

**Commonwealth of Massachusetts**  
*Executive Office of Health and Human Services*  
**Department of Transitional Assistance**  
600 Washington Street . Boston MA 02111

Argeo Paul Cellucci  
Governor

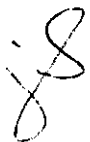
Jane Swift  
Lieutenant Governor

William D. O'Leary  
Secretary

Claire McIntire  
Commissioner

**Field Operations Memo 99-10 M**  
**February 3, 2000**

**To:** Transitional Assistance Office Staff

**From:**  Joyce Sampson, Assistant Commissioner for Field Operations

**Re:** *Smith v. McIntire* Lawsuit

**Background**

In addition to the instructions given in Field Operations Memo 99-10 L, the Department of Transitional Assistance **has been instructed by the court** to take action on certain former recipients impacted by the *Smith v. McIntire* lawsuit whose original requests for reinstatement were denied and who subsequently filed a second request.

As instructed by the most recent court order, these requests must be treated as a new request for assistance under usual Department procedures. Currently, there are 39 outstanding requests which have been received by the Legal Division.

**Transitional  
Assistance Office  
Responsibilities**

These duplicate requests will be faxed to the appropriate Transitional Assistance Offices by the Legal Division during the week of February 7.

These recipients must be sent an appointment letter (AL-1) and have their requests processed as a new application according to usual Department procedures. If determined eligible, **the date the Legal Division received the duplicate request is the eligibility date.**

In the future any duplicate request will be treated as a **new request** for assistance following usual Department procedures unless it can be consolidated with an outstanding request. Any additional duplicate requests received by the Legal Division will be forwarded to the appropriate office.

**Additional  
Smith-Related  
Procedures**

Any future *initial* requests for assistance impacted by the *Smith v. McIntire* lawsuit should have appointments scheduled using the appointment letter distributed in Field Operations Memo 99-10 L. Any of these cases who subsequently do not keep the appointment must be denied according to procedures issued in Field Operations Memo 99-10 L.

If the request is withdrawn, Transitional Assistance Workers must inform the former recipient either by phone contact or in person at the Transitional Assistance Office that the request will be denied and a reapplication under usual Department procedures may be made at any time.

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**Listing of  
Transitional  
Assistance  
Offices**

The following offices are impacted by the 39 duplicate requests received by the Legal Division:

Boston Family Housing, Brockton, Dorchester, Framingham, Lawrence, Malden, Newmarket Square, New Bedford, North Shore, Pittsfield, Revere, Springfield Liberty, Springfield State and Worcester.

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**Questions**

If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478.

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