

RESOLUTION



Moved by Rasmussen Seconded by Libby

That the following resolution be adopted: As Amended:

WHEREAS, certain persons who have applied for Supplemental Security Income may also be eligible for general relief assistance during the period that their SSI application is pending, and

WHEREAS, persons who receive general relief during the pendency of an application for SSI agree to reimburse the County for such interim assistance, which is deducted from the first check, and

WHEREAS, some persons require the services of an attorney to assist them in appealing a denial of SSI, and

WHEREAS, in the event that the benefits are granted on appeal, such benefits may be substantial, and may in whole or substantial part be paid to the County as reimbursement for interim assistance, and

WHEREAS, Polk County has no policy with respect to the payment of attorneys who provide such services, even though they may inure to the benefit of Polk County, and

WHEREAS, it is in the best interest of Polk County and the persons who may qualify for such programs to establish a policy to permit compensation for private attorneys who secure benefits under Titles II and XVI of the Social Security Act.

IT IS THEREFORE HEREBY RESOLVED by the Polk County Board of Supervisors that Polk County will pay any private attorney authorized to practice law in the State of Iowa 25 percent (25%) of any net recovery made on behalf of Polk County Welfare under Titles II and XVI of the Social Security Act, in all cases where an eventual Title II or Title XVI Social Security recipient receives general welfare relief from Polk County and is required to reimburse general relief from any past due benefits generated from Title II or Title XVI of the Social Security Act. Upon presentation of a Statement of Past Due Benefits and an authorization from the Social Security Administration or the

United States District Court, Polk County shall pay directly to the attorney an attorney fee authorized hereby from the reimbursement.

AMENDMENT; (Friendly)

POLK COUNTY BOARD OF SUPERVISORS

BE IT FURTHER RESOLVED that the provisions of the Resolution apply equally to Veterans Affairs.

Martha Willits
Martha Willits, Chairperson

Submitted by:

POLK COUNTY ATTORNEY
JAMES A. SMITH

Norman G. Jesse
Norman G. Jesse
Assistant Polk County Attorney

ROLL CALL FOR ALLOWANCE	
AUG 23 '88	
Jack Bishop	Yes Nay
Ray Stephens	Yes Nay
Richard Brandon	Yes Nay
Clark R. Rasmussen	Yes Nay
Martha Willits	Yes Nay
Yes <u>4</u>	Nay <u>1</u>
Above tabulation made by <i>ra</i>	
ALLOWED BY ABOVE VOTE OF BOARD	
<i>Martha Willits</i>	