Poverty Newsletter

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NEWSLETTER OF THE AMERICAN ASSOCIATION OF LAW SCHOOLS--POVERTY LAW SECTION

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Message From The Chair
by Michelle Adams

I am honored to serve as Chair of the Poverty Law Section of the Association of American Law Schools this year. I want to thank Jon Dubin, our outgoing Chair, for all of his work during the year and for putting together an excellent program. That program, Teaching About Poverty, Class and Wealth Throughout the Law School Curriculum, was well attended and provided a wellspring of new and innovative teaching ideas to bring these important concepts into our classrooms. Thanks go out as well to all of the panelists who helped make that program great.

We are working to prepare for next year’s AALS Conference which will be held in Washington D.C. in January, 2003. It is extremely exciting for me to work with members of the Executive Committee, because there is such a wealth of talent, knowledge and experience in our group. Even at this early date I am certain that next year’s program will live up to the standard set in years past, and I look forward to seeing you all there.

I am also honored to introduce the incoming Chair of the Poverty Law Section. Rachel Godsil, Associate Professor of Law at Seton Hall University School of Law, has graciously agreed to serve in this capacity next year. Rachel brings a wealth of public interest experience and expertise in environment justice, and I am delighted that she will be next year’s Chair.

Thank you all for your continuing support and best regards.

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What is Poverty? (Taken from The World Bank Group website)

Poverty is hunger. Poverty is lack of shelter. Poverty is being sick and not being able to see a doctor. Poverty is not being able to go to school and not knowing how to read. Poverty is not having a job, is fear for the future, living one day at a time. Poverty is losing a child to illness brought about by unclean water. Poverty is powerlessness, lack of representation and freedom.

Poverty has many faces, changing from place to place and across time, and has been described in many ways. Most often, poverty is a situation people want to escape. So poverty is a call to action -- for the poor and the wealthy alike -- a call to change the world so that many more may have enough to eat, adequate shelter, access to education and health, protection from violence, and a voice in what happens in their communities.

Dimensions of Poverty

To know what helps to alleviate poverty, what works and what does not, what changes over time, poverty has to be defined, measured, and studied -- and even lived. As poverty has many dimensions, it has to be looked at through a variety of indicators -- levels of income and consumption, social indicators, and now increasingly indicators of vulnerability to risks and of socio/political access.

So far, much more work has been done using consumption or income-based measures of poverty. But some work has been done on non-income dimensions of poverty, most notably in the Human Development Report prepared annually by the United Nations Development Programme, and new work is underway in preparation for the World Development Report on Poverty and Development.

How the Census Bureau Measures Poverty

Official Poverty data are collected using the Current Population Survey (CPS) March Supplement

Following the Office of Management and Budget's (OMB) Statistical Policy Directive 14, the U.S. Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is poor. If a family's total income is less than that family's threshold, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation using the Consumer Price Index (CPI-U). The official poverty definition counts money income before taxes and does not include capital gains and noncash benefits (such as public housing, Medicaid, and food stamps). Poverty is not defined for people in military barracks, institutional group quarters, or for unrelated individuals under age 15 (such as foster children). They are excluded from the poverty universe--that is, they are considered neither as "poor" nor as "nonpoor."

The 2002 US Dept. of Health and Human Services Poverty Guidelines

There are two slightly different versions of the federal poverty measure:

The poverty thresholds, and
The poverty guidelines.

The poverty thresholds are the original version of the federal poverty measure. They are updated each year by the Census Bureau (although they were originally developed by Mollie Orshansky of the Social Security Administration). The thresholds are used mainly for statistical purposes for instance, preparing estimates of the number of Americans in poverty each year. (In other words, all official poverty population figures are calculated using the poverty thresholds, not the guidelines.) Poverty thresholds since 1980 and weighted average poverty thresholds since 1959 are available on the Census Bureau's Web site.

The poverty guidelines are the other version of the federal poverty measure. They are issued each year in the Federal Register by the Department of Health and Human Services (HHS). The guidelines are a simplification of the poverty thresholds for use for administrative purposes for instance, determining financial eligibility for certain federal programs. (The full text of the Federal Register notice with the 2002 poverty guidelines is available here.)

The poverty guidelines are sometimes loosely referred to as the "federal poverty level" (FPL), but that phrase is ambiguous and should be avoided, especially in situations (e.g., legislative or administrative) where precision is important.

A more extensive discussion of poverty thresholds and poverty guidelines is available on the Institute for Research on Poverty's Web site.

<table>
<thead>
<tr>
<th>Size of Family Unit</th>
<th>48 Contiguous States and D.C.</th>
<th>Alaska</th>
<th>Hawaii</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$8,860</td>
<td>$11,080</td>
<td>$10,200</td>
</tr>
<tr>
<td>2</td>
<td>11,940</td>
<td>14,930</td>
<td>13,740</td>
</tr>
<tr>
<td>3</td>
<td>15,020</td>
<td>18,780</td>
<td>17,280</td>
</tr>
<tr>
<td>4</td>
<td>18,100</td>
<td>22,630</td>
<td>20,820</td>
</tr>
<tr>
<td>5</td>
<td>21,180</td>
<td>26,480</td>
<td>24,360</td>
</tr>
<tr>
<td>6</td>
<td>24,260</td>
<td>30,330</td>
<td>27,900</td>
</tr>
<tr>
<td>7</td>
<td>27,340</td>
<td>34,180</td>
<td>31,440</td>
</tr>
<tr>
<td>8</td>
<td>30,420</td>
<td>38,030</td>
<td>34,980</td>
</tr>
<tr>
<td>For each additional person add:</td>
<td>3,080</td>
<td>3,850</td>
<td>3,540</td>
</tr>
</tbody>
</table>


The separate poverty guidelines for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966-1970 period. Note that the poverty thresholds the original version of the poverty measure have never had separate figures for Alaska and Hawaii.

The poverty guidelines apply to both aged and non-aged units. The guidelines have never had an aged/non-aged distinction; only the Census Bureau (statistical) poverty thresholds have separate figures for aged and non-aged one-person and two-person units.

Programs using the guidelines (or percentage multiples of the guidelines for instance, 125 percent or 185 percent of the guidelines) in determining eligibility include Head Start, the Food Stamp Program, the National School Lunch Program, the Low-Income Home Energy Assistance Program, and the Children's Health Insurance Program. Note that in general, cash public assistance programs (Temporary Assistance for Needy Families and its predecessor Aid to Families with Dependent Children, and Supplemental Security Income) do NOT use the poverty guidelines in determining
eligibility. The Earned Income Tax Credit program also does NOT use the poverty guidelines to determine eligibility.

The poverty guidelines (unlike the poverty thresholds) are designated by the year in which they are issued. For instance, the guidelines issued in February 2002 are designated the 2002 poverty guidelines. However, the 2002 HHS poverty guidelines only reflect price changes through calendar year 2001; accordingly, they are approximately equal to the Census Bureau poverty thresholds for calendar year 2001. (The 2001 thresholds are expected to be issued in final form in September or October 2002; a preliminary version of the 2001 thresholds is now available from the Census Bureau.)

POVERTY WEBSITES

ENVIRONMENTAL JUSTICE

Clark Atlanta University - Environmental Justice Resource Center - seeks to assist, support, train, and educate people of color professionals and grassroots community leaders with the goal of facilitating their inclusion into the mainstream of environmental decision making. www.ejrc.edu

EarthRights International - nonprofit, nongovernmental organization that combines the power of law and the power of people in defense of human rights and the environment. www.earthrights.org

HOMELESSNESS

Homeless People and the Internet - offers information to homeless people on continuing education, public-access computers, e-mail, forums, substance abuse and recovery, and resource links. members.tripod.com/~bmdavidson.html

Tedrico's Page - offers links to shelters, feeding programs, and outreach help as well as chat and message boards. contest-network.com/tedrico.html

U.S. Department of Health and Human Services - Homelessness - offers information about homelessness in America as well as about HHS assistance programs, publications, research results, and other resources. aspe.hhs.gov/progsys/indextxt.htm

HUNGER

Clickforfood.org - enables anyone to make an impact on world hunger in seconds without paying a cent.

Hunger Notes - magazine about hunger and poverty in the world and U.S. Providing a forum to discuss issues and solutions. www.worldhunger.org

INCOME INEQUALITY


Inequality.org - source for news, information, and expertise on the divide in American income, wealth, and health.

INSTITUTES

Center for Impact Research - works towards elimination of poverty through grass-roots research aimed at identifying innovative policy strategies better reflecting low-income persons' needs. www.impactresearch.org
Institute for Research on Poverty (IRP) - providing online publications and extensive links to poverty-related statistics and information sources. www.ssc.wisc.edu/irp/

NEWS AND MEDIA

Child Poverty News - from the National Center for Children in Poverty. cpmcnet.columbia.edu/dept/nccp/

Poor News Network (PNN) - multi-media access project of Poor Magazine dedicated to reframing the news, issues, and solutions from low and no income communities. www.poormagazine.com

WELFARE

National Association for Welfare Research & Statistics - NAWRS - nonprofit association for advancement of research and statistics in the field of public welfare. ucedata.berkley.edu/NAWRS/