

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION CONCERNING THE PROCESSING OF FOOD STAMP APPLICATIONS

This notice gives you information about the proposed settlement of a lawsuit regarding the processing of Supplemental Nutrition Assistance Program benefits, also known as Food Stamp applications.

Background

In 2014, a class action lawsuit was brought alleging that the Georgia Department of Human Services (“DHS”) fails to timely provide Food Stamp benefits, incorrectly denies certain applications, and does not provide adequate notice of denials as required by law. The class representatives and DHS have agreed to settle the claims (the “Settlement”).

Proposed Settlement

You can see the entire proposed settlement at the web site for the National Center for Law and Economic Justice, www.nclej.org. Below is a summary of the basic terms of the settlement.

1. **Class.** A class was certified consisting of all Georgia residents who, since January 1, 2013, applied, are applying, or will apply for Food Stamps through a completed initial or renewal application and whose applications or renewals were not or will not be timely processed in accordance with the requirements of the Food Stamp Act and its implementing regulations.
2. **Timely Processing.** DHS will process applications and renewals for Food Stamps and decide eligibility within the time required by law.
3. **Interviews.** DHS will schedule interviews to ensure eligible households receive Food Stamp benefits within the time required by law.
4. **Notices.** DHS will provide each applicant with notices required by law, including notices of missed interviews, verification requirements, and DHS’s obligation to assist in obtaining verification, expiration of the certification period, and notice of the right to a fair hearing.
5. **Retroactive Benefit Payments.** Subject to the approval of the United States Department of Agriculture (“USDA”), DHS will identify all households who at any time between October 1, 2013, and December 31, 2014, applied for Food Stamps and were denied them, who failed to provide verification or failed to keep an interview, who then reapplied, and were approved within sixty (60) days. DHS will provide a retroactive benefit to such households in an amount equal to two (2) times the average monthly household benefit for the number of persons in the household. Subject to USDA approval, DHS also will identify all households whose Food Stamp benefits were terminated on or after October 1, 2013, and on or before December 31, 2014, for failing to attend an interview, submit a renewal application, or provide verification. DHS will

provide a retroactive benefit to such households in an amount equal to one (1) month's average household benefit for the number of persons in the household.

6. **Reporting and Training.** DHS will provide monthly reports to the plaintiffs' attorneys sufficient to show how long it took to process initial and renewal applications all previous months beginning with the first day of the month after final approval of this settlement. DHS will also, as necessary, train employees to ensure compliance with the Food Stamp Act, its implementing regulations, and the settlement terms.
7. **Informal Review Process.** DHS will develop a process to allow plaintiffs' counsel to report to DHS those instances in which a Food Stamps application was not processed as required. DHS will investigate the reported failure and report the investigation results to plaintiffs' counsel, within three (3) days.
8. **Enforcement.** Required improvements in DHS's timely processing of Food Stamp applications will be determined and reported to Plaintiffs' counsel each quarter. Plaintiffs retain the right to return to Court to enforce the settlement if DHS fails to meet the improvement results upon which the parties agreed. Unless otherwise extended by the court, Plaintiffs' right to enforce the settlement ends after DHS achieves and maintains an average monthly processing performance of 96% for six (6) out of seven (7) quarters.

Approval Hearing and Right to Object

On April 15, 2015, the Court entered its order of Preliminary Approval of the Settlement and will conduct a hearing to determine whether to grant final approval of the Settlement. The Court has set a final approval hearing on Wednesday, July 22, 2015 at 9:30 a.m. at the following address:

U. S. District Court
Northern District of Georgia
Atlanta Division
1721 United States Courthouse
Courtroom 1705
75 Spring Street, S.W.
Atlanta, GA 30303-3309

The purpose of the hearing is to consider the fairness of the Settlement proposal and to consider any objections to the settlement. If you want to object to the Settlement you may do so by attending the hearing. You may also object to the Settlement by writing a letter to the Court. The letter must be post-marked by Friday, July 10, 2015. It shall be sent to the Court at the address listed above.

If you have any questions about this notice or the proposed Settlement, you may call the attorneys listed below, who have represented the plaintiffs in this lawsuit.

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