

# STAR Watch

Statewide Technology Assistance Resources Project

A publication of the Western New York Law Center, Inc.



Volume 6 Issue 3

October 2002

## A Tour of the WNYLC and GULP Online Resource Center

GREATER UPSTATE LAW PROJECT

WESTERN NEW YORK LAW CENTER

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Register

WNYLC.net

GULPNY.org

**Welcome** to the Online Resource Center. To enter a database, click on the buttons to the left. Once you are in the database you will be able to search; submit summaries, hearings, pleadings, and decisions; view links to the 10 most recent submissions; and link to an index of submissions for each database.

**In General:** There is no charge for using the Online Resource Center, but you must register before you can use it. If you are already registered, once you log in, you can click on the "My Account" button and request access to additional data bases. (Users with wnylc email addresses have already been added to the benefits data base).

If you have not already registered, please click the "Register" button to the left to proceed. Everyone who registers will be given access to the administrative hearings area. The administrators of the other areas will review all applications for access and will respond as quickly as possible.

**Fair Hearing Bank:** This resource, which will remain open to all users, contains over 1,500 decisions in the administrative hearing bank. New decisions are added on a regular basis.

**Benefits Database:** Here you will find unreported decisions, helpful briefs and other litigation related documents on line. Access is restricted to legal services attorneys and others representing poor and low income individuals and families.

You must be logged in to the online resources in order to view or download documents.

PDF files require Adobe's free Acrobat Reader. If you do not have the free pdf reader, you can get it by clicking the image below.

RTF/DOC files should open in any version of Word or Wordperfect.

The Fair Hearing Bank, launched a few years ago by The Western New York Law Center and the Greater Upstate Law Project, has been a tremendous success. Our web statistics show that the database is in continuous use by advocates over the course of each day, and both organizations have received many positive comments from users who have said that the database has tremendously improved their practice of law.

Both the Western New York Law Center and the Greater Upstate Law Project have launched an exciting new website to expand that resource and to share new resources over the Internet.

The Online Resource Center will serve as an entry point for our Fair Hearing Bank and for a search-

able Benefits Law database. The new database includes pleadings, unreported decisions and other documents related to public benefits in New York State. We plan to launch Housing materials within the next few weeks and will add Disability materials after that. Over the next few years, we plan to continue to build the Online Resource Center into a robust resource for the legal services community.



### In this issue.....

- A Tour of the WNYLC and GULP Online Resource Center
- WNYLC Scans Email for Viruses
- E-Mail Discussion Groups







Users who log in will see a list of the newest cases we have posted:

 							
<b>Menu</b> <b>Fair Hearing:</b> <b>Joe Kelemen Logged in</b>							
<ul style="list-style-type: none"> <li><a href="#">Home</a></li> <li><a href="#">Logout</a></li> <li><a href="#">OTDA Materials</a></li> <li><a href="#">Information</a></li> <li><a href="#">Contacts</a></li> <li><a href="#">WNYLC.net</a></li> <li><a href="#">GULPNY.org</a></li> <li><a href="#">My Account</a></li> <li><a href="#">Submit Case</a></li> <li><a href="#">Fair Hearings</a></li> <li><a href="#">Benefits Law</a></li> <li><a href="#">FH Index</a></li> </ul>	<p>?    Search Fair Hearing    [    ]    [AND ▾]</p> <table border="1"> <tr> <td> <p align="center"><b>Fair Hearing of the month October 2002</b></p> <p><b>FH Summary# 3629327Q, 05-01-2002</b></p> <p>Appellant has been a recipient of SSI since 1994. The Social Services District (HRA) captured its interim assistance reimbursement from her retroactive benefit paid at that time. Subsequently, in November 2001, claimant was found to be eligible for retroactive payment of \$21,082.57 - for the period of 1981 through 1987 - pursuant to the settlement in the Dixon class action. HRA captured the full amount of this payment, as well, also under the Interim Assistance Reimbursement Act. However, pursuant to the New York Court of Appeals decision in <u>Rodriguez v. Perales</u>, 633 N.Y.S.2d 252 (1995), the Agency is only permitted to reimburse itself for interim assistance from the initial SSI payment. The Agency was ordered, therefore to refund the entire payment of \$21,082.57.</p> <p align="center"><a href="#">Fair Hearing Decision</a></p> </td> <td> <p align="center"><b>10 Most Recent Submissions in Fair Hearing</b></p> <table border="1"> <tr> <td> <p><b>FH Summary# 3646482L</b> Public Assistance (PA) Discontinuance; Excess Earned Income; Pre-Hearing Document Request; Rivera v. 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This database allows users to upload their own materials in order to share them with the community.

 	
<b>Menu</b> <b>SUBMIT CASE : Benefits law</b> <b>Joe Kelemen Logged in</b>	
<ul style="list-style-type: none"> <li><a href="#">Home</a></li> <li><a href="#">Logout</a></li> <li><a href="#">OTDA Materials</a></li> <li><a href="#">Information</a></li> <li><a href="#">Contacts</a></li> <li><a href="#">WNYLC.net</a></li> <li><a href="#">GULPNY.org</a></li> <li><a href="#">My Account</a></li> <li><a href="#">Submit Case</a></li> <li><a href="#">Fair Hearings</a></li> <li><a href="#">Benefits Law</a></li> <li><a href="#">Benefits Index</a></li> </ul>	<p align="center"><b>Use the form below to submit a case to Online Resources. We will review your submission prior to its release on the web site. If you have already submitted this form for this case, and are submitting another document, please just fill out the case name so that we can match your document with the case</b></p> <p>Uploaded Document:      No Document Uploaded</p> <p>Document title:      No Document Uploaded</p> <p>Case Name: _____</p> <p>Forum/Court: _____</p> <p>Statutes Involved: _____</p> <p>Regulations Involved: _____</p> <p>Keywords: _____</p>



GULP will act as a gatekeeper to ensure that materials are posted appropriately, and will screen users who request access to ensure that the resources are being made exclusively available to advocates representing poor and low income clients.

The database already contains dozens of Benefits law cases:

GREATER UPSTATE LAW PROJECT | WESTERN NEW YORK LAW CENTER

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Menu      Benefits Law:      Joe Kelemen Logged in

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	<b>Case ID:48 Boettger v. Bowen</b> self-obtained employment, voluntary quit, work incentive program Updated:9/16/2002	<b>Case ID:95 Vega v. Wing</b> work rules, provoked discharge, burden of proof, defective notice, due process Updated:9/5/2002	
	<b>Case ID:2 Abdus Shakur v. Block, et al.</b> Food stamps eligibility, Social Security number requirement Updated:9/5/2002	<b>Case ID:58 Burgess v. Sabol</b> foster care, special rates for foster care providers, standing Updated:8/8/2002	
	<b>Case ID:78 Childs v. Bane</b> utility arrearage assistance, emergency assistance,	<b>Case ID:69 California v. Healy</b> AFDC eligibility, writ of mandate, minimum subsistence needs	

The housing area, which is near completion, will contain commentary by legal services attorneys and "hot" links to Westlaw and Nexus-Lexis citations.

The Resource Center can be reached from the WNYLC web pages (<http://www.wnylc.com>) or GULPNY web pages (<http://www.gulpny.org>) by selecting the appropriate link. The direct link is: <http://www.wnylc.net/onlineresources/>.

If you have any fair hearings or briefs that you want to share with the legal services community, please be sure to post them. If you just have the material in hard copy, (most people do not have fair hearing decisions in an electronic format), please summarize the material online and send us the hard copy.

☆☆☆  
 ☆ Please let us know what you think as you use this new resource. We would ☆  
 ☆ appreciate any feedback on usability, content, etc., so that we can continue to ☆  
 ☆ improve this exciting new resource. ☆  
 ☆  
 ☆☆☆



# WNYLC Scans EMAIL For Viruses

Viruses are a greater threat to computer users today than ever before. As people do more and more work on computers and link to each other through networks and email, viruses spread more frequently and more quickly. A virus can be disastrous to an individual user. Files infected with a virus often have to be deleted. So in addition to lost work time, a user may also lose copies of old emails, letters, briefs, etc.

Most viruses are spread by email. To help the legal services community in New York State keep the spread of viruses to a minimum, WNYLC has installed virus-scanning software on the servers it uses for mail accounts and email discussion groups. This software is updated automatically each day (the software actually checks for updates several

times a day) and automatically scans every message and attachment going to the email discussion groups and to accounts on our server. On average, the software has been intercepting over 100 viruses a day.

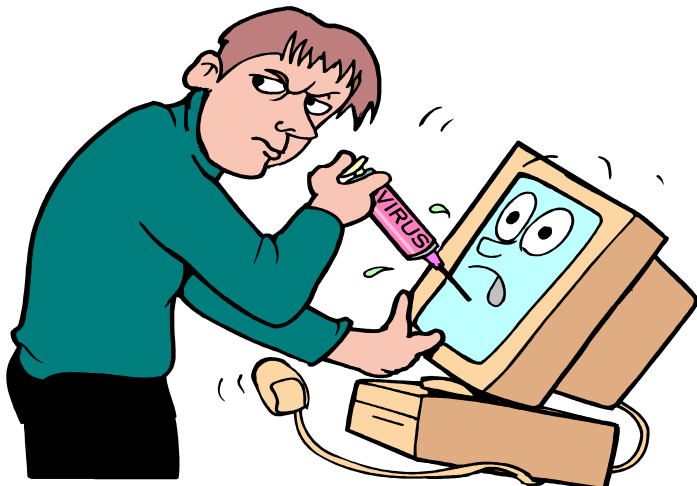


Although this protection is good, users should still have antivirus software on the computers they use. Legal Services offices can apply online to get donations of software from Symantec. The url is: [http://www.symantec.com/corporate/software\\_gik.pdf](http://www.symantec.com/corporate/software_gik.pdf) Home users can get free anti-virus software from <http://www.grisoft.com>.

## Virus Hoaxes

Virus hoaxes are almost as bad as viruses since they force people to waste time. Some hoaxes actually tell users to delete Windows system files from their computers.

How can you recognize a hoax? Any email that warns you of a virus and tells you to "send this to everyone you know" is most likely a hoax. If you get an emailed warning, do not pass it on. Look at the sites of one of the antivirus companies, like Symantec, (<http://www.symantec.com/avcenter/hoax.html>) and do a search for the warning. If you can not find any information, email [wnylc@wnylc.com](mailto:wnylc@wnylc.com) We will find out for you if the warning is a hoax.





# E-Mail Discussion Groups

Don't forget to join the e-mail discussion groups available through the WNYLC web site. There are groups with discussions in public benefits, housing, disability and domestic violence issues. Advocates practicing in one or more of these areas can join one or more of these respective groups by sending a request by e-mail to [wnylc@wnylc.com](mailto:wnylc@wnylc.com) or by going to [www.wnylc.com](http://www.wnylc.com) and following the link to "Discussion Groups" on the left hand side of the web page. Members of these groups do not have to do anything technologically advanced to participate. E-mail sent to any group circulates to all members so members can read it and respond if they have something to add.

Archives of the discussions are available for members of the groups through a web browser. Just go to [www.wnylc.com](http://www.wnylc.com) and select "WNYLC Discussion Groups" from the side menu.

The archives go back to the beginning of the discussions - the disability group alone has over 4300 searchable messages. Some of the postings are mini-treatises on different issues that come up in practice. This is a great resource; so be sure take advantage of it if you haven't already.

Don't be shy - these group are not for "experts." They are intended to help people

who have questions in these areas of practice. If you are worried about being overloaded with e-mail, you can receives a "digested" version." You will then get one e-mail once a day with all of the topics discussed on that day.



- There are discussion groups on:
- Disability Law (DAP)
  - Public Benefits
  - Housing Law
  - Domestic Violence
  - HIV Law
  - NYC Housing Law
  - Special Education
  - NYC Education Law
  - and several others.



## For September 2002

Total Hits . . . . .	299,912	Most Active Hour. . . . .	3:00-4:00 p.m.
Total User Sessions . . . .	21,368	Accessed Using Netscape . . . . .	13%
Average Hits/Day (Monday thru Friday) . .	12,658	Accessed Using Internet Explorer. . . . .	72%
Average User Sessions/ Weekday . . . . .	814	From Windows 95, 98 or NT. . . . .	99%
		Most Active Day of Week. . . . .	Monday



### WHO WE ARE

Joe Kelemen - Attorney  
 Kathleen Lynch - Attorney  
 Linda Hassberg- Attorney  
 Tom Karkau - Programmer  
 Brenda Pattison—Administrative Assis-  
 tant



Wnylc@wnylc.com



716-855-0203



www.wnylc.net

Western New York Law Center, Inc.  
 295 Main Street, Suite 454  
 Buffalo, New York 14203