

JUDGE ORDERS DHS TO PROCESS 100% OF APPLICATIONS IN TIME LIMIT CASE BY AUGUST 10, 2012

Center for Civil Justice, July 16, 2012

Today, a Genesee Circuit Judge ordered DHS to process all the TC60 applications (with a sticker) by August 10th. DHS said that it has put into place a new process for handling these applications which should make the verification process go quicker. If DHS does not issue decisions on all the pending applications by August 10th, there is a hearing scheduled for Monday, August 20th. The Judge did not decide whether to hold the DHS Director in contempt. Instead, DHS has one last chance to fix the problem. Not everyone who applies is eligible. DHS will look at their current circumstances and clients have to follow all of the rules. And it is also unclear how long these families will get benefits. That depends on what happens in the Appeal.

On July 3, 2012, the Michigan Court of Appeals Denied the DHS Director's Motion for Immediate Effect of the Court of Appeals' June 26, 2012 Decision.

What this means:

1. The Court of Appeals decision will not go into effect until August 8, 2012 at the earliest.

(August 8, 2012 is when the time to appeal to the Michigan Supreme Court ends.)

2. The Circuit Court's orders remain in effect. Under those orders, DHS cannot deny or terminate FIP to families based on the 60 month time limit policy.

3. DHS must process applications filed by class members and pay FIP to eligible families.

There is a hearing on July 16, 2012 to decide whether DHS is complying with the Circuit Court's orders.

The Court of Appeals decided:

DHS's 60-month time limit policy did not violate the 48-month time limit provisions in the state law.

DHS can deny or cut off Federal funds to FIP recipients without having to follow special "rulemaking" procedures.

DHS cannot deny or cut off State funds to FIP recipients unless they follow special "rulemaking" procedures.

The Court of Appeals sent the case back to the Circuit Court to take the next steps. It will take some time to know what this will mean for each of the 15,000 families that have been cut from cash assistance because of the 60-month time limit. [Please Click here to read the Court of Appeals Ruling](#)

The lawyers representing DHS say: DHS is still processing applications for FIP in compliance with the Circuit Court decisions of March 27 and April 10. However, CCJ continues to receive calls from people who have been told by DHS staff that no benefits are being approved.

CCJ is aware that many people who applied have NOT received benefits even though they applied more than 45 days ago.

CCJ also is aware that many of these people have been attending JET (“work first”) for weeks without having their FIP benefits approved and paid.

If you have not received benefits yet:

Questions CCJ cannot answer right now because the answers depend on further developments in the courts:

- Will I get my benefits?
- When will I get my benefits?

We will post more information on this site when we know something more. Please do not keep calling our office if we already have your name and number and you can check this website for updates.

What should I be doing right now to protect my family? (You may have already done these things)

1. BE SURE YOU GO TO JET (WORK FIRST) IF YOU WERE REFERRED/ASSIGNED. YOU WILL NOT GET BENEFITS IF YOU FAIL TO COMPLY.
2. Be sure your application was received and is pending - Call MIBridges at 1-888-642-7434 (keep track of the date you applied).
3. If you have not been referred to JET (or been told you are deferred from JET after you filed your TC60 application), be sure your case was sent to Lansing for an “override” of the Bridges computer system. (Ask for the date the override was requested.)
4. If you have been going to JET (or have been told you are deferred), be sure your caseworker has reported that to Lansing (ask for the date the local office asked Lansing to start your benefits).‘

5. This case will be in the courts for a while longer. The lawyers representing DHS have indicated they will try to stop FIP benefits while the case is on appeal or back in Circuit Court. It is also possible that you will be denied FIP once and for all. To protect your family, it is a good idea to do whatever you can to find a job as soon as you can. Use the resources at JET to help you.

· If you do NOT have email, please call us at: (800) 481-4989

[Click here for IMPORTANT information about the 60 month time limit lawsuit](#)

The Center for Civil Justice helps vulnerable people – including children, persons with disabilities, and the elderly – access the critical programs and services they need to find safety and stability in times of crisis. These programs meet the most basic needs for food, shelter, utilities, and healthcare, as well as work.

The Center for Civil Justice monitors and improves Michigan's safety net programs so they work for the people they are supposed to help. The Center for Civil Justice has a long and accomplished history of watching out for and solving problems with Michigan's safety net and we take pride in the quality services we offer to people who have nowhere else to turn.