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A Surprise Bounty, Provided by a Food Stamp Lawsuit

By [LESLIE KAUFMAN](#)

Class-action lawsuits, especially the type that drag on for years, are rarely synonymous with sudden joy, serendipitous generosity, or an unexpected Thanksgiving turkey.

But this month *Harris v. Eggleston*, a lawsuit with its roots in 1990s welfare reform under Mayor [Rudolph W. Giuliani](#), is the unlikely vehicle for spreading holiday cheer to thousands of the poorest households in the city.

The lawsuit, which charged that thousands of people were illegally denied food stamps after they moved to receive Social Security disability payments instead of welfare benefits, was [settled at the end of 2006](#). Yet only now are the roughly \$12 million in awards being distributed to nearly 9,500 households in the five boroughs in the form of credits to electronic benefit cards.

The payback does not quite amount to winning the lottery — the 18 largest reimbursements just top \$5,000, and most average far less. And all of the credits can be used only for food.

Still, to many who had given up on or forgotten what they were owed, the money in their accounts, some of which arrived before any notice from the government to explain it, has been a rare moment of bounty at an otherwise dismal economic moment.

Monica Ryan learned of her good fortune when she went to her corner bodega in northern Manhattan to buy bread and milk. She was picking up just the necessities because she was conscious of having less than \$5 in her account. But when the clerk swiped her card, it appeared that she had hundreds left.

Hundreds?

At first, Ms. Ryan, who says that she has been barely getting by with a monthly benefit of \$107, thought it was impossible.

In shock, she called the automated food stamp line, which confirmed that \$888 had just been placed in her account. “I didn’t believe it,” she said. “They make so many mistakes.”

It was not until days later, when a government letter arrived confirming that the money was part of the settlement, that she finally relaxed and went out and bought a steak. “It was so delicious,” she said.

Now she is planning on buying a turkey to share with her son, something she had not done in two years because, she said, “it takes half the monthly allowance to buy the groceries for that one meal.”

Ms. Ryan said she once knew about the lawsuit but had completely forgotten about it — and who could blame her.

The origins of her ample holiday meal has its roots in federal welfare policy changes that were approved in 1996, when the federal government set five-year limits on its willingness to contribute to welfare payments for the country’s poor. The city, in response, pushed to move the poor who were mentally or physically disabled to the federal Social Security program, which has no time limit.

Many of those transferred, however, were automatically cut off by the city from food stamps, even though the federal law explicitly allowed people to receive both benefits.

City and state officials said the problem was caused by computer errors that they were working to fix, yet it persisted for years despite repeated reprimands from the federal government. So in 2002, the [Urban Justice Center](#), a Manhattan-based nonprofit group that had been working to resolve the issue, sued the city on behalf of one recipient, Barbara Harris, and thousands of others.

In 2006, the parties agreed on a settlement that would involve reimbursement to those tossed out of the food stamp program going back to 1999. The reimbursements were capped at 21 months of lost benefits. It took a year for the settlement to be approved by both the court and the [United States Department of Agriculture](#), which is in charge of the food stamp program and is providing the funds. The benefits started arriving at the end of October.

As important as the payouts is the fact that the city finally began changing the system to prevent disabled people from being kicked off in the first place, said Bill Lienhard, who was the lead lawyer for the plaintiffs.

“This lawsuit actually helped maximize federal benefits in a time of economic downturn,” he said, “and prevented disruptions in benefits to those who needed them the most.”

Food stamp use in the city is up 65 percent since 2002, according to city officials, and as of September neared 1.3 million recipients. The state under Gov. [David A. Paterson](#) has found new ways to maximize what the state and its residents can receive from the federal government program.

Such successes, however, have escaped the notice of Ms. Harris, who still lives in a one-bedroom apartment in Brooklyn. Her food stamp allotment has long been restored, but she says she must be very careful to ration her \$176 monthly allowance.

She began crying a bit when she described finally receiving the first half of \$444 she was owed from 1999. “I just went out and got a ham,” she said, “and cooked it with cloves, apple juice and raisins. It was very sweet.”

Others who received the money in the last several weeks said they delayed gratification a bit to make the holidays more festive in a year that has otherwise been very tough.

Luis Rosario, 52, who lives in the Bronx with his mother, received \$2,333, because he was cut off in 1999 and was just put back in the program.

He said he would use the money to make a Thanksgiving of roast pork and turkey for his sister, daughters and grandchildren.

And, he said, he would also take care of Christmas, too. “We usually go to my sister in New Jersey, but she was laid off,” Mr. Rosaria said, “so this year we are going to take care of everyone.”

It is a sentiment that would sit well with Abdelkader Louali, who also lives in the Bronx and got a payout of \$550. With that money Mr. Louali, who lives alone, purchased some shrimp as a treat, and he also bought \$64 in food for neighbors who were in need.

It was a special pleasure to him, he said, to finally be the one who has enough to share with others. “I have \$100 left,” he said, “but it is the holidays and I would give it away. You see, my refrigerator is already full.”