

Community Legal Services of Mid-Florida Offices:

BREVARD
1-866-469-7444

CITRUS & SUMTER
106 N. Osceola Ave
Inverness, FL 34450
(352) 726-6592 –CITRUS
1-866-405-1417- SUMTER

FLAGLER
1-866-405-1417

PUTNAM
216 S. 6th St., Palatka, FL
32177
(386) 385-0928

HERNANDO
1-866-801-5566

LAKE
(352) 343-6351
226 West Main St.,
Tavares, FL 32778

MARION
(352) 629-6257
2300 SE 17th St. Suite 201
Ocala, FL 34471

ORANGE
(407) 841-7777
122 E. Colonial Drive, Suite
200
Orlando, FL 32801

OSCEOLA
(407) 933-1791
800 North Main St.,
Kissimmee, FL 34744

SEMINOLE
(407) 322-6673

VOLUSIA
(386) 258-5600
128 Orange Ave., Suite 100
Daytona Beach, FL 32114
Client toll free number: 1-800-363-2357
Administrative Office: (386) 506-5396

Visit our website at www.clsmf.org

E-mail us at info@clsmf.org



**Community Legal Services
of Mid-Florida**

**How to
Represent
Yourself at the
Department of
Children &
Families**

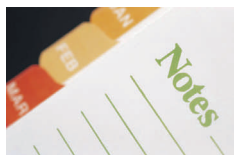


Are you having a problem with DCF?

Try to solve your problem by speaking to your caseworker, the supervisor, the customer service representative and/or the operations administrator.

Be sure to keep notes about your interactions, and record the name and job title of each person you speak with at DCF.

After you have presented your problem to DCF, give them at least 5 working days to take care of the issue. If the problem is not fixed after this time period, ask DCF to give you the denial decision in writing, then contact your local Community Legal Services of Mid-Florida, Inc. (CLSMF) office for assistance.



When you come to one of our offices (listed on the back of this pamphlet), bring with you the names of all of the people you spoke with, their job titles, and any notices, letters, or documents you received from DCF. We will evaluate your case to see if you need further advice or possibly legal representation.



YOUR RIGHTS & RESPONSIBILITIES

You have the right to submit a written application for benefits to DCF. DCF must accept all applications for food stamps, Medicaid, and TANF (Temporary Assistance for Needy Families). DCF must give you a date-stamped copy of your application.

DCF must make a decision about your application within a certain time period. DCF must determine all TANF applications within 45 days; therefore, you must be given an appointment for an AFDC interview within 45 days of the date you apply.

About Community Legal Services of Mid-Florida (CLSMF)

The mission of CLSMF is to provide access to justice through high quality legal assistance to low-income persons.

Community Legal Services of Mid-Florida, Inc. provides free legal assistance to eligible low-income persons in civil matters (we do not provide legal assistance in criminal or traffic matters).

CLSMF offers community education seminars and detailed informational brochures on the major areas of law we practice. Please see the back of this pamphlet for a full listing of offices.



The Florida Bar Foundation, with *Interest on Trust Accounts* program funding, provides support for this service.



This pamphlet is a publication of the Public Benefits Unit of Community Legal Services of Mid-Florida, Inc. This information is for general education only and is not intended to be used to solve individual problems, nor does it replace the advice of an attorney. The law which supports conclusions contained herein is subject to change.

DCF STAFF I TALKED TO

<u>Name</u>	<u>Position</u>	<u>Date</u>

Notes:

What is *hardship exemption*?

DCF may exempt a limited number of people from time limits on the basis of *hardships*. Hardship exemptions permit eligible families to receive temporary cash assistance for longer than the 24- or 36-month limit. There are several criteria for hardship exemptions. These include a disability you may have or the fact that you are caring for a family member with a disability. If you believe that you might meet a criteria for a hardship exemption, bring your notice of decision from DCF to Community Legal Services of Mid-Florida, Inc.



Noncompliance and

sanctions

DCF may ask you to participate in a job search. If you fail to participate, you could be *sanctioned* for failure to comply until you participate as requested. If this is your first noncompliance, this means that your entire family loses all cash assistance, but you should continue to receive food stamps until you do comply.

The second noncompliance will result in your family losing all benefits for 30 days. These benefits will be reinstated from the date of compliance.

The third noncompliance will result in your family losing all food stamp and cash assistance for 3 months. You will have to show compliance before being reinstated. *Even though you are sanctioned, you should continue receiving Medicaid benefits.*

DCF must determine your eligibility for food stamps within 7 calendar days if any of the following circumstances exist:

1. you are homeless
2. you have less than \$150 gross monthly income and less than \$100 in liquid resources (for example, cash on hand or in the bank)
3. your costs for rent/mortgage and utilities are greater than your monthly income and resources
4. you are a migrant or seasonal farm worker



DCF must determine all Medicaid applications within 45 days of the application date, except for Medicaid applications based disability, which take 90 days. You must be given an appointment within these time periods.

What if DCF does not give you an appointment?

If DCF does not give you an appointment within the proper time period, see the client service representative (CSR) at your local DCF office. Do not leave until they have given you an appointment in writing. The appointment should be set for within one week of the day you ask for it.

It is important that you cooperate with DCF in determining your eligibility



DCF can ask you to prove the following:

- who you live with
- the citizenship or alien status of everyone in your household
- the relationship of the people in your household
- the sources of income and income amounts of everyone in your household
- whether you or anyone in your household is employed or unemployed
- the amount of expenses such as rent/mortgage, utilities, child care, and medical expenses
- how much is in your bank account(s)

DCF's Decision

DCF is required to provide you with a written notice of their decision regarding your application. If you disagree with the decision, you have 90 days from the date on the decision letter to request a hearing. Ask your worker for a *hearing request form*. If you appeal within 10 days from the date on the decision letter, you can keep your benefits at the old level until a decision is made at the hearing. If the hearing officer does not find in your favor, you will have to pay back benefits you have received which you were not entitled to keep.

You must report all changes to DCF

If there are any changes in your circumstances (for example, you move, begin work, lose your job, have a baby, or some one moves into or out of your house), you must report these changes within 10 days. Complete a *change report form* and submit it to DCF. DCF must provide you with a date-stamped copy of this form. They will reevaluate your eligibility based on this new information.



If you are getting help from family or friends

If you receive cash or checks from family or friends, DCF will count this money as income to you and will reduce your benefits. If someone pays your expenses for you instead of giving you money, this is called *vendor payment*.



If you have already told DCF that someone is giving you money, you should arrange for that person to instead pay your landlord or utility company or buy your food and clothing. You should then get a letter from the person who is helping you. This letter should state that the person is no

longer giving you money, and should explain how they are currently assisting you. Take this letter to the DCF office and fill out a *change report*. Make sure to ask the clerk at the DCF office for a copy of the letter and change report, and ask DCF to stamp the letter and report with a date.

What are asset limits regarding food stamps?

The asset limit for a household to be eligible for food stamps is \$2,000. If the household has an elderly member over age 60 or a member with a disability, the asset limit is \$3,000.

How to request a fair hearing

If you disagree with DCF's decision, you have the right to request a hearing within 90 days from the decision date. You may be entitled to request a hearing within 10 days *if the decision is that your benefits will terminate*. A 10-day hearing request means that you will continue to receive your benefits pending a hearing decision. However, if the hearing decision is not in your favor, you may have to pay back the benefits.

What does *time limit* mean?



Having a time limit means that most families cannot receive cash assistance forever, but only for a specific period of time. For most families, there is a 24-month limit in any 60-month period (5 consecutive years). Only a few cases do not have time limits. For example, some parents, including those under age 24, may be subject to a slightly longer period of time. The time limit will be 36 months out of 72 consecutive months. Overall, families who are not exempt from time limits have a 4-year lifetime limit. If you believe your benefits were cut off prior to your time limit, bring the termination notice to Community Legal Services of Mid-Florida, Inc. for review and possible assistance.

What happens when my time limit ends?

People who are within 6 months of reaching the end of their 24-month time limit period will be interviewed by DCF to assess their situation and their employability. If eligible, they can request a *hardship review exemption* to continue receiving benefits.

