

AMY E. HIRSCH

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EMPLOYMENT

Community Legal Services, Inc., Philadelphia, PA. Of Counsel 2022 -present. Volunteer attorney documenting history of public benefits class actions brought by CLS and consulting with Health & Independence Unit on systemic advocacy.

Managing Attorney 2008 -2022 (Health & Independence Unit & North Philadelphia Law Center); Supervising Attorney, 1985 -2008; Staff Attorney, 1984-1985. Lead counsel and co-counsel in state and federal civil litigation, administrative and policy advocacy with particular concentration on welfare, health, food stamps, the interaction of welfare and family law and the interaction of welfare and criminal law; supervision and training of law students, paralegals and staff attorneys. (On leave 1988-1989, 1997-1998).

The Center on Crime, Communities and Culture, Open Society Institute, NY, NY. Soros Justice Fellow, 1997-1998. Recipient of research fellowship to do research and writing on the interaction of welfare reform and criminal justice, focusing on issues affecting women with drug addictions.

RAND/UCLA Center for Health Policy, Santa Monica, CA. Policy Career Development Fellow, 1988-1989. Supported by a fellowship from the Pew Memorial Trust to study health policy analysis.

Jacksonville Area Legal Aid, Inc., Jacksonville, FL. Staff Attorney, 1979-1984. Specialist in health, welfare and family law. Individual and impact litigation, administrative and community advocacy with emphasis on issues affecting women and children.

TEACHING

2023 Lecturer, University of Pennsylvania Law School, Philadelphia PA. Teaching Strategic Lawyering for Social Justice, Fall 2023.

1995-2007. Lecturer, Bryn Mawr College Graduate School of Social Work and Social Research, Bryn Mawr, PA. Taught courses in Welfare Law and Advocacy & Negotiation.

1990-2001. Lecturer, University of Pennsylvania Law School, Philadelphia, PA. Taught courses in Appellate Advocacy (1990-1992) and Welfare Law (1993-2001). Appointed as Thomas A. O'Boyle Lecturer for 1996-97 academic year.

1994-1996. Lecturer, University of Pennsylvania Graduate School of Social Work. Taught course in Welfare Law.

EDUCATION

Harvard Law School, Cambridge, Massachusetts. J.D. cum laude, 1979.

New School for Social Research, Graduate Faculty, New York, New York. M.A. 1976. Department

of Economics, Program in Political Economy. Concentration in Economic History and Theory. Oberlin College, Oberlin, Ohio. B.A., 1973. Double major in History and Government.

SELECTED PUBLICATIONS

“Protecting Access to Benefits in Philadelphia’s Modernized Benefits System” (case study with Kristen Dama) accompanying “How to Protect Clients Receiving Public Benefits When Modernized Systems Fail” (by Gina Mannix, Marc Cohan & Greg Bass). Clearinghouse Review Journal of Poverty Law and Policy (January 2016), <http://povertylaw.org/clearinghouse/articles>.

“Civil Consequences of Women’s Criminal Records: Strategies for Advocates,” Clearinghouse Review Journal of Poverty Law and Policy (July-August 2007).

“The School to Prison Pipeline for Girls: The Role of Physical and Sexual Abuse,” (with S. Simkins, E. McNamara Horvat & M. Moss), Children’s Legal Rights Journal (Winter 2004).

“Battered Women, Battered Again: The Impact of Women’s Criminal Records,” in C. Mele & T. Miller, editors, Civil Penalties, Social Consequences, Routledge Press (2005).

“Welfare Reform and Child Support Policy in the United States,” (with D. Kurz), 10 Social Politics 397 (Fall 2003).

Every Door Closed: Barriers Facing Parents With Criminal Records (with S. Dietrich, R. Landau, P. Schneider, I. Ackelsberg, J. Bernstein-Baker, & J. Hohenstein) Center for Law & Social Policy & Community Legal Services, Inc., Washington D.C. (2002).

“Bringing Back Shame: Women, Welfare Reform, and Criminal Justice,” 10 Temple Political & Civil Rights Law Review 417 (Spring 2001). Reprinted in P. Schram & B. Koons-Witt, editors, Gendered Injustice: Theory and Practice in Feminist Criminology, Waveland Press (2004).

“The World Was Never a Safe Place for Them: Abuse, Welfare Reform, and Women with Drug Convictions,” 7 Violence Against Women 159 (Feb. 2001).

Some Days Are Harder Than Hard: Welfare Reform and Women With Drug Convictions in Pennsylvania, Center for Law & Social Policy, Washington D.C. (Dec. 1999).

"Welfare And The 'Reform' of Women," 74 Families In Society 563 (with J.Axinn) (Nov. 1993).

Access To And Use Of Vocational Education In Teen Parent Programs (RAND Report No. R-4170/NCRVE/UCB) (with G. Zellman and C. Feifer) (August 1992).

"Income Deeming in the AFDC Program: Using Dual Track Family Law to Make Poor Women Poorer," N.Y.U. Review of Law and Social Change, Vol. 16, No. 4 (1987-88).

"Representing Battered Spouses," chapter in Florida Dissolution of Marriage (Florida Bar 1985).

SELECTED ADVOCACY

Child Support

Combined litigation, legislative campaign (“Child Support Is For Children”) and administrative advocacy to improve collection and distribution of child support to low income families, including passage of a series of state laws (in 1996, 1998 and 2008) first saving the Child Support Pass-Through and later increasing it from \$50/month to \$200/month, changing the order of priority for payment of arrears so that back support payments are made first to families before the state is paid, and successful litigation of a series of class actions to ensure proper payment of support to families after leaving welfare, and access to effective child support enforcement services.

Litigation included **Bennett v. White**, 671 F. Supp. 343 (E.D. Pa. 1987), aff’d, 865 F. 2d 1395 (3d Cir.) cert. denied, 109 S.Ct. 3247 (1989), which addressed delays in reassigning support to families leaving welfare, and resulted in over \$5 million in payments to low income families in Philadelphia; **Bonds v. White**, C.A. No. 91-4547 (E.D. Pa. June 9, 1993), with co-counsel from Women’s Law Project, challenging state child support collection and distribution practices in interstate and intercounty cases which deprived custodial parents and children of support for years, despite timely payment by the payor. The case was settled with additional staff and equipment for the Family Court Interstate Unit, and specific time frames for handling of cases and eliminating the backlog; and **Success Against All Odds v. DPW** (No. 0122 M.D. Appeal Docket 1997, Pa. S. Ct.), with co-counsel from Women’s Law Project and Dechert, resulting in the payment of over \$8 million in Child Support Pass-Through payments to approximately 36,000 families.

Health

Coordinated **state legislative and policy advocacy campaigns** to protect Medicaid benefits against proposed cuts (“Protect Women--Protect Medicaid”), and to increase access to benefits for women in recovery from addictions (“Support Women in Recovery—Lift the Lifetime Ban”). Used research on the connections between physical and sexual assault of women and girls, their use of drugs to self-medicate the pain of abuse, and their resulting criminal records, to successfully advocate for Act 44 of 2003, lifting the lifetime ban on benefits for individuals with felony drug convictions.

Medicaid Litigation challenging problems in the implementation of Medicaid expansion in Pennsylvania. **Planned Parenthood Southeastern Pennsylvania v. Mackereth**, C.A. No. 2015-CV-135 JHS (E.D. Pa. August 5, 2015) with co-counsel from Women’s Law Project, challenged delays in moving eligible women from the SelectPlan program (which covered only family planning related services) to full Medicaid following Medicaid expansion, and settled with the transfer of over 59,000 women to full Medicaid and the referral of over 14,500 women to the Federally Facilitated Marketplace.

Medicare Buy-In Program Litigation challenging the failure of state and federal agencies to properly administer the Medicare Buy-In Program, which is supposed to automatically provide elderly and disabled Medicaid recipients with coverage of Medicare premiums, copays and deductibles. **Action Alliance v. Snider**, C.A. No. 93-CV-4827 (E.D. Pa. February 7, 1995), added over 12,000 class members in Pa. to the Medicare Buy-In program and refunded \$6.2 million in improperly paid premiums to class members. **Garcia v. Sebelius**, C.A. No. 09-CV-

1747 (E. D. Pa. 2009) with co-counsel from Center for Medicare Advocacy, resulted in daily exchange of data between the state and federal agencies, rather than monthly, dramatically shortening the time period for enrollment.

Domestic Violence: Worked with state welfare department staff, domestic violence service providers and other advocates over a 10 year period to establish a comprehensive set of domestic violence policies for the TANF, General Assistance, and subsidized child care programs, and to codify them in regulations enacted in 2010. Ongoing trainings for domestic violence program staff, shelter staff, social services agencies, health care providers and legal services advocates. Current advocacy to extend those policies to Food Stamps and Medicaid.

Immigrant Access to Health Care: Coordinated CLS' work at the Chinatown Clinic, a volunteer medical clinic serving immigrants on Wednesday evenings, providing representation on Medicaid and other public benefits issues to Indonesian and Chinese immigrants with urgent, severe medical problems. Convinced the Philadelphia County Assistance Office to adopt a form CLS designed for physicians to document Emergency Medical Conditions to establish Medicaid eligibility. Advocated with the state welfare department concerning procedures for Emergency Medicaid.

Language Access

Suong Phan v. DPW, (USDA 1986). Administrative civil rights complaint challenging Pa. welfare department's failure to provide bilingual food stamp services for Southeast Asian refugees. As a result, the state hired Vietnamese and Khmer-speaking caseworkers and translated materials and notices sent to recipients.

Mohammed v. DPW-Alden District CAO (United States Department of Health & Human Services, Office of Civil Rights, March 28, 2002). Ten individual complaints concerning violations of Title VI in DPW's administration of the TANF program, and DPW's failure to properly serve individuals with limited English proficiency. OCR issued findings requiring major systemic changes in DPW's practices. Continuing advocacy on implementation issues.

Welfare

Gilliam v. USDA, No. 2:20-cv-03504 (E.D. Pa. March 31, 2021). With co-counsel from Morgan Lewis, challenged Trump Administration policy denying SNAP/Food Stamp Emergency Allotments to the lowest income households in Pennsylvania during the pandemic. Obtained Preliminary Injunction, then settled case with \$712 million in retroactive SNAP benefits for Pennsylvanians and a change in policy nationally which resulted in ongoing SNAP Emergency Allotments of at least \$95/month/household.

Weeks v. DHS, No. 409 M.D. 2019 (Cmwlth Ct.). With co-counsel from Disability Rights PA, class action challenging Pennsylvania's elimination of General Assistance benefits as violative of the state constitutional legislative procedure requirements. Currently on appeal in the PA Supreme Court.

CAO Operations. Advocacy with co-counsel from Dechert to improve operations and customer service at the Philadelphia County Assistance Offices resulting in 2015 agreement providing for improved telephone access to the Philadelphia Customer Service Center, changes in computer systems and supervisory oversight to reduce churn and safeguard against erroneous terminations due to documentation, better access to phone interviews for SNAP applicants, and improved handling of paperwork. Successful advocacy to improve issuance of expedited SNAP statewide.

Coleman v. White, C.A. No. 87-1232 (E.D. Pa. February 6, 1990). Class action challenging state welfare department's policies and rules which delay provision of benefits under the AFDC program for newborns and for siblings of a recipient child by requiring a new written application and prior verification of child support cooperation. Case settled with extensive revisions to welfare department's rules and procedures.

Jimenez v. Cohen, C.A. No. 85-5285 (E.D. Pa. July 14, 1986). Class action successfully challenging federal and state regulations which deemed income of grandparents to be available to eighteen-year old non-student parents and their needy children, denying AFDC benefits.

Savage v. HRS, Case No. 82-3274 (Fla. Dept. of Admin., Div. of Admin. Hearings 1982). Action challenging statewide termination of AFDC-Pregnancy benefits for women with no other children. The case settled when the state agency agreed to continue the benefits.

Vance v. Sullivan, C.A. No. 89-9100 (E.D. Pa. April 6, 1990). Class action challenging federal regulations which sharply limited eligibility for AFDC "Essential Person" benefits. Court granted prospective relief for a state-wide class of 10,000 households. This was the first case decided on this issue, and resulted in settlement of other cases around the country and a change in policy by the federal agency (HHS).

Winningham v. DPW, C.A. No. 305 M.D. 1991 (Cmwlth Ct. April 19, 1993). State court class action resulting in retroactive benefits for the successful plaintiff class from Vance v. Sullivan.

OTHER PROFESSIONAL ACTIVITIES

Chair, Board of Directors, Women Against Abuse Legal Center, 2023-present.

Member, Board of Directors, Women Against Abuse, 1998-present.

Member, 1199C Training Fund Early Head Start Health Advisory Committee, 2022-present

Member, Board of Directors, Interim House (non-profit drug & alcohol treatment program for women), 1999-2021.

Department of Public Welfare Task Force on Domestic Violence, 2000-2010.

AWARDS

Philadelphia Bar Association Public Interest Section "Bending the ARC Award" 2017.

Women Against Abuse “Community Advocate Award” 2007.

Philadelphia Health Management Corporation “Carl Moore Leadership Award” 2004.

Community Legal Services “Equal Justice Award” 2004.

Pennsylvania Legal Services “Striving Towards Excellence Award” 2002.

Jacksonville FL NOW “Mary Nolan Award For Outstanding Feminist Leadership” 1984.