

To: XXXXX File
From: Student Intern
Re: Initial Case Status Memo
Date: 2/10/12

Client Information

Client: XXXXX
Date of Birth:
Address: XXXXXX
Best Contact is via Mobile: 718-123-4567 (evenings)
Case No.: 7858812G

Fact Summary

Anita XXXXX has been an EJP client since 2004. Ms. XXXXX has been diagnosed with depression and has experienced major depressive episodes. Ms. XXXXX receives public assistance and has a NYCHA Section 8 housing subsidy. Ms. XXXXX's disability has prevented her full compliance with work requirements in the past, and as a result her benefits have repeatedly been threatened with sanctions. Ms. XXXXX is currently exempt from WEP requirements as she applies for a homebound designation. Ms. XXXXX's current exemption expires in March, 2012. If she is designated homebound, her WEP exemption will be extended for three, six, or twelve months. After each period of exemption, Ms. XXXXX will have to re-apply for the homebound status. If Ms. XXXXX does not qualify for homebound status, she is likely to face work sanctions in March when her current exemption expires.

Andrea McArdle 5/10/12 3:20 PM

Comment: Note how the writer has tightened the overview of the facts by eliminating non-essential details concerning her medical condition and experience with WECARE, and by clarifying her current legal status and the consequences of failing to qualify for homebound status.

Legal Issues

- Homebound status and WEP Exemption:
 - No current sanctions, but possible future sanctions.
 - Ms. XXXXX is currently exempted from her work activity requirement. This exemption was entered into the NYCWAY system on October 19, 2011 and is due to expire on March 19, 2011. Ms. XXXXX is trying to obtain a homebound designation at the suggestion of YYYYYY, the AA to the Director at Job Center #100. Ms. XXXXX is likely to face sanctions again in March if she does not get this exemption. To do so, Ms. XXXXX must get medical forms filled out by her Doctor, and then submit these forms to HRA for review. These forms must document that Ms. XXXXX has a physical or mental health impairment that restricts her ability to leave her residence or neighborhood. [EJP intern] met with Ms. XXXXX on 2/2/12 where she discussed Ms. XXXXX's feelings about being designated as "homebound" and gave her the HRA forms. Ms. XXXXX has not yet given these forms to her Doctor. [Social work intern], the social work intern, is working with Ms. XXXXX on assisting her to complete the medical forms as well.
- NOI to recover an over payment
 - Ms. XXXXX recently received an NOI for an overpayment in the amount of \$49.84 because her public assistance case was closed on 9/6/2011. [EJP intern] filed an electronic request for a fair hearing on 1/24/12. Ms. XXXXX has received a

Andrea McArdle 5/8/12 12:02 PM

Comment: Note how the writer has shortened this section by eliminating discussion of possible alternatives to the client's obtaining a homebound designation, if the client is found not to qualify for homebound status. This type of discussion goes beyond the scope of a case status memo and would more properly appear in an attorney strategy/work product memo to file.

mandatory dispute resolution appointment, which [EJP intern] attended on her behalf on 2/10/12. At this meeting HRA informed [EJP Intern] that this NOI was the result of an agency error and that it would be deleted and no recoupment taken. [EJP Intern] is planning to follow up on getting Ms. XXXXX a refund if the recoupment is erroneously taken.

- Complaints with the Office of ADA Compliance
 - In July 2009, Ms. XXXXX was enrolled in WECARE and designated as “employable with limitations.” However, in November 2009, she was assigned a job placement without reasonable accommodation. By May 2010 Ms. XXXXX faced sanctions for non-compliance with her work requirement. In response, EJP filed a complaint with the Office of ADA Compliance on May 25, 2010. Thus far, there has been no response to this complaint. As such, Ms. XXXXX is in an active grievance process, which means, according to City policy memo #06-25-ELI, that “the applicant may not be sanctioned for noncompliance with a work activity requirement or failure to keep a scheduled appointment.” In the past, EJP interns have used this as a defense at Ms. XXXXX’s fair hearings. However, it has been nearly two years since this complaint was filed.

Other Issues

- Housing
 - In the past, Ms. XXXXX was at risk of having her Section 8 housing terminated because her household composition had changed when she removed her son [son] from her household. However, this issue has since been resolved, and Ms. XXXXX should no longer be at risk for losing her Section 8 benefits. Looking forward, Ms. XXXXX would like to move to a smaller apartment, possibly in a different neighborhood. [Social work intern] is assisting Ms. XXXXX in trying to transfer her Section 8 benefits to a different apartment.
- Social Support Services
 - Ms. XXXXX has been working with the social work team from Hunter College since the Spring 2011 EJP term. [EJP intern], the intern who worked on Ms. XXXXX’s case last year, found that Ms. XXXXX feels degraded and humiliated by being in the system, and that she often misses required appointments in part as a form of defiance to HRA control over her life. Another major concern for Ms. XXXXX is her son, [son], who is 25 years old and had been diagnosed with schizophrenia. [Son] no longer lives with Ms. XXXXX, but he is not currently receiving any treatment and is not on medication. He has taken to lingering around Ms. XXXXX’s building, which has made her feel unsafe, and worried about [son]’s health and safety.
 - Ms. XXXXX is dealing with her own depression as well. Ms. XXXXX was going to a therapist for some time, but is not currently.
 - [Social work intern] is the new social work intern working with Ms. XXXXX on these issues.

Andrea McArdle 5/8/12 12:00 PM

Comment: Note how the writer has shortened this section by eliminating the discussion of potential obstacles in going forward with such a complaint to the ADA Office of Compliance, a discussion that would more appropriately appear in a separate memo to file on attorney strategy/work product.

Andrea McArdle 5/8/12 11:56 AM

Comment: Note how this section is more succinct than in the first draft because it eliminates non-essential procedural details concerning steps that the client had already taken or would be required to take to move to a smaller apartment.

Andrea McArdle 5/8/12 11:58 AM

Comment: Note how the writer has shortened and tightened this section, and limited its focus to the essential functions of a case status memo, by eliminating references to client’s reactions to the therapist.

Andrea McArdle 5/8/12 12:29 AM

Comment: Note how the writer has improved readability of this section by using “bullets” and wider margins to create a more visually appealing and more tightly organized presentation of information.

- Associate's Degree
 - Ms. XXXXX has completed her degree credits for Bronx Community College, and must now resolve an administrative issue to get her degree in May. This raises a corresponding issue, which is that when Ms. XXXXX obtains her degree, her relationship with EJP and MSLS will have to come to an end. [EJP intern] has started to broach this topic with Ms. XXXXX.

Next Steps

[EJP intern] will continue to provide support and assistance to Ms. XXXXX and Social Work Intern if they need any. Ms. XXXXX has not yet taken her homebound forms to her Doctor. At this point, beyond working with [social work intern] and reminding Ms. XXXXX to take these forms to her doctor, there is very little MSLS can do to get Ms. XXXXX to take this step. However, Ms. XXXXX does not have to personally take these forms to the doctor. They can be faxed from MSLS on her behalf. Perhaps, if it comes down to the deadline, this is a step that [EJP intern] could consider taking.

Andrea McArdle 5/8/12 12:35 AM

Comment: Here the writer has edited down the "next steps" by eliminating the speculation whether the client would qualify for a homebound designation.

Andrea McArdle 5/9/12 11:19 PM

Comment: Note that the writer has further shortened the memo by eliminating entries that go beyond the scope and function of a case file memo, that is, the writer has omitted reflections on how s/he engages with the subject matter of the course. This shorter version also reflects the writer's apparent resolution of questions that s/he enumerated in the first draft as requiring follow-up investigation.