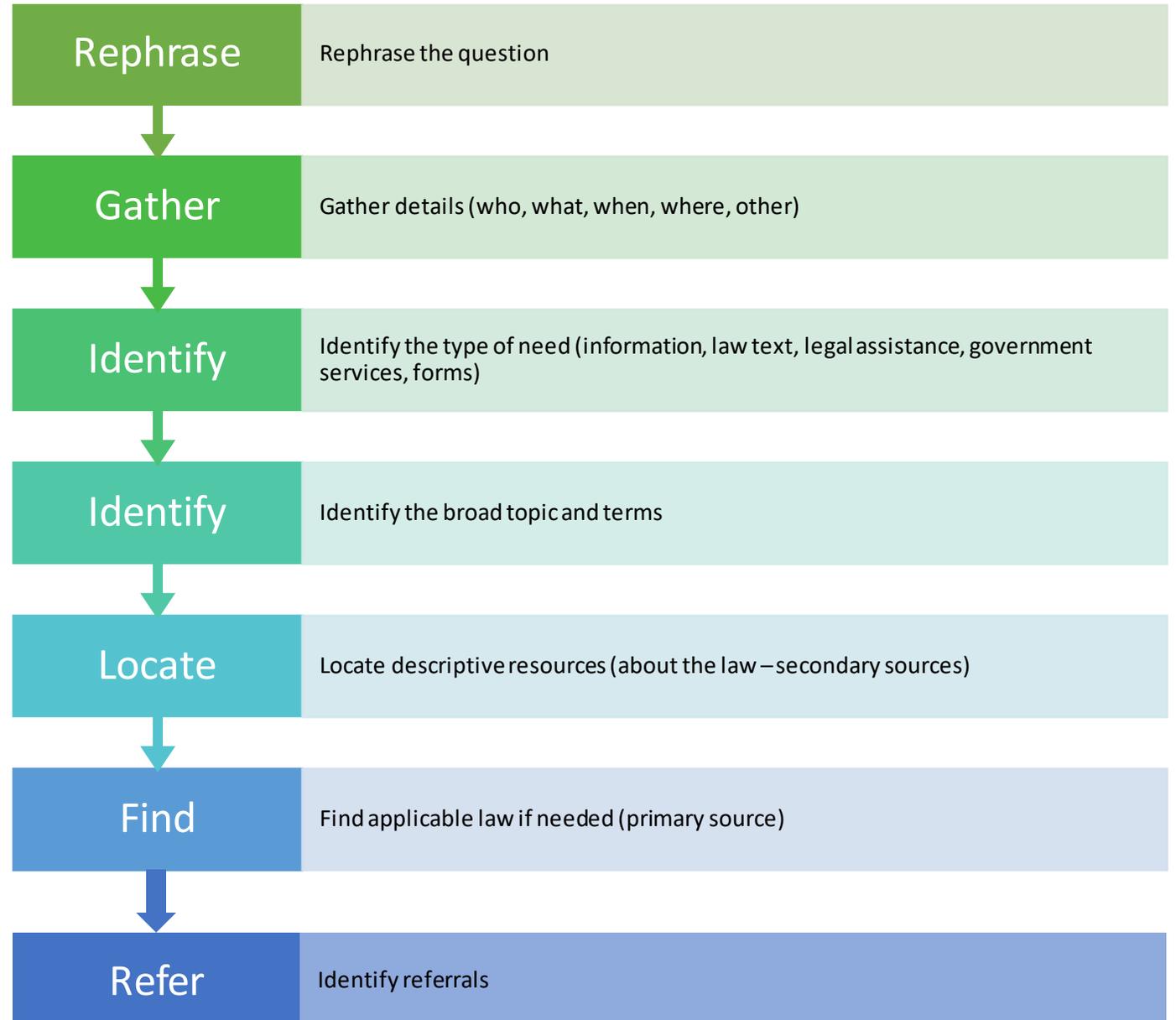
- Eligibility requirements
- Applying for benefits
- Appealing a benefit determination
- Language and technology access

Details to Know

- Addressed mainly by state and federal law; most programs founded at the federal level are managed at the state level
 - See Wikipedia's entry on Administration of Federal Assistance in the U.S. (https://en.wikipedia.org/wiki/Administration_of_federal_assistance_in_the_United_States)
- Rarely a court-related matter; more often, an administrative hearing matter
- Referrals often include government agencies
- Complex subject means extensive general resource reading



Best Practices Review



Descriptive Resources

GENERAL

- Maryland Peoples Law Library, www.peoples-law.org
- Nolo (website and texts), www.nolo.com
- USA.gov, www.usa.gov
 - Benefits, www.usa.gov/benefits
 - Help With Utility Bills, <https://www.usa.gov/help-with-utility-bills>

SPECIFIC

- Medicaid
 - US Centers for Medicare & Medicaid Services, www.Medicaid.gov
 - Maryland Medicaid (Dept of Health), health.maryland.gov/mmcp
- Food & Cash Assistance
 - MD Dept of Human Services, Food & Cash Supplements, www.dhs.maryland.gov
- Unemployment
 - MD Dept of Labor, Division of Unemployment Insurance, <https://www.labor.maryland.gov/employment/unemployment.shtml>
- Social Security
 - SSA Benefits, www.ssa.gov/benefits
 - SSI Appeals, www.ssa.gov/ssi/text-appeals-ussi.htm
- Utilities
 - MD DHS, Home Energy, www.dhs.maryland.gov
 - MD 2-1-1 Utility Assistance, <https://211md.org/resources/utility-assistance/>



Demonstration:
Descriptive Resources

Practice: Using Descriptive Resources

01

MY APPLICATION FOR UNEMPLOYMENT WAS DENIED. CAN I ASK THEM TO RE-EVALUATE IT?

02

CAN SOMEONE WITH PARTIAL CUSTODY OF THE KIDS APPLY FOR AND GET FOOD STAMPS?

03

MY SPOUSE DIED. CAN I STILL COLLECT THE SSI WE WERE GETTING?

04

I AM TEMPORARILY DISABLED. I'M HAVING TROUBLE MAKING RENT. WHERE COULD I GET HELP?

Law and Court Procedures

Maryland

Statutory Law: <https://govt.westlaw.com/mdc> ;
<https://mgaleg.maryland.gov/mgawebsite/Laws/Statutes>

- Md Code, Human Services Article
- Md Code, Labor & Employment Article, Title 8. Unemployment Insurance

Regulatory Law: <https://dsd.maryland.gov/Pages/COMARHome.aspx>

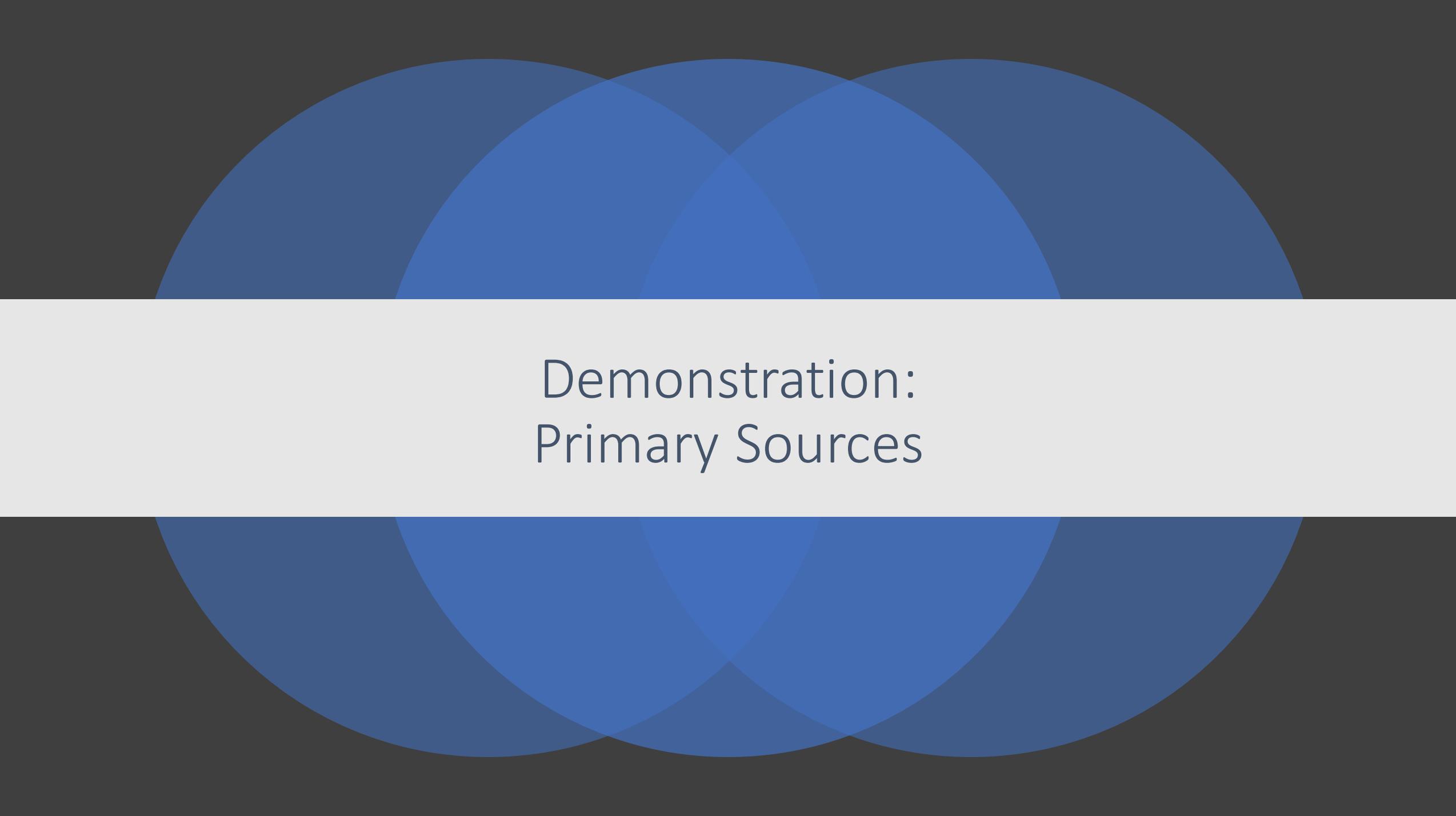
- COMAR 07. Dept of Human Services
 - 07.03 Family Investment Administration
- COMAR 09. Dept of Labor
 - 09.32 Unemployment Insurance

Court Procedures: <https://govt.westlaw.com/mdc>

- Md Rules, Title 7. Appellate Review in Circuit Court

Federal Materials

- Federal Rules of Procedure, www.law.cornell.edu/rules, or check the website of the federal court where the proceeding is taking place
- US Code, [Title 42. Public Health](#)
- CFR, [Title 42. Public Health](#)



Demonstration:
Primary Sources

Practice: Using Primary Sources

01

FIND THE SECTION OF THE MARYLAND CODE PROVIDING FOR FOOD STAMPS FOR CERTAIN LEGAL IMMIGRANTS.

02

WHERE IN THE MD RULES CAN YOU FIND INFORMATION ABOUT THE TIMEFRAME FOR FILING FOR JUDICIAL REVIEW OF AN ADMINISTRATIVE AGENCY DECISION?

03

WHERE CAN YOU FIND THE REGULATIONS ADDRESSING THE PROGRAM FOR EMERGENCY ASSISTANCE TO FAMILIES WITH CHILDREN (EAFIC)? WHAT OTHER KINDS OF PROGRAMS ARE UNDER THE SAME SUBTITLE IN COMAR?

Forms

- Maryland Court Forms

<https://mdcourts.gov/forms>

- Agency websites

Applications for benefits are generally found as links on the pages of the government agency responsible for the program.

- myMDTHINK: Gateway to Health and Human Services

<https://mymdthink.maryland.gov/>

- Local Departments of Social Services

<https://health.maryland.gov/mmcp/Pages/Listing-of-Local-Departments-of-Social-Services.aspx>

Connect to Legal Assistance

MVLS

mvslaw.org

Civil Justice, Inc.

www.civiljusticenetwork.org

Maryland Legal Aid

www.mdlab.org

Disability Rights MD

disabilityrightsmd.org

Local Programs

[Montgomery County Bar Pro Bono Program](#)

[Prince George's County Community Legal Services](#)

Court Help Centers

mdcourts.gov/helpcenter

Law Libraries

mdcourts.gov/ccll

PLL Legal Services Directory

www.peoples-law.org/directory

Practice: Finding Referrals

Not including the specific referrals already discussed – can you identify an organization, state, local, or federal, that may assist with one or more kinds of public benefit questions?

Self-Study

- People's Law Library
 - [Government Benefits & Services](#)
 - [Employment](#)
- [Unemployment Insurance in Maryland: A Guide to Reemployment](#),
Md Department of Labor
- Maryland Department of Human Services, [Financial Assistance](#)
- MD Public Library Toolkit,
<https://www.mdcourts.gov/lawlib/using-library/for-librarians/public-library-toolkit>

Assessment: What do you know now?

1. What kind of law is public benefits law?
 - a. Civil
 - b. Criminal
2. Which of the following could be considered a public benefits issue? **Choose ALL that apply.**
 - a. Medicaid
 - b. Social Security
 - c. Food Stamps
 - d. Unemployment Insurance
3. What type of law could be involved in a public benefits question? **Choose ALL that apply).**
 - a. Federal
 - b. State
 - c. Local (county or municipal)
4. True or false – public benefit issues are often dealt with through the court system.
5. Which of the following would be a helpful referral for a public benefit-related question? **Choose ALL that apply.**
 - a. Maryland Court Help Center
 - b. Maryland Legal Aid
 - c. Government agency

Next session-

[Wednesday, April 17, 2024, 9-10:30am, Law on
the Frontlines: Navigating the Law – Life &
Health Planning](#)

Questions?

