

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION CONCERNING NOTICE OF INTENT TO DISCONTINUE CHILD CARE BENEFITS ON JUNE 26, 2012

Were you receiving child care services in Suffolk County through the New York State Child Care Block grant program as of June 26, 2012, and did you receive a Notice of Intent to Discontinue Child Care Benefits on or about June 26, 2012? If so, you should read this notice because it gives you information about the settlement of a lawsuit regarding the Notice of Intent.

Background

On July 19, 2012, a lawsuit was brought challenging the failure of the Suffolk County Department of Social Services (“SCDSS”) to provide adequate notice to households regarding the discontinuation of certain child care benefits. The case has been certified as a class action on behalf of Suffolk County residents who (a) received child care services in Suffolk County through the New York State Child Care Block grant program as of June 26, 2012 and (b) were mailed an OCFS-LDSS-4782 “Notice of Intent to Discontinue Child Care Benefits” discontinuing their child care benefits on or about June 26, 2012.

After the suit was filed, the Court ordered SCDSS to restore child care benefits for those families that received the inadequate notice until such time as SCDSS revised the notice to meet the legal standard. On August 6, 2012, the court approved a new notice that included income limits based on family size, an individual calculation of family income, and higher income limits for families with children with special needs. In mid-August, SCDSS began sending the new notice of intent to discontinue child care benefits to all affected families.

Proposed Settlement

You can see the entire proposed settlement at the web sites for the Empire Justice Center, www.empirejustice.org and the National Center for Law and Economic Justice, www.nclej.org, or by visiting the offices of the EMPIRE JUSTICE CENTER, Touro Law Center, 225 Eastview Drive, Room 222, Central Islip, NY 11722.

The key settlement terms specifically affecting the class include:

- The requirement that the County give notice of the discontinuation of child care benefits to the Class using the Notice of Intent to Discontinue Child Care Benefits approved by the Court on August 6, 2012; and
- A method to enforce the settlement if plaintiffs believe the County has materially breached the settlement.

Right to Object

Any class member has the right to let the Court, the attorneys, and the parties know if he or she objects to the proposed settlement. The Court has set a hearing on March 18, 2013 at 9:30 a.m. at the following address:

U. S. District Court
Eastern District of New York
Long Island Courthouse
Courtroom 1030
100 Federal Plaza
Central Islip, NY 11722-4438

You may also object to the settlement by writing a letter by March 13, 2012 to the Court at the address listed above.

You may also call the following attorneys, who have represented the plaintiffs in this lawsuit, if you have any questions:

Linda Hassberg
Empire Justice Center
Tel. (631) 650-2306

Laura Redman
National Center for Law and Economic Justice
Tel. (212) 633-6967