



August 6, 2018

Jerry Hartman
The McDowell-Hartman Foundation
3607 Whispering Lane
Falls Church, VA 22041

**RE: Barbara McDowell Foundation Final Report
Report Time Period: July 2018**

Dear Mr. Hartman:

Attached please find Legal Services Alabama's Fourth Quarter / Final Daily Time Records Report and the Final Six-Month Reporting for the McDowell-Hartman grant.

Legal Services Alabama is grateful to the McDowell-Hartman Foundation for its' generous support. We are excited about the prospect of resolving this case in favor of our clients. It is LSA's hope that we will be able to negotiate settlement in the near future that will allow all clients who should be receiving benefits to receive them immediately.

Again, thank you for affording us the opportunity to partner with the McDowell-Hartman Foundation to provide free legal services to those in need of legal assistance in Alabama. Should you have any questions, please do not hesitate to contact us at (334)-262-8316.

Sincerely,

Christine Davis
Accounting Grants Manager

Legal Services Alabama
Final Six-Month Report to Barbara McDowell and Gerald S. Hartman Foundation
Submitted August 6, 2018

Legal Services Alabama is grateful for the Barbara McDowell and Gerald S. Hartman Foundation's support and is very pleased to provide the following update regarding our activity:

Background:

In 2016 and 2017, Alabama's Department of Human Resources began the implementation of the portion of the Personal Responsibility and Work Opportunity Act related to Able-Bodied Adults Without Dependents or "ABAWDs." The Act limited certain "able-bodied" adults who were not working or attending work training at least 20 hours a week to receiving only 3 months of SNAP (or "food stamps") in a 36 month regardless of whether or not jobs or work programs were available.

In their implementation of the ABAWD requirement the Department provide notices which were so complicated that many people were unable to understand their rights and responsibilities under the new rules. The notices also failed to provide adequate information about exemptions which would allow many people to continue to receive benefits. Consequently tens of thousands of Alabama citizens were terminated from the program over the last two years.

Over the past two years, LSA has attempting to negotiate and communicate with the Department regarding many of these issues. Although the Department had made very limited progress in certain areas over that time, such as the medical documentation required to prove disability, they have largely failed to remedy many of the larger issues involved.

Progress Report:

On November 20, 2017, LSA sent a final demand letter to the Department of Human Resources requesting five primary actions: a.) reinstate the benefits of our named clients, b.) prepare a simplified notice to recipients, c.) develop policies to recognize obviously exempt recipients, d.) develop policies clarifying which education programs qualify for exemption, and e.) develop training programs for workers regarding qualifying ABAWD policies. Based on the Department's response, LSA filed a suit on behalf of five clients on November 30, 2017. Shammyane Nettles v. Alabama Department of Human Resources, 17-cv-00817 (M.D. Ala. 2017). The Department immediately agreed to reinstate the benefits of the clients who were eligible at that time.

LSA and the Department met for the first time to begin discussing settlement in early December and reached many points of general consensus. That negotiation has been on-going since that time. Although the Department filed a Motion to Dismiss the action in January, legal action will be held in abeyance while the parties attempt to resolve their issues through settlement. As part of the settlement negotiation, the Department provided LSA with copies of all of their training materials, notices sent to the food stamp recipients and internal paperwork for administering the program.

After months of negotiations by phone and e-mail, LSA and the Department met again on July 13th to discuss resolving the case. The Department demonstrated that they had already made substantial changes to their handling of these cases including screening food stamp applicants for exemption from the ABAWD policy during their initial application. After discussing some technical limitations on the part of the Department, the parties agreed that LSA would give a final list of requests in order to reach a settlement. Those request were sent at the end of July.

Anticipated Future Activities:

Based on our discussions with the Department, LSA believes this matter will be successfully resolved within the next two to three months. This should ensure that all future food stamp applicants will be properly evaluated and advised when they first apply for food stamps and anyone terminated will be given proper notice of possible exemptions when they are terminated.

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