

# MAINE STATE LEGISLATURE

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The Legislative Research Committee of the 95th Legislature has ordered research in the affairs of the Aid to Dependent Children's program to study the duties and function of this division of the Department of Health and Welfare under existing statutes and to determine to what extent the present program meets the requirements and how it is received by those to whom grants are made.

Inasmuch as there are in excess of 4,400 cases currently receiving aid under the program, it must be appreciated that more than a limited spot check of cases is impossible in view of the time limit put on the study. This was accomplished by reading case histories from files of the district offices and visiting, in the company of caseworkers, cases at random in various communities of the districts.

In addition to data gathered by reading and visiting cases, information and opinions on and about the program was received from interviews with municipal officers and overseers of the poor, municipal officers and overseers of the poor, municipal social service workers, judges and interested citizens.

This study and survey has been the observation of a program whose "primary function is the determination of initial and continuing eligibility and approval of payments to persons who are eligible to benefit by Aid to Dependent Children." The "secondary function is rehabilitation of the family, utilizing all available resources with the aim to restoring self-sufficiency." The statement of policy is both simple and exact, but the program deals with human beings with all their philosophies of life and complexities of human nature.

Hence, it is most difficult to determine to what extent the division falls short, if indeed it does, of the execution of its policy, and to what extent the recipient is aided by the program. The study is certainly not arithmetical, but is, rather, one of conclusion based on observations. As such, it opens itself to criticism from all quarters.

In order that the report may have some basis of logic and that observations may point to a conclusion, the report will be treated as follows:

1. The Division of Public Assistance and the Aid to Dependent Children Program
2. The Recipient of the Program
3. The Municipal Official's Viewpoint
4. Conclusions

The Division of Public Assistance and The Aid to  
Dependent Children Program

The Division of Public Assistance, which is a division of the Bureau of Social Welfare, administers the Old Age Assistance, Aid to Blind and Aid to Dependent Children programs. In order that some idea of the scope of the division's activities may be had, a few pertinent statistics are cited.

As of October 1, 1951, there were 132 people employed by this division, divided into the following categories:

State Staff	3
Field Staff	129
(a) Supervisors	7
(b) Caseworkers	84
(c) Clericals	38

For the month of December 1951, the last available statistics, the number of cases of each of the three Assistance programs and the total amount of money expended in each were:

	<u>Cases</u>	<u>Amount</u>
Old Age Assistance	14,590	\$ 625,869
Aid to Dependent Children	4,407 (11,070 children)	322,404
Aid to Blind	609	27,862

Aid to Dependent Children receives about 30% of the total expenditure and covers approximately 22.5% of the cases.

Grants for the fiscal year ending June 30, 1951 total \$11,943,650 for the three programs. This amount is broken down as follows:

Old Age Assistance	\$ 7,898,292
Aid to Dependent Children	3,684,342
Aid to Blind	361,016

In showing the proportionate share of federal, state and local funds of these amounts, the following figures are submitted:

	<u>Old Age</u>	<u>A. D. C.</u>	<u>Aid to Blind</u>
Federal	\$ 4,817,420	\$ 2,269,460	\$ 216,970
State	3,080,872	965,532	144,046
Local		449,350	
Total	\$ 7,898,292	\$ 3,684,342	\$ 361,016

For the purpose of economical administration, the state is divided in seven districts with offices in each of the following cities: Portland, Lewiston, Augusta, Bangor, Caribou, Ellsworth and Rockland. The territories are so divided that every community which, in size, runs from the plantation to the city is covered. In these offices are found the caseworkers and clericals under the supervision of the supervisor. Here also are the files containing all the case histories of the cases in their respective districts.

As stated in the beginning, the primary function of the division under which the Aid to Dependent Children program is administered is

the determination of initial and continuing eligibility of the cases. This is a statement of policy which is, in effect, the working interpretation of the law defining the Duties of the Commissioner. This law- R.S. 1944, Chapter 22, Section 229-A; P.L. 1947, c. 370, §1, P.L. 1949, c. 349, §35- reads in part as follows:

"Before granting aid under the provisions of sections 226 to 235, inclusive, the commissioner shall determine that the parent or other relative, with whom such child is living, is fit to bring up such child, that the other members of the household and the home surroundings are such as to make for good character and that it is advisable that such child continue living in such home, and that the granting of such aid is necessary. The commissioner shall make careful inquiry into the resources of the members of such household and their ability to work or otherwise contribute to the support of such child, and the existence of relatives able to assist in supporting such child; etc."

Eligibility factors derived from this and other laws, and which determine whether or not a grant is to be made, are drawn up. All persons making application for aid under the program must, in the interest of equality of consideration, comply with all factors.

Age- Child must be under 16 years of age or, if regularly attending school, under 18 years of age.

Residence- Child has resided in the State of Maine for 1 year immediately preceding application or was born in Maine 1 year immediately preceding application and his mother has resided in Maine 1 year immediately preceding the birth.

Institutional Residence- Child cannot be an inmate of a public institution because he must be living with a relative in a place of residence maintained by the relative as his or her home.

Transfer of Property- Not a requirement per se, but is an element of need in terms of resources and proceeds from possible transfers.

Economic Need- Child is in economic need.

Not Receiving Both Old Age Assistance and Aid to Blind- Not a requirement, except that Federal reimbursement may not be claimed for the adult if he himself is a recipient of Old Age Assistance or Aid to Blind.

Loss of Parental Support or Care-

1- Death of Parent

2- Continued Absence from Home

- (a) The divorce or legal or mutual separation of the parents
- (b) Desertion of a parent
- (c) Incarceration in a penal institution
- (d) Service of a parent in the armed forces during the period the United States is at war
- (e) Absence of the father in instances of a child born out of wedlock

Physical or Mental Incapacity  
Regular Attendance at School  
Relationship and Domicile  
Suitable Family Home  
Settlement

It is the duty of the caseworker, upon receipt of an application for a grant, to definitely determine that all points of eligibility are met. It is also her responsibility to periodically review the case to establish that eligibility on all counts continues to exist

She further determines whether or not a change in the amount of the grant is indicated, brought about either by a change in the status of the family group or by the acquisition of income from various sources. Her recommendation may take one of three courses, depending upon the circumstances she finds. She may keep the amount at existing level, increase the grant if the maximum has not been reached, or decrease the amount of the grant. She keeps a record in the case files of all interviews, noting all pertinent facts concerning the cases as she finds them at each interview, as well as recommendations which may have been made concerning the grant and the reasons thereof.

Need is the basic eligibility requirement and must be found to exist with respect to each person who is granted assistance and for as long as a person continues to receive assistance. The public assistance laws charge the agency with the responsibility of providing persons in need with a reasonable subsistence compatible with decency and health. Hence, need is defined as a condition resulting from lack of income or resources sufficient to maintain a standard of living compatible with decency and health, but, because of limitations imposed by statutory maximums on payments and appropriations, the department cannot recognize in its definition of need all the requirements of living in decency and health. Therefore, it recognizes and bases its grants on five basic requirements- food, clothing, shelter, heat and utilities. These requirements are common to all people regardless of their circumstances.

The caseworker, by careful interrogation in interview, determines the requirements of the case. She proves shelter, utilities and fuel by receipts for these items and pro rates them over a twelve-month period. Food and clothing allowances are amounts set up by standards determined by the department. The food standard is based on cost studies made in various sections of the state after consultation with nutritionists and home economists practicing in the state. The clothing standard has been set up after careful study and is considered to be a minimum adequate allowance. Shelter includes rent or current taxes, payment on mortgage, fire insurance and/or property upkeep. Fuel and utilities (light and water) requirements are based on receipts of purchases made by the applicant.

After the requirements of an individual have been determined and computed, income and resources of the individual must then be measured against the requirements in order to determine whether a deficit exists between the two. If a deficit exists and eligibility conditions are

met, a payment of assistance will be authorized by the worker. The amount of the assistance payment will be based on the deficit which exists between the individual's requirements and the income and resources established as available to him to meet those needs. If the deficit exceeds the maximum, the payment must be adjusted to the monthly administrative maximum, or \$54 for the first child and \$18 for each additional child up to the maximum of \$180 for a family regardless of the number of children.

Connected with the Department is an Assistant Attorney General from the Attorney General's Department and a staff which includes three field investigators. It is the duty and function of the legal department to take legal action, after referral by the caseworker or others, against those individuals who are not recognizing their obligations of family support as prescribed by previous court action and to trace and bring judgment against those characters who have deserted their families. Complaints of irregularities on the part of the recipient are run down as received by the investigators. Suspicion of irregularities are also the cause of investigative activity. These, and other duties which have to do with other programs, are assigned to the legal department. Mention of this division is made to point out the fact that the program is not without legal assistance in the execution of the program.

It has been the purpose of this report thus far to give a short resume of the Division of Public Assistance as it pertains to the Aid to Dependent Children program, stating the purpose of the program and defining the basis on which the program is administered. Now let us look at the recipient and see how he or she fares under the grant.

#### The Recipient of the Program

Case histories were read and cases visited in each of the seven districts. In no instance were the cases "hand picked." The intent was to get as near a cross-section of each district as possible. Because of the variety of circumstances encountered, this report believes that it did get a fair cross-section. At this point, a description of the types of cases encountered will give an idea of how the recipient fares under the grant.

The case of a deserted woman living upstairs in a hovel. She rents the place for \$18 per month and has a sink and flush toilet, but no bath. The toilet is out of commission, has been for some time, and the family uses the neighbors'. Repeated complaints to the landlord are of no avail. The place is very dirty and ill kept and

is located in one of the poor sections of a large city. The children are apparently well fed and, at the time of the visit, well clothed. On inquiry, the woman states that the children are all well but that she does not enjoy good health. She says she has no money to see a doctor. The caseworker determines that eligibility still exists and refers the woman to a free clinic for a checkup. Poverty is apparent everywhere about the place, and the woman leaves an impression of one living in hopeless despair.

A case based on incapacitation because the father has active T. B. in both lungs. The rent is also upstairs, in a house that should be burned. The family group comprises the mother, father, three children under school age and a two weeks' old infant. One child is asleep in a bed covered with a filthy covering. It is suspected that he has T.B. It is very cold outside and quite cold inside, but the fire only smoulders in the stove, and there is no wood. The only food about the place is a pound of butter, a loaf of bread, a chunk of bacon weighing about  $1\frac{1}{2}$  pounds, and a baker's pie. There is a sink and running water, but no other sanitary facilities about the place, and rent for this is \$15 per month. The father has been to a sanatorium five times, each time returning home after about a week's stay. The last visit he was committed by court action, but came home just the same. Authorities say that even though a patient be committed, there is no provision made to force him to stay.

The case of a young schoolteacher whose husband deserted, leaving a child about a year old. This girl lives in a heated apartment. She keeps herself and child very neat and the apartment is both well furnished and well kept. She is given her rent by sympathetic friends and is just getting by on the grant. She intends returning to teaching and self-support at the earliest possible moment.

The case of a woman with two small children whose husband is in jail. She has turned to the program as well as municipal agencies for aid until her husband has served his time or is pardoned. The home is that of a couple who took a great deal of pride in their home and way of living. The grant is not sufficient and the municipality supplements. After the husband is released, they plan to move to another territory and start life anew.

The case of a woman living upstairs in a shack. Rent \$18 per month. She has five children, one of which is a girl in high school. The woman is obviously trying hard to get along on the grant, but it

is equally obvious that she is having a difficult time. For one thing, fitted hard wood sells locally for \$28 to \$30 per cord. There is no running water in this place, not even in the sink! The woman was washing at the time of the visit and had carried the water from a garage across the street. She said she emptied her water and slops in a hole in the back yard but the guess is she heaved it out the door. And this place is located practically in the middle of a good-sized town!

The case of a woman living on aid obtained because of her nine year old son. She has been deserted. Her brother lives in the home, as does a "boarder" who was present during the visit. Both the brother and the boarder pay \$10 per week for board and room. The home, while poor, is nevertheless neat and clean. But, altho the "boarder" is there as such, and, as such, is within the law, there is the suspicion that the "boarder" was a resident of more intimacy than just a paying guest.

The case of a woman whose husband has been dead for some years. She is not a whiner or one afflicted with self-pity, and the impression is she really tries hard to get along. Her home is little more than a camp, but neat and clean. The woman is in need of medical care because of her age, but such is impossible under the program.

The case of a woman with six children, deserted and living with her mother and sister who has an infant. They live in a hovel with three rooms downstairs and one upstairs. The filth and disorder about the place defies description. Right next door, another sister lives in a two-room shack with two small children. She is also a recipient of the program, but her home is neat and clean, and the children well cared for and very bright.

The case of two young girls, each with a child, living in a heated apartment. One child is an illegitimate, the other the child of a deserting father. There is nothing irregular about the case. One is impressed, however, with the attitude of discouragement on the part of both mothers because of the inability of either to get work enough to be self-sufficient. The grant in this case is declared to be "just enough to live on."

These are a few of the cases observed. They are located in the country, in towns and in cities. If the spot check made is indicative of the whole, then there are far too many people supported by the program who are living in conditions not acceptable by



present-day standards of decency and health. In all fairness, however, it must be made clear that it is believed that many of the cases were living in the conditions found before the program took over. It follows then that the program in its present scope of endeavor is not responsible for conditions as they are found because the department does not have the means to do else than meet the five basic requirements.

It must also be made clear that a fair percentage of the homes visited were those of good managers. These homes were orderly and clean, and, altho it was found that difficulty was experienced in making the grant serve its purpose, yet these people are doing a very good job in a difficult situation. Philosophies in life are obviously different, and this study has afforded the opportunity for the observation of a great many.

#### The Municipal Official's Viewpoint

In seeking the opinion of municipal officers and overseers of the poor, one common complaint is heard. These people say they are virtually "taxed without representation." The municipality, under which settlement is made, must pay 18% of the caseload cost within its jurisdiction. They say they have no voice in the decision of making a grant. They are not critical of the caseworker. On the contrary, all have none but the highest praise for her work and efforts. She does consult the officers and overseers on most of her cases, and her dealings with the officers are on a most cordial plane. This is as it should be, because in a great many cases the grant must be supplemented by municipal funds. It is, therefore, to mutual advantage that common problems should be discussed. On inquiring into this "taxation without representation" attitude, this report believes that it comes from an attempt on the part of the municipal officer to judge whether or not a woman is to receive aid. They apparently base their thinking on their long-time knowledge of the cases in their territory. Now, to judge a woman "not worthy to receive aid" is one thing, but to establish eligibility of a child in need is quite another. The worker establishes this eligibility by interrogation, accepting, as she must, statements of the applicant to be the truth. Under this regulation she must establish eligibility if the requirements are met, regardless of what the officer might think. Hence, he believes he has been "taxed without representation" in the matter.

The municipal officer complains that he is not able to compete with state grants and that because of this fact he is unable to

continual criticism on the part of his own poor recipients because they don't get as much as the state-supported people. The basis of the contention is, of course, money. In very few cases do municipalities make a grant of cash to its needy. Rather, they give orders for groceries, sometimes naming the items to be purchased. Clothing is handled in the same manner. The fact that the state recipient is paid in cash puts her in a position to purchase what she wants. Whether or not she shops as well as the officer who purchases and sends articles to the recipient is, in some cases, debatable. The state recipient has money to spend and, if the temptation to indulge in things other than the "five basic needs" becomes too strong to resist, she is severely criticised by her contemporaries.

Some municipal officers state that they are able to carry out their aid program at a lower figure than does the state. These are the officers of the communities who have an established welfare set-up. There are many others, however, who do not have an organized department that can do this work efficiently. His contention is probably right in some cases. On one hand, the officer is managing the affairs of the recipient by giving subsistence in a concrete form, food, clothing, etc., while the state aid program is on a strictly cash basis to be spent by the recipient. Because he is buying on a relatively large scale, it is not unlogical to assume that the officer is able to purchase to better advantage than the individual. Hence, he gets more for his money. On the other hand, some of the people who receive aid under the state program are admittedly poor managers, and it follows that they leave a lot to be desired when spending money. The law, however, states that the grant shall be made in money. As to costs of administration, let it be remembered that the municipal officer covers his own bailiwick only, while the state administration must service the entire state, and currently has cases in some very remote regions. Such coverage is costly.

This report has confined itself to a study of existing laws which dictate the policy and administration of the program, and to the observation within the department and in the field of the execution of the policy. In its endeavor the report was given every assistance and cooperation by those contacted in the department. Information was freely and willingly given, and at all times without reservation or equivocation. It is the conviction of this report that those charged with the execution and administration of the program are deeply conscious of their obligation to both taxpayer and recipient of the program.

Federal and State. Adherence to policy is rigid, for there must be no inequality of treatment. The caseworker, who is literally the backbone of the program, is well chosen and carefully schooled in interrogation and case reporting in order that eligibility may be established with certainty.

Complaints of irregularity are continually being registered. Some are from disgruntled individuals who seek to cause trouble for the recipient, while others have basis in fact. Others are levied at the efforts of the department. All, however, are accepted by the department and appropriate action is taken when investigation proves the necessity.

It is natural, this report believes, that in a program of such magnitude, where cash is administered as relief, some percentage of the cases will be irregular and will bear close scrutiny. It is believed, however, that this percentage is small and is currently being kept at the lowest possible figure with the means for policing. The caseworker, because she handles an average of 230 cases of all three categories, cannot be expected to police the cases involved. She does, however, deal with those cases reported to her and uncovered by herself, through the channels provided for such action. Cases of immorality are hard to prove and require the services of one trained in crime detection. Likewise, it is hard to prove that a male parent registered as a deserting father is actually working in a section other than the home and visiting his home clandestinely. The department has the personnel to deal with such and other cases.

In short, this report cannot find grounds for criticism of the administration or execution of the program under the existing statutes and appropriations. It does, however, wish to call attention to the following conclusions which are not offered as recommendations as such, but rather as subjects for study to the end that the program might render a wider scope of service to the benefit of the recipient who, this report believes, is in greater need than is covered by cash grants.

#### Conclusions

In drawing conclusions from the observations as outlined, and others, it must be clearly stated and understood that both observations and conclusions drawn therefrom are subject to both error and criticism. Let it also be said that this report has been free to operate and conclude as it saw fit. This has been the study of an abstruse program. It is based on the premise that equality of consideration of the individual is first among all other considerations.

It deals, however, with humans, whose very philosophy in life is at wide variance, and whose living and moral standards are, in a great many cases, not those of accepted society. The program hands out money on a formulated basis, thereby discharging its obligation of equality. The applicant or recipient is protected from errors of judgment on the part of the caseworkers or others by a fair hearing before the commissioner, again establishing equality. It does a tremendous amount of good in those cases where it is well managed. But, this report contends, as a result of its study, that there is more to the program than simply dole. The basis for this contention is found in statutes and policy when they say "Aid shall be granted to any dependent child who is living in a suitable family home meeting the standards of care and health fixed by the laws of this state, etc." They further charge that "the home surroundings are such as to make for good character." They also state that "the term Aid to Dependent Children means money payments with respect to or medical care in behalf of a dependent child or children and includes money payments or medical care.... for any month to meet the needs of the relative, etc." In its statement of policy, the department says "the public assistance laws charge the agency with the responsibility of providing persons in need with a reasonable subsistence compatible with decency and health." This report contends that only part of the definition of "aid" is being considered. This report saw enough real need and poverty to convince it that there is a great deal of this sort of condition existing. It has been said that "just as we provide protection for everyone against fire, crime and disease, we must provide welfare services to protect the people against the malignant effects of poverty. Want spreads like disease, it infects the victim's family, neighbors and friends." There is real danger in rearing a child in an environment where he is not taught or allowed to experience a better way of life.

Much of the beaten and depressed attitude of many recipients is caused, it is believed, by living in places called "homes." Many homes visited by this report were unfit for habitation. The program says the child must live in a suitable home, measured against standards of health and in surroundings that make for good character. It is submitted that places with no water, places with no toilet, places that because of construction are almost impossible to heat, places that are vermin-ridden, and places that are overcrowded beyond all measure of accepted standards are not fit places in which to rear a

child in good health and character. Yet the state subsidizes such places by the payment of rent. What is a suitable home, according to the program? "A home shall be considered suitable until and unless it is declared otherwise by the action of a court authorized to remove the child from the home." When quizzed on this point, a judge in whose district many of these homes existed said, "No one has ever brought a case before me."

Aid to Dependent Children means, according to statutory definition, money payments to or medical care in behalf of a dependent child or children and the relative with whom the child lives. But, because of limitations imposed by statutory maximums on payments and by appropriations, the agency cannot recognize in its definition of need all the requirements of living. The laws and the regulations are contradictory. This report saw sickness, chronic and acute, going without medical attention because of lack of funds. Some recipients were paying medical bills out of grants which are already declared to be the minimum for the five basic needs, none of which covers medical care. It is certainly indicated that money should be appropriated to take care of medical attention when it becomes necessary.

This report is concluded by the statement that it finds no quarrel with the administration of the program under the present statutes and appropriations, but that much is left to be desired because of the lack of social welfare work on indicated cases. Any degree of success in social work will certainly make for better citizenship and self-sufficiency on the part of the child when he reaches his majority. Currently there are numerous cases where the program is serving the second generation of the same family, and a few third generation cases are reported.