



**Department for
the Aging**

TESTIMONY

Presented by

**Lorraine Cortés-Vázquez
Commissioner**

on

**Oversight:
Unpaid Caregivers Comprehensive Plan and Report Follow Up**

before the

**New York City Council
Committee on Aging**

on

**Wednesday, February 5, 2020
1:00 P.M.**

at

**Council Chambers, City Hall
New York, NY 10007**

Good Afternoon Chair Woman Chin and members of the Aging Committee. I am Lorraine Cortés-Vázquez, Commissioner of the New York City Department for the Aging (DFTA). I am joined today at this important hearing by Carolina Hoyos, Director of our Caregiver Supports Unit.

An estimated 1.3 million caregivers call New York City home. Given current data, compounded by the segment of the population who do not self-identify as caregivers, it is likely the total population of caregivers in our city is far greater. Thus, I am incredibly grateful to Chair Chin, and the entire Aging Committee for its continued advocacy and partnership in support for this important community of New Yorkers.

Chief among our many achievements together is the passage of Local Law 97 of 2016. Empowered by this law, DFTA developed a comprehensive survey in partnership with our colleagues in government, including the NYC Administration for Children's Services, the Mayor's Office for People with Disabilities, and the Mayor's Office of Operations. This thoroughgoing, citywide survey endeavored to better understand these 1.3 million New Yorkers, examine the extent to which unpaid caregivers' needs are met by existing services, and to identify areas for improvement. It ultimately yielded significant findings which, through the support of a diverse workgroup,¹ resulted in a total of seven recommendations:

1. Leverage and expand awareness about existing resources for caregivers
2. Encourage New Yorkers to identify as caregivers
3. Educate caregivers about best practices and techniques for providing care

¹ The workgroup was composed of representatives from DFTA, the Administration for Children's Services (ACS), Health + Hospitals (H+H), the Commission on Gender Equity (CGE), THRIVE, the Mayor's Office for People with Disabilities (MOPD), the Department of Education (DOE), the Office of Management and Budget (OMB), and AARP.

4. Help caregivers access affordable transportation
5. Support legislation that benefits unpaid caregivers
6. Continue a working group focused on caregivers
7. Communicate affordable housing efforts and opportunities to caregivers

In January 2018, DFTA produced and released *“A Plan to Support Unpaid Caregivers in New York City”* detailing these recommendations, in our ongoing effort to raise awareness and inform best practices for the caregiver community and those who serve them.

POST-SURVEY FINDINGS AND PLAN

These findings and recommendations continue to guide DFTA’s efforts as well, and directly inform our programs which support the caregiver community. For instance, a lack of awareness among New Yorkers to self-identify as a caregiver and limited access to available resources are among the most cited concerns of our survey respondents. As a direct result, DFTA launched a public outreach and advertising campaign to broaden awareness of caregiver programs and services. The expansive awareness campaign included advertisements in subway lines, on buses and bus shelters, the Staten Island ferry and on billboards across the city. Our primary message was two-fold: (1) help caregivers recognize they are in fact caregivers, and (2) encourage them to seek assistance through DFTA by simply dialing 311 and asking for “caregiving support.” According to 311, the city received 1,600 caregiver inquiries following the campaign—this represents a significant increase relative to the year prior to the campaign launch, which saw only a fraction of those numbers.

Moreover, DFTA conducts direct outreach by way of participation in various panels or public speaking opportunities. In FY '19, DFTA and Bellevue Hospital joined forces to conduct presentations about DFTA-funded services to doctors, nurses, social workers, and case managers. We have since held similar presentations at Lincoln Hospital in the Bronx, Harlem Hospital in upper Manhattan, and to NYC Health and Hospitals case managers and social workers. In addition to offering direct support and assistance, our DFTA-funded caregiver programs across the city are also contracted to identify and locate isolated caregivers and provide information about available services in their community.

Also guided by our survey findings, DFTA's network of contracted caregiver providers meet regularly and as often as necessitated by program needs or industry demands. These meetings have included discussions on industry-specific challenges such as the increasing cost of respite and the overall shortage of home health aides. Meeting discussions also identify trends impacting the need for caregiver supports, such as long-term care planning and specific needs of immigrant caregivers, including language needs and immigration status-related challenges.² Additionally, our providers receive technical assistance and directives regarding documentation and tracking of services units and funding. Periodically, expert guest speakers are invited to discuss nuanced or cutting edge information, resources, and programs related to issues from Alzheimer's and dementia care, to legal assistance and case management. These meetings provide the opportunity to improve service provision, enhance practices and techniques, and elevate the caregiver services industry in NYC overall.

² The federal government's recent actions regarding the definition of a "public charge," for instance, is a common concern.

These are just a few examples of the ways in which our survey informed our recommendations and were put into direct practice by our staff and that of our contracted providers. I would be remiss, however, not to mention the incredible investment by the Mayor in this space. His \$4 million in baselined funding to caregiver services in New York City in FY '18 doubled DFTA's caregiver budget, enabled us to advance our survey recommendations, and expand services to address newly identified unmet needs—including respite-related supports. This Administration's commitment to caregivers is further reflected in the City's unprecedented investments in prevention services to help support and strengthen families caring for children. ACS's nationally-recognized and broad array of contracted prevention services served almost 20,000 families with more than 45,000 children in FY '19. These services are free for NYC children and their caretakers, and offer a broad range of supports including in-home counseling, referrals and assistance with accessing benefits, and homemaking.

Our outreach efforts and media campaign encouraged many more New Yorkers to self-identify as caregivers which, in turn, resulted in more caregivers seeking specific support such as respite and supplemental services. As noted during the Aging Committee's last caregiver hearing in November 2017, DFTA projected doubling our respite service totals to caregiver clients by the end of FY '19. In FY '17, the year prior to the mayor's investment, a total of 37,089 hours of some type of respite service was provided. This includes individual homecare, group respite, overnight and other respite, and supplemental services. In FY '19, the combined hours of respite care and supplemental services provided totals were 118,843, far exceeding our expectations and only further encouraging us to continue our efforts with this community.

LOOKING AHEAD

As noted earlier, DFTA contracts with several community-based caregiver service providers operating a total of twelve caregiver programs across the city. Geographic-based programs include Presbyterian Senior Services (PSS) and Neighborhood SHOPP in the Bronx, Sunnyside Community Services and SNAP in Queens, JASA and Heights and Hills in Brooklyn, the Jewish Community Center of Staten Island, and Lenox Hill Neighborhood House and Hamilton Madison House in Manhattan. In addition to programs based on geographic catchment areas, DFTA also contracts three citywide providers to serve the needs of specific communities. SAGE, Hamilton Madison House, and VISIONS serve LGBTQ caregivers; Chinese-, Korean- and Japanese-speaking caregivers; and visually disabled caregivers respectively.

The population of 1.3 million caregivers is undoubtedly reflective of the ethnic and cultural composition of the city as a whole. Therefore, the area of ‘diversity and inclusion’ was not only a recurring theme in our survey findings but in our ongoing work in general. The intersection between caregivers and the immigrant population is broad, and language barriers severely impact access to caregiver services. Accordingly, DFTA addresses cultural- and language-based barriers directly through the procurement process for our caregiver contracts. Specifically stated in the latest RFP, for instance, contractors were expected to “interact and provide services to clients in a culturally and linguistically competent manner.” Additionally, outreach efforts are expected to be “culturally competent, linguistically appropriate, and ensure that those being sought out represent the economic and social-cultural diversity of the program’s service area.” Community linkages, targeting and outreach remain important qualifications for our contracts and are among our heavily weighted considerations in our evaluation of proposals.

DFTA imposes this expectation directly on ourselves as well. Our caregiver services are provided to individuals who speak Spanish, Russian, Polish, Ukrainian, Filipino, Greek, Mandarin, Cantonese, Korean and Japanese. Additionally, DFTA has developed three e-learning videos specific for caregivers, which have been translated in Spanish, Chinese, Russian, Italian, French/Creole, and Greek, and are available on DFTAs website twenty four hours a day, year round. These efforts remain a priority of DFTA's because our services must reflect the rich, cultural diversity of New York City.

There are, however, other attributes specific to NYC which are less celebrated and much more difficult to address. These include housing affordability and access to affordable transportation, which are unsurprisingly also among the top concerns of our survey respondents.

Many caregivers, particularly those caring for older adults, have expressed dissatisfaction with the limited and sometimes impractical transportation options available to them. Traveling across the city can be especially challenging for those who do not live near a bus or subway station. Fortunately, DFTA's caregiver programs are able to reimburse or arrange transportation services to caregivers, which is among the various supplemental services made possible through the additional \$4 million funding in FY '18. Furthermore, DFTA has a total of eight stand-alone transportation contracts across the city to provide van and private car service for New Yorkers over age 60. Transportation services can include trips to and from senior centers, medical appointments, and/or other as needed trips. Finally, several of our 249 senior centers also provide transportation services. Accessible and affordable transportation, however, is a much greater need

that transcends the caregiver community, the older adult population, and even the city's boundaries.

Similarly, housing affordability is a major concern of New Yorkers—caregivers and non-caregivers alike—that far exceeds DFTA's reach. Nevertheless, the Administration remains committed to increasing the amount of affordable and accessible housing for everyone, including older adults. The Mayor has made an unprecedented commitment to the creation and preservation of affordable units for seniors. A total of 30,000 units are to be developed and preserved between 2014 and 2026 targeting to seniors aged 65 and over. DFTA will continue to advocate for these important efforts and, undoubtedly, the Council will as well.

CONCLUSION

Thanks to Local Law 97, the de Blasio Administration's deep commitment to this work, and the ongoing advocacy of the Committee on Aging, we have uncovered many great concerns specific to the caregiver community and, more importantly, have identified ways to address them. We look forward to our continued dialogue and partnership with the City Council centered around how to better understand and serve caregivers in New York City.

I am pleased to answer any questions you may have in this regard.



**New York City Council
Committee on Aging, Chair Margaret Chin
February 5, 2020
Oversight - Unpaid Caregivers Comprehensive Plan and Report Follow Up**

Thank you, Chair Chin, and the full committee for the opportunity to testify today.

LiveOn NY's members include more than 100 community-based organizations that provide more than 1,000 programs serving over 300,000 older New Yorkers annually. These core services include senior centers, caregiver supports, home-delivered meals, affordable senior housing with services, NORCs, case management and homecare. Through policy efforts, LiveOn NY advocates to increase funding and capacity for our members to meet the needs of older adults in their communities and enable them to thrive. All of the community-based organizations who contract with the Department for the Aging (DFTA) to provide caregiver support services are within LiveOn's membership. For that reason, we wished to provide testimony today.

We are incredibly grateful to the de Blasio Administration for its increased investment in this important program. New York City has one of the most concentrated populations of older adults in the nation, and with that comes a significant amount of people caring for loved ones. DFTA's Caregiver Supports program offers assistance to many types of caregivers, from those caring for an aging loved one who may or may not have dementia, to grandparents raising grandchildren, to caregivers of adults with disabilities.

According to DFTA's latest progress report, there are 1.1 million caregivers in New York City—the majority of whom are women and people of color. For many caregivers, one of the biggest issues they face is financial. Many caregivers simply cannot afford to hire full-time care for a loved one, nor can they afford to stop working to provide care themselves full-time. In a number of ways, they find themselves stretched thin: financially, physically, and emotionally. Fortunately, DFTA's caregiver program is able to look at each case holistically and determine where support is needed most.

Time and time again, we hear about the critical impact this program has had on both caregivers and care receivers in NYC. Between providing respite, transportation, combating isolation, and promoting self-care, these programs are concretely improving the lives and mental health of its participants. Our members are uniquely poised to offer hyper-local caregiver support services, and they are proud to meet the needs of their communities through creative programming and



strategic partnerships. DFTA's report shows that caregivers in NYC are a diverse group of people, and our members are uniquely poised to provide culturally competent services to the City's unpaid caregivers and shape their programs with sensitivity.

Moving forward, LiveOn NY would love the City's support in responding to the State's forthcoming proposals through the second iteration of the Medicaid Redesign Team (MRTII), which has the task of cutting \$2.5 billion in Medicaid spending. It is likely that the proposals that come out of MRTII could impact Medicaid recipients, which in turn could affect both caregivers and care receivers. LiveOn NY encourages the City to join us in calling on the State and MRTII to ensure future cuts do not lead to adverse health impacts, nor should they disproportionately impact low-income seniors and their caregivers or put community-based non-profits financially at risk.

In conclusion, LiveOn NY wishes to reiterate our continued support of New York's caregivers and this crucial program. We commend DFTA for launching multiple citywide outreach campaigns and hope that these efforts can continue, as many individuals find it difficult to self-identify as a caregiver and are still unaware of the impactful resources offered through the City.

LiveOn NY remains committed to working with our city and nonprofit partners to make New York a better, fairer place to age. Thank you for the opportunity to testify.

LiveOn NY's members provide the core, community-based services that allow older adults to thrive in their communities. With a base of more than 100 community-based organizations serving at least 300,000 older New Yorkers annually. Our members provide services ranging from senior centers, congregate and home-delivered meals, affordable senior housing with services, elder abuse prevention services, caregiver supports, case management, transportation, and NORCs. LiveOn NY advocates for increased funding for these vital services to improve both the solvency of the system and the overall capacity of community-based service providers.

LiveOn NY also administers a citywide outreach program and staffs a hotline that educates, screens and helps with benefit enrollment including SNAP, SCRIE and others, and also administers the Rights and Information for Senior Empowerment (RISE) program to bring critical information directly to seniors on important topics to help them age well in their communities.



New York City

**Testimony of
Antonio Coppola, Associate State Director
AARP New York**

**New York City Council
Committee on Aging**

Oversight - Supporting Unpaid Caregivers

February 5, 2020

**City Hall
New York, New York**

Contact: Antonio Coppola (212) 407-3728 | acoppola@aarp.org

Good morning Chairwoman Chin and members of the Aging Committee. My name is Antonio Coppola and I am AARP New York's Associate State Director. On behalf of our 750,000 members age 50 and older in New York City, I want to thank you for the opportunity to testify today on the topic of unpaid family caregivers.

Family caregivers provide an invaluable resource – many are on call 24 hours a day, seven days a week. This labor of love is worth \$31 billion in unpaid care each year statewide and more \$13 billion here in New York City. Thanks to family caregivers' commitment, hundreds of thousands of older people are able to live at home rather than in much costlier and mostly taxpayer-funded institutions, like nursing homes.

I personally have heard directly from unpaid family caregivers about the many services they provide, and the frustration they feel when they do not have access to the resources or supports they need to successfully meet the responsibilities they have undertaken. Adding to this stress, many caregivers have neither the time nor the resources to care for themselves. It is heartbreaking. I invite you to visit AARP's IHeartCaregivers.com website to read real, firsthand stories of unpaid family caregivers here in New York.

I want to applaud the City's Department for the Aging for their survey of informal caregivers in NYC. It's a great first step in addressing the needs of New York City's unpaid caregivers. There are more than a few highlights that stand out from AARP's perspective:

- There are an estimated 900,000 to 1.3 million unpaid caregivers in New York City;
- A majority of caregivers are women and at least 50 years old;
- More than half of caregivers provide at least 30 hours of care each week;
- At least one-third of each caregiver group struggles financially;

- Information about available services is in the top three most needed services for all caregiver types;
- One of the services with the highest levels of unmet need was respite care—at least 1 in 4 caregivers from each group need but do not receive it; and
- Two of the most prevalent barriers to obtaining services are lack of knowledge regarding available services and income/financial limitations.

Because so much has been said regarding services, I want to focus in more on the financial strain unpaid family caregivers experience.

A 2016 AARP report on family caregiving and out-of-pocket costs found that family caregivers not only spend time and energy, but also a significant amount of their own money on caregiving. The overwhelming majority of caregivers — almost 4 out of 5 — incur out-of-pocket costs as a result of caregiving. In 2016, family caregivers spent roughly \$7,000 per year, amounting to 20% of their income, on average. It also impacts their future income. Many family caregivers are also dipping into their savings and one in six has cut back on retirement savings.

Some groups bear higher than average out-of-pocket costs, including Hispanic/Latino caregivers, those caring for someone with dementia, those responsible for activities of daily living, and those caring for a loved one from a distance.

In addition to out-of-pocket costs, many caregivers experience strain that affects their professional and personal wellbeing. More than half of caregivers in the study reported at least one work-related strain such as a change in work hours, taking paid or unpaid time off, and others. Many are cutting back on their own personal spending to accommodate for caregiving costs, with roughly half cutting back on leisure spending.

These findings demonstrate the importance of not only education and assistance for family caregivers, but also the need for financial assistance such as a family caregiver tax credit that would help address the financial challenges of caregiving.

In 2019, AARP commissioned a report with the Center for an Urban Future which revealed that the number of older adults in New York City—residents aged 65 and over—increased twelve times faster than the city’s under-65 population over the past decade. There are now a record 1.24 million adults aged 65 and over living in the five boroughs. Between 2007 and 2017 the City added 237,478 older adults, an increase of 24 percent. By comparison, the city’s under-65 population increased by just 2 percent.

There has never been a more crucial time for us to focus on the needs of family caregivers. Now more than ever, we need to ensure that family members have access to the services and resources they need to allow their older loved ones to age at home with dignity.

Support for unpaid family caregivers is a priority for AARP both nation-wide and here in New York City. We applaud the City Council and the Mayor for taking on this issue, and we look forward to continuing to work together on finding solutions that will best support the lives of our City’s family caregivers. Thank you.



We refuse to be invisible

Testimony to the Committee on Aging of the New York City Council

Delivered in person on February 5, 2020

by Joey Costello, Assistant Director of Care Management for SAGE

Councilmembers, on behalf of SAGE, thank you for holding this Committee hearing on unpaid caregivers.

My name Joey Costello and I am the Assistant Director of Case Management at SAGE. Founded here in NYC in 1978, SAGE has provided comprehensive social services and programs to LGBT older people and their caregivers for nearly four decades, including through our five LGBT-welcoming senior centers across the city and our comprehensive caregiving program, both of which have been funded through the Council.

As many of you know, LGBT elders face myriad challenges associated with aging: declining health, diminished income, the loss of friends and family and ageism. LGBT older adults also face invisibility, ignorance, and fear of harassment and poor treatment.

Compounding their challenges, LGBT elders are far more likely to live in isolation. In fact, LGBT older people are twice as likely to live alone; half as likely to be partnered; half as likely to have close relatives to call for help; and more than four times more likely to have no children to help them. As a result of these thin support networks, many LGBT older people have nobody to rely on. In fact, nearly 25% of LGBT elders who SAGE serves have no one to call in case of an emergency. Among LGBT older respondents to one survey, nearly one-third of both gay men and transgender people reported they don't know who would be their caregiver if the need arose. If an LGBT older adult has no legal family to rely on, who cares for them?

Though the statistics are troubling, the older LGBT population is a vibrant and resilient community, who have persevered by coming together and caring for their own. An example of this resilience can be found in the ways in which the LGBT community came together during the HIV/AIDS crisis. It was LGBT people who stepped up to provide caregiving support for lovers, friends and even strangers who were living with HIV/AIDS. As a result, social networks were expanded and strengthened, and survivors of that time have continued to rely on these care networks. That is what we are seeing today – non-family caregivers, like friends and neighbors, are providing these crucial supports to their LGBT elders today.

While the caregiving experience is unique among LGBT people, serving as a caregiver is by no means limited to this population. According to *Caregiving in the U.S.*, a 2015 study by AARP and The National Alliance for Caregiving, there are 34.2 million Americans who provide unpaid care to another adult who is over the age of 50. The care they provide is a critical part of the aging service provider network, as it accounts for over 85% of all elder care in the U.S. These unpaid hours of care for older adults are valued at \$522 billion annually.

LGBT people become caregivers at a higher rate than their non-LGBT peers: 1 in 5 LGBT people is providing care for another adult, compared to 1 in 6 non-LGBT people. Among the caregivers in this country, LGBT caregivers make up 9% of the 34.2 million Americans caring for people over age 50. That means that there is an estimated 3 million LGBT people providing care to recipients. Notably, among Hispanic caregivers, 15% identify as LGBT.

In the absence of having their families of origin to rely on for care and support, for many LGBT people, families of choice are the cornerstones of caregiving. These chosen families provide social, emotional and physical support, and often serve as advocates when medical needs arise. However, most families of choice are not afforded any legal recognition or protection, and service providers may not think to inquire about or include these people in their work. It is important to recognize these relationships, and to provide support in completing paperwork that ensures the wishes of the care recipient are recognized.

As an LGBT person ages, they turn to their family of choice for help and care. Adding to the uniqueness about LGBT caregiving, it is common for the majority of an LGBT elder's close friends and chosen family to be older adults themselves, resulting in many older LGBT individuals rely on one another for caregiving and many LGBT elders identifying as caregivers. As peers and friends age, those caregivers may not be able to give adequate care. Because of their lack of family caregivers, their need for respite and supplemental services is greater.

The act of providing physical, emotional, and perhaps financial support to an ill or aging person can lead to isolation, stress, and eventually caregiver burnout. All caregivers are susceptible to caregiver burnout; LGBT caregivers experience some additional factors that can increase caregiver burden and lead them to burn out more quickly. Whether an LGBT caregiver is providing care for a member of their family of origin or family of choice, it is apparent that this population needs meaningful and approachable direct services and support for LGBT caregivers.

To better serve LGBT elders and their caregivers, SAGE's Caregiving Program offers a safe, welcoming community that helps caregivers navigate their current and future needs. As they provide care for a loved one, SAGE's Caregiving Program cares for them, and in turn helps them prepare for the time in their life when they may need care. Through this program, SAGE offers one-on-one counseling, group counseling, weekly caregiver support groups, educational seminars and online resources, information on benefits, respite care, and help for caregivers planning for their own futures.

SAGE's program is the City's only dedicated LGBT caregiving program. Supporting LGBT caregivers through programs and services such as SAGE's Caregiving program is one of the best ways for the Council to have a positive impact on the lives of both LGBT caregivers and LGBT elders receiving care. Caregiver support will save money on costly long-term care and will keep care recipients in their homes.

Thank you to the City Council for your continued commitment to our city's LGBT older people and caregivers. Your support has been instrumental in ensuring that SAGE is there for them.

As we look to a growing population of LGBT older people and an increase in unpaid caregiving, SAGE looks forward to working with the members of the Council to support LGBT caregiver and ensure that more of our city's LGBT elders can age in place.



TESTIMONY FOR A HEARING ON:

**OVERSIGHT – UNPAID CAREGIVERS COMPREHENSIVE PLAN AND
REPORT FOLLOW UP**

PRESENTED BEFORE:

NEW YORK CITY COUNSEL
COMMITTEE ON AGING

SUBMITTED BY:

MARK SCHULTE
SENIOR STAFF ATTORNEY
MOBILIZATION FOR JUSTICE, INC.

February 5, 2020

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I. Introduction

Mobilization for Justice, Inc. (MFJ) envisions a society in which there is equal justice for all. Our mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised, or have disabilities. We do this through providing the highest quality direct civil legal assistance, providing community education, entering into partnerships, engaging in policy advocacy, and bringing impact litigation. MFJ assists more than 25,000 New Yorkers each year.

MFJ's Kinship Caregiver Law Project helps stabilize families by providing civil legal assistance to caregivers raising children who are not their biological sons or daughters. Thousands of grandparents, other relatives, and fictive kin¹ take care of children whose birth parents are deceased, incarcerated, or are otherwise unable or unwilling to provide a stable home. MFJ works to prevent these children from entering the traditional foster care system by representing caregivers in custody, guardianship, and adoption proceedings. Research has demonstrated a number of clear benefits of kinship care over the traditional foster care system including improved academic performance, lower incidence of mental illness, lower teen pregnancy rates, and improved self-esteem. MFJ's Kinship Caregiver Law Project is the only program in New York City serving the legal needs of kinship caregivers. Last year, thanks to a Speaker Initiative, MFJ was awarded funding to support our kinship work, wherein we served over 500 families, the vast majority of whom are working poor women of color.

MFJ appreciates the opportunity to share with the Committee on Aging information about the free legal assistance MFJ provides to the unpaid caregiver thanks to Speaker Initiative support, as well as the support of this Committee.

II. Legal Services for Kinship Caregivers

1. Legal Challenges Faced by Kinship Caregivers

As you may know, kinship caregivers are not provided with an attorney or even invited to court proceedings to determine a child's placement once that child is removed from their parent's care.

MFJ receives calls each week from prospective caregivers who have reached a dead end: they know that **a child they love has entered foster care, but they cannot get the child into their care.** In these cases, the prospective kinship caregivers are anxiously seeking advice and assistance. Clients often tell us that they have called agency after agency, to no avail. They are not able to get information about how to bring the child into their homes. Most are completely new to the complexities of the family court and foster care systems and cannot afford to hire a private attorney. Legal resources are severely lacking for people seeking to care for their loved ones who are in foster care, and only MFJ serves this community without cost.

¹ Fictive kin are forms of kinship or social ties that are based on neither blood ties relation, nor marriage ties.

Kinship caregivers do not have a right to assigned counsel in family court proceedings. Section 262 of the Family Court Act specifies who is entitled to assigned counsel and for what proceedings. In an abuse or neglect proceeding in family court, parents, subject children, and the Administration for Children's Services (ACS) are all represented by counsel. Unfortunately, kinship caregivers and prospective caregivers are often left out of the process. Family members or friends who would like to care for a child placed with a stranger are also not entitled to an attorney and are often excluded from court proceedings. Kin and fictive kin who should be considered as placement resources for children are overlooked or disqualified as a resource for reasons that are not relevant to their ability to care for a child.

Yet it is well documented that kinship care is better for the child, the family and long-term results.

Research has demonstrated that children who are removed from their homes fare better when placed with family members or friends. But without legal assistance, prospective caregivers are forced to fill out petitions alone, with no advice as to what information is most important to the case. Prospective caregivers then have to navigate service of process, which is impossible at times, and advocate for themselves in a courtroom filled with legal professionals.

Ms. C is just one example of a kinship caregiver who faced this problem. Ms. C was initially approached to be a placement resource for her infant granddaughter at a time when Ms. C was battling cancer. While Ms. C hated to see her granddaughter sent to live with strangers, she was not well enough at the time to take her in and provide her with the care and attention that she deserved. Within a few months, Ms. C had completed cancer treatment, regained her health, and wanted to do anything she could to have her granddaughter placed in her care. Unfortunately, Ms. C was unsuccessful. She was told that her granddaughter would not be placed with her because she had not taken the child when initially asked. Ms. C continued to reach out to the foster care agency and ACS and was eventually allowed supervised visitation with her granddaughter. Unsure of what to do, Ms. C decided to file for custody of her granddaughter, hoping to convince a judge to place her granddaughter in her care. Ms. C contacted MFJ after filing her petition, desperate for assistance. MFJ was able to take Ms. C's case and we were able to advocate for her. **With our assistance, Ms. C is now living with and caring for her granddaughter. It is very unlikely that Ms. C could have accomplished this without an attorney.**

There are countless other kin or fictive kin who are overlooked as foster placement resources. Without additional legal resources, those families will never have the opportunity that Ms. C and her granddaughter have been given.

2. Mobilization for Justice is the only program in New York City serving kinship caregivers with their legal needs

Kinship caregivers face a multitude of obstacles when they decide to care for a child, often with little to no notice. MFJ served over 500 kinship families facing a variety of issues but there are five areas of most concern:

Adoption – MFJ helps caregivers to adopt children who, in most cases, have been abandoned by their biological parents and left in the caregivers' care for many years. Adoptions are the final step in achieving permanency for a child and awards the caregiver permanent legal rights.

Access to Public Benefits – The vast majority of MFJ's clients live at or near the poverty level. Under federal guidelines, that amounts to an annual income of less than \$24,000 for a family of four. The unanticipated cost of caring for one or more additional children with such limited funds places an enormous financial strain on our clients.

When kinship caregivers are denied foster parent certification, their only recourse is to apply for a special "non-parent" cash assistance grant. In our experience, it is our most vulnerable clients that are denied foster parent certification and are forced to rely on this "non-parent" grant, which is significantly less than a foster care subsidy. Accordingly, MFJ is advocating for the "non-parent" cash grant to be equitable to a kinship foster care subsidy.

Custody & Guardianship – In our experience, kinship caregivers often do not or cannot afford to go to court to establish a legal relationship to the children in their care until a crisis arises. Under these circumstances, caregivers frequently find themselves unable to make significant medical or psychiatric decisions; request a child's birth certificate; request a child's social security card; obtain a passport for the child; add a child to household composition/lease for subsidized housing; or make decisions or provide input regarding education or disciplinary/suspension issues. MFJ helps caregivers to establish legal rights to protect the child's best interests.

Special Immigrant Juvenile Status – Several of our kinship families also are in need of immigration relief, including Special Immigrant Juvenile Status, a remedy available in Juvenile Court proceedings to address the needs of undocumented children who cannot be returned to their parents. Today, as an integral part of its family stabilization effort, MFJ assists caregiving families in obtaining adjustments of status, work authorizations, and lawful permanent residence for qualified children who otherwise would be at risk of deportation.

Visitation – Maintaining kinship ties creates a sense of stability for children in foster care. MFJ advises grandparents who have been separated from their grandchildren when their own children have died, are the victims of domestic violence or when the children have been placed in the homes of unrelated foster parents. MFJ is also available to help siblings enforce their right to visit brothers and sisters.

Foster Care Advocacy – In our experience, kinship caregivers are often denied foster parent certification. When this occurs, kinship caregivers do not receive a foster care subsidy and are only eligible to apply for the “non-parent” cash grant. MFJ advocates for kinship caregivers to be a placement resource when there is a child in traditional or non-kin foster care.

3. Supporting Unpaid Caregivers to Maximize Resources Available to Them

MFJ collaborates with social services organizations, community groups, and other advocates to provide holistic services to kinship caregivers. Clients access MFJ’s services through a walk-in clinic at the Bronx Family Court, a telephone hotline, and “know your rights” trainings that MFJ conducts throughout New York City. MFJ’s attorneys chair the New York City Kincare Task Force and are leaders within the New York State Kincare Coalition. MFJ attorneys educate the legal community about caregiver needs by providing continuing legal education programs for advocates, courthouse staff, and pro bono attorneys. MFJ engages in legislative advocacy to promote the interests of caregivers and their families. Attorneys from the Kinship Caregiver Law Project also coordinate with MFJ’s other projects to assist caregivers with consumer, foreclosure prevention, housing, and other needs.

IV. Conclusion

By providing meaningful access to legal services for kinship caregivers, families become stabilized as they access benefits to which they are entitled, secure their legal relationship to the children, and in some cases secure immigration status for the children. Ensuring that caregivers’ rights are not only known, but enforced, will make for a more effective and safe system, and better outcomes for all.



PROGRAMS	PROBLEMS	WHO QUALIFIES	HOW TO CONTACT US
BAIL BONDS	Bail bonds, ankle monitors, property posted as collateral	Low-income New Yorkers who have posted a bail for themselves or family/friends.	Telephone Intake Hours: Monday – Friday 9:00 AM – 5:00 PM (212) 417-3831 (Can leave a voicemail anytime)
BANKRUPTCY (CITYWIDE)	Assistance with the preparation of pro se Chapter 7 petitions, and full representation in certain cases	Low-income New Yorkers who are considering filing for bankruptcy.	Telephone Intake Hours: Wednesday 2:00 PM – 4:00 PM (212) 417-3799
CHILDREN'S RIGHTS (CITYWIDE)	Special education	Low-income parents of children with disabilities	Telephone Intake Hours: Monday and Thursday 9:00 AM – 4:00 PM (212) 417-3786
CONSUMER (CITYWIDE)	Debt collection harassment, credit card lawsuits, identity theft, student loans, fraud, utilities, storage	Low-income New Yorkers	Telephone Intake Hours: Thursday 10:00 AM – 2:00 PM (212) 417-3881
DISABILITY & AGING RIGHTS (CITYWIDE)	Adult Homes, Assisting Living Facilities: Eviction Prevention, Public Benefits, Civil and Disability Rights	Residents of Assisting Living Facilities and Adult Homes	Telephone Intake Hours: Monday – Friday 10:00 AM – 5:00 PM (877) 417-2427
	Nursing Homes: Discharge, Civil and Disability Rights, Abuse and Neglect, Discharge Planning, Consumer Issues	Residents of Nursing Homes	Telephone Intake Hours: Tuesday 10:00 AM – 5:00 PM (855) 444-6477 (NHRP)
	Access-A-Ride: Applications, Denials, and Appeals	People with Disabilities	Telephone Intake Hours: Tuesday 10:00 AM – 5:00 PM (888) 510-2272
EMPLOYMENT (CITYWIDE)	Re-entry Issues, Job Discrimination, Sexual Harassment, and Workers Comp (Medical and 120" cases)	Low-income Workers	Telephone Intake Hours: Tuesday 2:00 PM – 5:00 PM (212) 417-3838
FORECLOSURE (BROOKLYN, QUEENS AND STATEN ISLAND)	Foreclosure, Mortgages, and Mortgage Deed Seams	Homeowners in Brooklyn, Queens, and Staten Island	Telephone Intake Hours: Tuesday 2:00 PM – 5:00 PM (212) 417-3777
FORECLOSURE (BRONX AND MANHATTAN)	Foreclosure and Mortgages ADVICE ONLY	Homeowners in Bronx and Manhattan	Telephone Intake Hours: Tuesday 2:00 PM – 5:00 PM (212) 417-3777
GOVERNMENT BENEFITS (CITYWIDE)	Public Benefits, SSD, SSI, Medicaid, Medicare, SNAP, and Immigration	Low-income New Yorkers	Telephone Intake Hours: Monday 10:00 AM – 12:00 PM (212) 417-3732
HIV LEGAL SERVICES (BRONX)	Housing (eviction prevention repairs, subsidies), Government Benefits (HASA, SSI, SNAP, Medicaid, ADAP), Family Care and Planning (advance directives, standby guardianships), Discrimination, Consumer Debt	Low-Income Bronx residents Living with HIV/AIDS	Walk-in Intake Hours: Bronx Office Tuesday 9:00 AM – 4:00 PM
HOUSING PRIVATE and NYCHA (BRONX)	Eviction Prevention, Repairs, Housing-Related Benefits such as SCRIE and DRIE, and Rent Overcharges	Low-income Bronx Tenants	Walk-in Intake Hours: Bronx Office Tuesday 9:00 AM – 4:00 PM
HOUSING PRIVATE and NYCHA (BROOKLYN AND MANHATTAN)	Eviction Prevention, Repairs, Housing-Related Benefits such as SCRIE and DRIE, and Rent Overcharges	Low-income Manhattan and Brooklyn Tenants	Telephone Intake Hours: Monday and Wednesday 2:00 PM – 4:30 PM (212) 417-3888
IMMIGRATION (CITYWIDE)	Family-based and Humanitarian-based claims including, but not limited to, Affirmative Applications for Citizenship, Adjustment of Status, LPR Card Replacement, Asylum, Special Immigrant Juvenile Status, U-visa, T-visa, and Consular Processing.	Low-income New Yorkers	Telephone Intake Hours: Wednesday 10:00 AM – 12:00 PM (212) 417-3724
KINSHIP CAREGIVERS (CITYWIDE)	Guardianship, Custody, & Adoption of related children: Grandparent visitation, Public Benefits, and Special Immigrant Juvenile Status	Low-income relatives caring for children, grandparents, and stepparents	Telephone Intake Hours: Wednesday and Friday 10:00 AM – 5:00 PM (212) 417-3850
MENTAL HEALTH (CITYWIDE)	Eviction Prevention, Public Benefits, Consumer, Immigration, Family and Civil and Disability Rights	Low-income New Yorkers enrolled in a Mental Health Program	Telephone Intake Hours Monday-Tuesday-Thursday 10:00am-5:00pm (212) 417-3830
			Walk-in Hours Manhattan office Monday-Friday (10:00 am-5:00 pm) email: mhinfo@mjlegal.org
SINGLE ROOM OCCUPANCY HOTELS (CITYWIDE)	Eviction Prevention Repairs, Housing-Related Benefits and Rent Overcharges	Residents of SRO Hotels Rooming and Lodging Houses	Walk-In Hours: Manhattan office Thursday 1:30 PM – 4:00 PM
TAX (CITYWIDE)	For cases where the person has or believes will have a dispute with the IRS, has assessed a deficiency or penalty, and has not filed taxes for more than 2 years. Not for those that need assistance filing or correcting taxes absent a potential penalty from the IRS	Low-income New Yorkers	Telephone Intake Hours: Tuesday 10:00 AM – 12:00 PM (212) 417-3839
THREE QUARTER HOUSES (aka- ILLEGAL BOARDING HOUSES) (CITYWIDE)	Eviction Prevention, Repairs, Housing-Related Benefits such as Special Exit and Prevention Supplement (SEPS) and Civil Rights	Residents of Three-Quarter Houses	Telephone Intake Hours: Monday-Friday 10:00 AM – 5:00 PM (212) 417-3705 Walk-In Intake Hours: Every 2nd & 4th Wednesday of the month 2:00 PM – 5:00 PM 2094 Fulton Street, Brooklyn Train to Rockaway Avenue



ENVISIONING A SOCIETY IN WHICH THERE IS JUSTICE FOR ALL

We work to promote positive change and justice, focusing on four key areas:



Housing

Housing is a human right. We prevent homelessness by defending tenants in eviction proceedings and homeowners in foreclosure actions, improving living conditions for tenants, and fighting harassment and discrimination to keep people in their homes and communities intact.



Disability and Aging Rights

Older people and people with disabilities have the right to age in place, avoid unnecessary institutionalization, and thrive in their communities. We assist people with mental health disabilities with housing, government benefits, and other legal issues. We advocate on behalf of adult home and nursing home residents to protect them from abuse and neglect. We work to make transportation accessible to people with disabilities so they can live independently.



Economic Justice

People are entitled to be treated fairly by government and the marketplace. We ensure that people obtain and maintain government benefits, and represent low-income individuals and families seeking assistance in humanitarian or family-based immigration matters. We also help people assert their consumer rights against unfair, predatory and discriminatory products and practices. We fight discrimination and harassment in the workplace, assist people with criminal records to re-enter the workforce, and provide people with economic relief through tax and bankruptcy assistance.



Children's Rights

All children deserve safety, stability, and the opportunity to flourish in their home life and school. We work to address the legal needs of kinship families taking care of children whose parents cannot, and represent low-income students with disabilities to obtain educational supports. We also secure immigration status for undocumented children who have been abandoned by their biological parents.

Our approach includes:



Legal Assistance

Provide the highest quality direct civil legal assistance to low-income New Yorkers for free



Community Engagement

Conduct community education and build partnerships to support communities



Advocacy

Engage in legislative and policy advocacy and bring impact litigation, including class action lawsuits

OUR IMPACT IN FY2019



History

Mobilization for Justice began as the legal arm of Mobilization for Youth, a community-based anti-poverty program founded in 1962. MFY Legal Services was incorporated in 1968 as an independent legal services organization and our model became the prototype for hundreds of new programs. By our 25th anniversary, MFY Legal Services was recognized as a national leader in poverty law, having served tens of thousands of low-income New Yorkers and won numerous test cases. In 2017, we changed our name to Mobilization for Justice to better reflect the expanded scope of our work while honoring our roots. In 2018, we launched our first office in the Bronx, serving one of the poorest communities in the country.

To make a donation or volunteer, please go to mobilizationforjustice.org

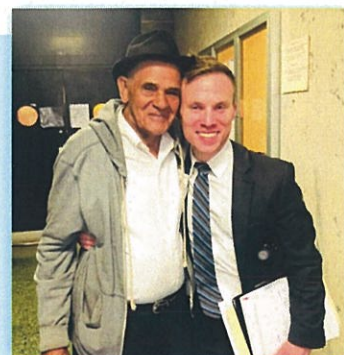
MOBILIZATION FOR JUSTICE | MOBILIZATIONFORJUSTICE.ORG | INFO@MFJLEGAL.ORG | MANHATTAN: 212.417.3700 | BRONX: 212.417.3800
100 WILLIAM STREET, 6TH FLOOR, NEW YORK, NY 10038 | 424 EAST 147TH STREET, 3RD FLOOR, BRONX, NY 10455



HOUSING PROJECT

OUR MISSION

Mobilization for Justice's mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised, or have disabilities. We **provide the highest quality free, direct civil legal assistance**, conduct community education and build partnerships, engage in policy advocacy, and bring impact litigation, with a focus on four key areas: **Housing, Economic Justice, Disability & Aging Rights, and Children's Rights.**



OUR HOUSING WORK

Mobilization for Justice believes housing is a human right. We work to prevent homelessness by defending tenants in eviction proceedings and homeowners in foreclosure actions. We work to improve living conditions for tenants, while also fighting harassment and discrimination to keep people in their homes and communities intact.



Anti-Eviction

We work to preserve affordable housing and protect tenants' rights. We provide advice, counsel and representation to tenants at risk of eviction in Housing Court, and serve low-income Bronx tenants pursuant to NYC's Universal Access to Counsel program. We also help organize and support tenant organizations, and advocate for policies and programs to provide greater protections for tenants.



Safe Housing

We handle a wide range of matters to ensure safe and affordable housing, including obtaining repairs and ensuring rental charges are correct. We prosecute repair and rental overcharge cases in Housing and Supreme Court, handle administrative and judicial appeals, and file affirmative litigation in federal courts to enforce tenants' rights.

In all these areas of housing work, we serve poor and low-income New Yorkers throughout New York City, with special focus on: **Manhattan seniors** to prevent evictions, and secure benefits and support services to maintain seniors in their homes; **SRO residents** to defend the rights of SRO tenants facing eviction or confront illegal building conversions; **Three-Quarter House residents** to improve the conditions of three-quarter houses (also known as illegal boarding houses) and protect tenants' rights through individual, group and class action litigation; and **tenants with mental health disabilities** by providing advice, counsel and representation on housing and related public benefits issues to ensure that they do not end up homeless, hospitalized, or in institutions.



Foreclosure Prevention

We work to preserve homeownership and keep neighborhoods intact by preventing unnecessary foreclosures. We provide this assistance to low-income homeowners in Brooklyn, Queens and Staten Island facing foreclosure, or who are victims of foreclosure rescue scams or abusive loan servicing or lending practices.



Training

We conduct "know-your-rights" workshops for tenants, tenant groups and associations, community organizations and the offices of elected officials upon request.

Please go to www.mobilizationforjustice.org for our complete intake schedule or call **212-417-3700**.

To make a donation or volunteer, please go to mobilizationforjustice.org

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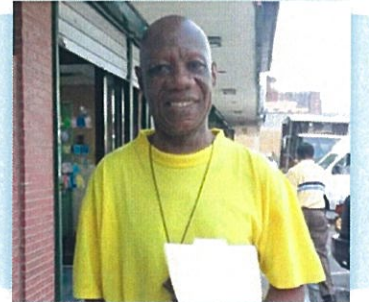
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DISABILITY & AGING RIGHTS PROJECT

OUR MISSION

Mobilization for Justice's mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised, or have disabilities. We **provide the highest quality free, direct civil legal assistance**, conduct community education and build partnerships, engage in policy advocacy, and bring impact litigation, with a focus on four key areas: **Housing, Economic Justice, Disability & Aging Rights, and Children's Rights.**



OUR DISABILITY & AGING RIGHTS WORK

Mobilization for Justice believes in the dignity of all human beings and that Disability Is Not Inability.



Access-A-Ride

We help seniors and people with disabilities access appropriate transportation, such as Access-A-Ride, and challenge denials or termination of service.



Adult Home Advocacy

We provide advocacy and trainings to adult home residents throughout New York City and pursue individual and affirmative litigation to improve adult homes and ensure that residents are given the opportunity to live in more integrated settings.



Seniors

We help seniors age in place in their own homes by preventing evictions, securing benefits and resolving related legal problems.



People with Mental Health Disabilities

We assist people with mental health disabilities by providing advice, counsel and representation on housing, public benefits, disability rights, consumer and other matters, to ensure they do not end up homeless or institutionalized.



Nursing Home Residents

We provide advice, counsel and representation for nursing home residents in areas such as involuntary discharges, improper discharge planning, reasonable accommodation requests, and day pass disputes.



Training

We conduct "know-your-rights" trainings for people with disabilities, family members, medical professionals, and social service providers.

Intake

Access-A-Ride

users can reach us through our intake line:
888.510.2272, Tuesday, 10 am – 5 pm.

Adult homes & assisted living residents

can reach us through our intake line:
877.417.2427, Monday to Friday, 10 am – 5 pm.

Children with Mental Health Disabilities:

Low-income families citywide who have children with disabilities can reach us through our intake line: 212.417.3786, Monday & Thursday, 9 am – 4 pm.

Adults with mental health disabilities

can reach us through our intake line:
212.417.3830, Monday, Tuesday, and Thursday, 10 am – 5 pm.

Nursing home residents

can reach us through our intake line:
855.444.6477, Tuesday, 10 am – 5 pm.

Please go to www.mobilizationforjustice.org for our complete intake schedule, or call **212-417-3700**.

To make a donation or volunteer, please go to mobilizationforjustice.org

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ECONOMIC JUSTICE PROJECT

OUR MISSION

Mobilization for Justice's mission is to achieve social justice, prioritizing the needs of people who are low-income, disenfranchised, or have disabilities. We **provide the highest quality free, direct civil legal assistance**, conduct community education and build partnerships, engage in policy advocacy, and bring impact litigation, with a focus on four key areas: **Housing, Economic Justice, Disability & Aging Rights, and Children's Rights.**



OUR ECONOMIC JUSTICE WORK

Mobilization for Justice fights against predatory products and practices, and strives to help clients obtain and maintain economic stability. We provide legal advice, assistance, and representation to low-income New Yorkers in the following areas:



Bankruptcy

We help New Yorkers struggling with debt file bankruptcy petitions and obtain a fresh financial start.



Consumer Rights

We help people facing problems with debt collection, identity theft, student loans, financial scams, bail bonds, and various forms of financial exploitation.



Protection for Drivers

We help taxi and for-hire vehicle drivers facing problems with civil fines and points against their licenses.



Foreclosure Prevention

We preserve homeownership and keep neighborhoods intact by helping homeowners in Brooklyn, Queens and Staten Island who are facing foreclosure or who are victims of deed theft, foreclosure rescue scams, abusive loan servicing, or abusive lending practices.



Government Benefits

We help individuals with problems relating to Public Assistance, the Supplemental Nutrition Assistance Program (Food Stamps), Medicaid/Medicare, and Supplemental Security Income/Social Security Disability benefits.



Immigration

We assist individuals and families with humanitarian- and family-based immigration matters.



Re-Entry to the Workforce

We help people with criminal records overcome denials of jobs or occupational licenses or clearance, as well as those who need help sealing a criminal record.



Taxpayer Assistance

We help those who have tax problems with the IRS. We do not help people file their taxes.



Workplace Justice

We help low-income, predominantly immigrant workers without unions, with job-related problems.

Please go to www.mobilizationforjustice.org for our complete intake schedule or call 212-417-3700.

To make a donation or volunteer, please go to mobilizationforjustice.org

MOBILIZATION FOR JUSTICE | WWW.MFJLEGAL.ORG | INFO@MFJLEGAL.ORG | 212.417.3700

MANHATTAN: 100 WILLIAM STREET, 6TH FLOOR, NEW YORK, NY 10038 | BRONX: 424 EAST 147TH STREET, 3RD FLOOR, BRONX, NY 10455

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Edward Friedman

Address: _____

I represent: MADP

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 02/05/2020

(PLEASE PRINT)

Name: Carolina Hoyos

Address: 2 Lafayette Street 2nd Floor

I represent: DFTA

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jenna Gladfelter

Address: _____

I represent: LiveOn NY

Address: 49 W 45th St 7th Floor, NY NY 10036

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/5/20

(PLEASE PRINT)

Name: Mark Schulte

Address: Atty

I represent: Mobilization for Justice

Address: 100 William Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/3/2020

(PLEASE PRINT)

Name: Joey Costello

Address: _____

I represent: SAGE

Address: 305 7th Ave

*IN FAVOR
CAREGIVING*

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 2/5/20

(PLEASE PRINT)

Name: Antonio Coppola

Address: _____

I represent: AARP

Address: 750 3rd Ave NY NY

Please complete this card and return to the Sergeant-at-Arms