

Poverty Action Report



**SHRIVER
CENTER**

Sargent Shriver National Center on Poverty Law

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The November-December 2006 issue of Clearinghouse Review includes a review of recent Supreme Court decisions on federal court access, information on continuing disability reviews, and an article on the unionization of state-subsidized child care providers in Illinois. Other articles cover landlord sexual assault, the impact of bankruptcy reform on the poor, and third-party notification of eviction actions.

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Midterm Election Analysis from the State of Poverty Congressional Project

Now that the midterm election is over, we can take a look at how voters responded to their elected officials in light of the Sargent Shriver National Center on Poverty Law's *State of Poverty: 2006 Congressional Midterm Report*. The Shriver Center issued the Midterm Report to help voters evaluate how their congressional delegations responded to the needs of low-income people.

The 2006 midterm election was, without question, a victory for the antipoverty community. Of the House elections that have been certified, 28 incumbents lost their seats. Their average score, according to our Congressional Midterm Report, was 14 out of 100 points. In the Senate, ousted incumbents' scores include George Allen's 17 along with Jim Talent and Conrad Burns's 33.

The Democrats who are set to become the chairmen of the various House committees dealing with antipoverty issues have excellent scores:

Probable House Ways and Means Committee chairman: Charlie Rangel (NY); **Shriver Scorecard: 100**
Probable House Education and the Workforce Committee chairman: George Miller (CA); **Shriver Scorecard: 100**
Probable House Budget Committee chairman: John M. Spratt (SC); **Shriver Scorecard: 83**
Probable House Financial Services Committee chairman: Barney Frank (MA); **Shriver Scorecard: 100**
Probable House Appropriations Committee chairman: David Obey (WI); **Shriver Scorecard: 83**

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We also are looking forward to the likely chairmen of the relevant Senate committees:

Probable Senate Health, Education, Labor, and Pensions Committee chairman:

Ted Kennedy (MA); **Shriver Scorecard: 100**

Probable Senate Budget Committee chairman:

Kent Conrad (ND); **Shriver Scorecard: 100**

Probable Senate Banking, Housing, and Urban Affairs Committee chairman:

Christopher Dodd (CT); **Shriver Scorecard: 100**

Probable Senate Appropriations Committee chairman:

Robert C. Byrd (WV); **Shriver Scorecard: 100**

All in all, a good night for the fight against poverty! ■

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Expanding Health Care Is Good Policy and Good Politics

By John Bouman

The reelection of Gov. Rod Blagojevich of Illinois showed the country that fighting for expanded health care is not only good policy; it's good politics. The political lesson should not be lost on politicians in other parts of the country. The attractive politics has produced, beyond Illinois's All Kids program, Gov. Ed Rendell's Cover All Kids program in Pennsylvania and Gov. Mitt Romney's universal coverage plan in Massachusetts, both of which were enacted this year.

Expanding health care coverage is not only the right thing to do; it's good political strategy. It demonstrates to Democrats and Republicans, who equally agonize at their kitchen tables over the health care crisis, that the politician not only "gets it" but also is willing to lead.

Blagojevich's road to reelection was not a smooth one. He was criticized for the ways he planned to pay for his legislative agenda. He was beset by corruption cases that implicated individuals close to his office. He faced a well-funded moderate in a state that has had no one but moderate Republican governors since 1977. Yet Blagojevich accurately assessed that his proven record on health care would be strong enough to overshadow those difficulties and help him win. He was right.

Thanks to Blagojevich's efforts, Illinois is arguably the national leader in expanding health care coverage. Having already won for Illinois the Kaiser Family Foundation's No. 1 ranking for expanding health care to working families, Blagojevich signed into law on November 15, 2005, the All Kids Program to extend health insurance to every child in Illinois regardless of income or status—the first state in the nation to do so.

Should we be surprised that this health care record is politically potent? The issue of health care coverage affects the lives of ordinary citizens on a daily basis. There is a consensus among voters in Illinois and the rest of the nation that the everyday reality of the health care crisis is a curable problem if politicians lead.

It is no wonder then that, in an exceedingly negative campaign, one of the few issues that Blagojevich's opponent, Judy Baar Topinka, did not attack him on was his health care record. By all accounts, Governor Blagojevich not only ran on the issue of health care coverage, he staked his career on it, and the voters validated that decision.

People want action, there are already many success stories, and it can be done if there is political will to do it. If there ever was any doubt that health care is both good policy and good politics, it was swept away last week with the over 1.6 million votes cast for Governor Blagojevich and his health care record. ■

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Shriver Center Attorney Wins 2006 Housing Justice Award

Katherine Walz of the Sargent Shriver National Center on Poverty Law won a 2006 Housing Justice Award last week at the Housing Justice Network conference of the National Housing Law Project in Washington, D.C. Walz received the award for her work on affordable housing and low-income housing rights.

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The award for Walz, who is a senior attorney at the Shriver Center, recognizes “an energetic and unstoppable activist ... who is fearlessly and successfully tackling the systemic and often hostile obstacles that stand in the way of safe, decent and affordable housing for low-income and marginalized people.” Walz was one of two award recipients at this year’s ceremony.

Walz most recently led a class action lawsuit against the Moody Bible Institute’s unlawful conversion of project-based Section 8 housing into student dormitories. With other housing advocates, she is fighting a national trend: universities purchase subsidized housing and attempt to use it as housing for students and thus deprive the original beneficiaries of such housing—the disabled and the elderly.

Walz is also class counsel in *Wallace v. CHA*, a case that challenges the Chicago Housing Authority’s discriminatory relocation of residents, and *Chicago ACORN v. HUD*, a case challenging the U.S. Department of Housing and Urban Development’s termination of the project-based Section 8 contract of one of the biggest developments in the country. Walz is a leader on the Source of Income Working Group, the Tenants Rights Working Group, and the Safe Homes Initiative.

“In my thirty-plus years as a housing attorney and advocate, I have never worked with such a talented young attorney as Kate Walz,” said William Wilen, the Shriver Center’s director of housing litigation. “She has tackled a myriad of housing issues, adeptly and effectively using the tools in her advocacy arsenal. I cannot envision a more deserving advocate for the Housing Justice Award.” ■

The State of Health Care Worsens; Americans Ready for Reform

Affordable health care is a top priority of the American public. An ABC/Kaiser/USA Today poll, entitled “Health Care in America 2006 Survey,” found that 56 percent of Americans favor switching from our current health care system to a universal health

insurance program funded by taxpayers—68 percent of those surveyed would even favor increased taxes to institute a national, universal health care system. Americans disagree on how to address the issue, but a majority of Americans believe that our national health care system needs real reform.

The findings of the report show that more and more families are adversely affected by health care-related problems, mostly concerning the issue of affordability. In June 2005, 23 percent of Americans experienced problems paying their medical bills; and, in September 2006, the percentage rose to 25 percent.

Of those surveyed, 3 out of 10 Americans reported putting off medical treatment due to cost—70 percent of these medical procedures were described as “serious.” Americans are increasingly concerned about their ability to pay medical insurance premiums, with 60 percent either very worried or somewhat worried that it will become impossible in the next few years.

Middle-class Americans fear losing coverage due to job loss (56 percent are very or somewhat worried) or employee health insurance cuts; meanwhile, the uninsured continue to live in fear that a family member might develop an illness, which would necessitate unaffordable medical treatments.

With the poor state of health care in the United States having a negative impact on more and more American families, affordable health care has become the one issue today’s politicians can bet the bank on. Politicians and their constituencies on the right and left—conservative and liberal—are aligning over the issue of health care. Illinois Gov. Rod Blagojevich based his successful 2006-reelection bid on his healthcare expansion record and on a promise to accomplish affordable health care for every citizen in Illinois. Pennsylvania’s Governor Ed Rendell easily won passage of a coverage program for all children. And Massachusetts’ recent Governor Mitt Romney presided over passage of a universal healthcare plan as he left office to explore a presidential run. The poll confirms that healthcare is good politics because it is a top concern of most Americans. ■ *For further information, go to <http://www.kff.org/kaiserpolls/pomr101606pkq.cfm>.*

HTML Version of Federal Practice Manual Now Online

The first four chapters of the 2006 *Federal Practice Manual for Legal Aid Attorneys* are now available in HTML format on eJustice. Edited by Jeffrey S. Gutman, Professor of Clinical Law and Associate Dean of Academic Affairs at George Washington University Law School and published by the Sargent Shriver National Center on Poverty Law, this edition of the *Manual* updates the version published in 2004. The HTML version of the *Manual* includes hyperlinks to federal statutes, Supreme Court Case citations, and case pleadings available through the Shriver Center's Poverty Law Library. For more, visit the eJustice website at www.ejustice.org.

Shriver Center Raffle is Underway!

An exciting raffle is underway to support the Shriver Center's law and policy work on behalf of low-income people living in the United States. 100% of the gross receipts will go to the Shriver Center to take action to end poverty.

TICKETS: ONE FOR \$50; THREE FOR \$100

First Prize: LAKE TAHOE VACATION
Second Prize: PRIVATE ART GALLERY RECEPTION
Third Prize: CHICAGO SKYLINE TOUR
Fourth Prize: \$1000 CASH

The drawing will be held November 30, 2006 at the Shriver Center 2006 Awards Dinner
Tickets may be purchased through our website through November 28, 2006.