

What if my family is sanctioned?

First DSS must try and work out the difference before it can sanction you. This is called conciliation. If you are sanctioned you have 60 days to ask for a Fair Hearing to see if DSS is wrong. If you ask for a Fair Hearing in ten days your benefits won't stop, but if you lose, you will have to pay them back. You have the right to bring someone to the hearing to help you. It does not have to be a lawyer. You also have the right to see your file. If you lose the hearing you have 30 days to go to court.

Can I get child care, Food Stamps or Medicaid once I leave FI?

If you leave FI because you have too much income, you can get transitional child care and Medicaid. You must tell your caseworker you have a job and how much you make. If you just tell her to take you off FI you could lose your chance for this help. You may still receive Food Stamps after you leave FI if your income is low enough.

Can I get Food Stamps and Medicaid even if I am not eligible for FI?

Yes. When you apply for Family Independence, tell your caseworker that you want to apply for Food Stamps and Medicaid. Even if you are not eligible for FI you may still be able to get these benefits for you and your family.

This brochure was produced by the South Carolina Appleseed Legal Justice Center with funds provided by the Open Society Institute (OSI). This brochure is for information only. If you are having a problem with the Family Independence Program you may contact your local legal services program by calling the Legal Aid Telephone Intake Service for a referral at (803) 744-9430 in Columbia or toll free at (888) 346-5592 from other places in the state.

South Carolina Appleseed Legal Justice Center is dedicated to advocacy for low-income people in South Carolina to effect systematic change by acting in and through the courts, legislature, administrative agencies, community and the media, and helping others do the same through education, training, and co-counseling.

Copyright retained by the South Carolina Appleseed Legal Justice Center for permission to reproduce this brochure contact SCALJC at P.O. Box 7187, Columbia, SC 29202. (Reprinted September 2008)

SOUTH CAROLINA
appleseed
LEGAL JUSTICE CENTER

FAMILY INDEPENDENCE PROGRAM



QUESTIONS AND ANSWERS



Family Independence Program

In 1996 South Carolina changed its welfare program, Aid to Families with Dependent Children (AFDC). It is now the Family Independence Program (FI).

These changes will affect all people who receive a welfare check. It has gone from a cash payment program to a work program that pays a small check.

Within this brochure are some questions and answers that are often asked.

Questions and Answers

What is the Family Independence Program?

Family Independence takes the place of the AFDC program. It is a program to help children in some poor families. The parents of the children must agree to look for work and do other tasks asked by the Department of Social Services (DSS). The family will get a certain amount of money and a Medicaid card for health care. If the family does not do as asked, they may all be taken off of the program.

Can both parents live in the home?

Yes, a family with both parents can get FI money.

What will DSS ask me to do when I apply?

If you have a child over the age of one, DSS will ask you to look for work when you first apply. DSS will ask you to provide certain information. To help collect child support, you may be asked to provide at least two of the following for the child's absent parent: name, address, social security number, parents and/or work place of the child's absent parent to help collect child support. You will also be asked about your income and property. You may also be asked to go to certain classes.

If you do not do everything DSS asks of you, then your entire family may lose their benefits. You will not lose your food stamps.

How long will I be able to get Family Independence?

Most families will only be able to get FI for two years in a ten year time period. In addition, you can only get it for a total of five years.

If you have a baby while on FI for more than ten months you will not get an increase in your check. DSS may provide you with vouchers to help buy what you need for the baby.

Does this apply to everyone?

For the most part, yes, it applies to everyone. However, it may not apply to you if you are disabled or taking care of someone in your family who is disabled. DSS cannot deny disabled people special help if they want to have training and go to work. If you are taking care of children to

keep them out of foster care, they can get FI past the two years.

If you have done everything asked of you and cannot find a job, then you may get FI for one more year. If you are finishing a training program you can stay on FI for six additional months. After that time, the DSS County Director may ask you if you are willing to move to get a job. It must pay for the move if you decide to do so. DSS will send you a notice when your 24 months is running out. You must ask DSS to continue your FI or it will stop. You will continue to get food stamps.

Can I get FI if I have a car and a house?

Each person in the house with a license may have a car. You can own the home you live in. You may have up to \$2,500 in cash. You may also have a special account called an Individual Development Account (IDA) that can have up to \$10,000. This money can only be used for a car, home, education or to start a business.

What if I do not have transportation or child care?

DSS cannot cut off your money if you do not have either transportation or child care. DSS must pay for both of these if you need it. If you cannot find transportation or child care yourself, then your DSS caseworker must help you.

