
Hughes Hubbard & Reed

Hughes Hubbard Assists Pro Bono Client in Regaining Welfare Benefits

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Hughes Hubbard & Reed LLP • A New York Limited Liability Partnership
One Battery Park Plaza • New York, New York 10004-1482 • +1 (212) 837-6000

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A pro bono client regained his public assistance benefits after the firm won a “fair hearing” against the New York City Department of Social Services on Nov. 14, 2012. Fair hearings allow welfare recipients whose government benefits have been terminated, reduced or denied to have their cases reviewed by an administrative law judge.

In 2011, Michael Paul received a small inheritance when his mother passed away. The Department’s Bureau of Fraud Investigation (“BFI”) learned about the inheritance earlier this year and advised HIV/AIDS Services Administration (“HASA”) – the agency that administers Paul’s benefits – to terminate Paul’s assistance, based on the allegation that he transferred the inheritance funds away in order to qualify for public assistance. Paul requested a fair hearing and the firm, which received the case through the Beth Israel intake program, represented him there.

At the Oct. 11 hearing, Daniel Doeschner demonstrated that Paul had legitimately spent the entire inheritance within nine months, and that Paul no longer had the resources to support himself. The New York State Office of Temporary and Disability Assistance found that, while the BFI produced some evidence for its claim, it failed to produce evidence demonstrating that Paul actually transferred his resources in order to qualify for public assistance. Consequently, Paul’s benefits were restored and he will receive approximately \$6,000 in back benefits – divided among rent, cash assistance and food stamps – that he lost as a result of his suspended benefits.

Lisa Cahill supervised the matter, and Shana Oppenheim assisted Doeschner in the preparation of Paul’s case.