

# HELPING HANDBOOK

## Legal Resources for Families of Victims of the World Trade Center Disaster

This handbook provides an overview of some of the legal issues that individuals and families may face as a result of the World Trade Center disaster. It may not answer all your questions; rather it is designed to set out some of the legal issues you may need to consider, to help you understand the basics about each issue, and to point you in the right direction for help. This handbook is targeted to individuals living or working in New York State.

You may feel overwhelmed when considering the legal issues you face. It may be helpful to have the assistance of a lawyer, especially because the laws and requirements pertaining to these issues are subject to change. If you do not have an attorney, free legal advice and referrals are available to those in need who are affected by the events of September 11, 2001. You may contact the Legal Referral Service of the New York City and County Bar Associations at (212) 626-7373 ([www.ilawyer.com](http://www.ilawyer.com) click on "New York City"); The New York State Bar Association help line at (877) HELP-321 or (518) 487-5709 ([www.nysba.org](http://www.nysba.org)); the American Bar Association Disaster Legal Services at (866) 606-0626 ([www.abanet.org](http://www.abanet.org)); or Law Help, New York's Online Legal Referral and Information System at [www.lawhelp.org](http://www.lawhelp.org).

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Morrison & Foerster LLP makes available the information and materials in this Handbook for informational purposes only. While we hope and believe the Handbook will be helpful as a background matter, we cannot warrant that the Handbook is accurate or complete. Moreover, the Handbook is general in nature, and may not apply to particular factual or legal circumstances. In any event, the Handbook does not constitute legal advice and should not be relied on as such. Morrison & Foerster LLP renders legal advice only after compliance with certain procedures for accepting clients and when it is legally permissible to do so. Readers seeking to act upon any of the information contained in this Handbook are urged to seek their own legal advice. The printed version of this Handbook was last updated on October 3, 2001.

### **SUBJECT 1 -- DEATH CERTIFICATES**

Why do I need to obtain a death certificate?

There are some important steps you may ultimately need to take in order to settle your loved one's affairs. Many of these steps may require a death certificate, such as:

- collecting death benefits or life insurance;
- taking control of family assets such as bank accounts, pension funds, and other property (like homes or automobiles) that are held in the name of the deceased person;
- probating a will; and
- completing a final tax return.

### **How do I obtain a death certificate for a loved one who remains missing due to the World Trade Center disaster?**

The City and State of New York have developed a streamlined procedure to help affected families obtain death certificates on an expedited basis. As a result, it is hoped that, in most cases, families will be able to secure a death certificate within 1-2 weeks from the date of application.

### **Who can participate in this process?**

Anyone can assist in compiling the necessary information about the deceased person needed to obtain a death certificate, but only the closest "next of kin" of the deceased should sign the required paperwork. The closest next of kin for this purpose, is the person highest up on the following list:

- the spouse or registered domestic partner who has been registered as such with the City Clerk or with the former City Department of Personnel (roommates or couples who live together, but have not registered, do not fit this description);
- a child who is 18 years of age or over;
- a grandchild or other descendant who is 18 years of age or over;
- a parent;
- a brother or sister or one of their descendants who is 18 years of age or over;
- a grandparent; or
- a great grandparent, or uncle or aunt who is 18 years of age or over.

The above-listed categories are not exhaustive. If you would like to participate in this process but are not sure whether you are the closest next of kin, you may call (646) 710-6245 or visit the Family Assistance Center to receive help from a volunteer attorney in order to make this determination. The Family Assistance Center at Pier 94, located at 54th Street and 12th Avenue, is open 8 a.m. to 8 p.m., seven days a week. Attorneys will only be present from 9 a.m. to 7 p.m. to assist with the death certificate procedures.

### **How do I begin this process?**

Before beginning this process, a formal missing person's report must have been filed with the NY Police Department. If a person has not been reported missing, a family member may make this report by calling the NY Police Department Hotline at (646) 710-6149. You can begin the process of getting a death certificate in person at the Family Assistance Center or by mail.

### **What sort of information will I need to know about my loved one?**

In order to obtain a death certificate, you will need to complete an affidavit (a sworn, signed, and notarized document) that provides detailed information about your loved one. Volunteer lawyers will help you complete the affidavit, which will ultimately be filed in court by the Corporation Counsel of the City of New York. Some of the information you will need to provide:

- your name, residence, and relationship to the missing person;

- details about your last contact with the missing person;
- the basis for the belief that the missing person was at the World Trade Center on September 11, 2001 (such as employment);
- efforts made to locate the missing person (such as contacting the employer, filing a missing persons report, leaving messages for the missing person);
- the missing person's usual place of residence, including street address, county, city, state, country and zip code;
- the missing person's social security number;
- whether the missing person ever served in the armed forces of the United States, and if so, what branch and the dates of service;
- the missing person's marital/domestic partner status and, if married, the name of the spouse, including a wife's maiden name if applicable;
- the missing person's date and place of birth;
- the missing person's occupation (try to bring proof of employment, such as a paystub), and if the person was retired, what type of work he or she did prior to retirement;
- the kind of business or industry in which the missing person pursued that occupation;
- the highest grade of education completed by the missing person;
- other names by which the missing person was known;
- the name of the missing person's father and the maiden name of the missing person's mother;
- the name, address, telephone number, and relationship of the missing person's next of kin; and
- if you are not the missing person's next of kin, an explanation of the relationship between you and the missing person and an explanation of why you are the person seeking a declaration of death.

Additional documentation about the missing person will be obtained by the City of New York directly from employers, airlines, and the New York City Fire and Police Departments.

#### **What documentation will I need about myself?**

You will need to bring personal identification, preferably with a photograph, in order for your affidavit to be notarized. You will not need any proof of relationship in order to begin this process and complete an affidavit. You may need, however, proof that you are the closest next of kin later on in the process if the Court determines it is necessary. Examples of the type of proof that may be required are as follows:

- the spouse of a missing person should provide a copy of the marriage certificate and his or her own photo identification.
- a registered domestic partner should provide a copy of the registration and his or her own photo identification.
- a child 18 years of age or over should provide a birth certificate showing his or her relationship to the missing person, proof of the death or divorce of any spouse who would otherwise be the closest next of kin, and photo identification.

#### **What if I want to do the process by mail, not in person?**

If you would rather not come to the Family Assistance Center in person, this process may be completed by mail. You can download the forms on the internet through the following website:

[www.nyc.gov/html/em/dth/cert.html](http://www.nyc.gov/html/em/dth/cert.html). Be sure to download both the Intake form and the Affidavit by Person with Personal Knowledge for Issuance of Death Certificate. Both must be completed.

You may consult with a volunteer attorney by calling (212) 626-7373 or (646) 710-6245. When you have completed the form, call that number to find the appropriate fax number and fax the affidavit in draft for review by a Law Department attorney. When the attorney has approved the affidavit, it should be completed and notarized. If you are completing the documents outside New York State, the affidavit must be notarized in accordance with the requirements of the location where the document is being completed. The affidavit and the completed intake form (which must contain the number for the missing person report filed with the New York City Police Department) can either be delivered in person to the attorneys at Pier

94 or mailed to: The New York City Law Department, World Trade Center Unit, 350 Jay Street, 8th Floor, Brooklyn, New York 11201.

**Is there a deadline for obtaining a death certificate?**

No deadline for applying has been set. The City of New York hopes to continue to make this service available so that all affected individuals who would like to participate can do so when they are ready.

**Do I or my missing loved one need to be a resident of New York in order to participate in this process?**

No. This process can be used to obtain a certificate of death for all missing persons believed to have been at the World Trade Center on September 11, 2001, regardless of nationality or state of residence. If the closest next of kin lives outside of the United States, he or she should contact the U.S. Consulate in his or her home country, as well as an attorney at the Family Assistance Center, to determine the proper procedures.

**Must I go through this process in order to secure a death certificate?**

No. This is a purely voluntary process that has been developed to help affected families who wish to secure a death certificate. If you would like to secure a death certificate, this will be the fastest way to do so. When making this decision, you should consider that a death certificate is required for certain benefits that may be available to you.

**Does this process affect probate?**

No. Obtaining a death certificate is just a way of formally memorializing the fact of someone's death. It does not start the probate process or affect the distribution of a person's property (see the Wills Section of this handbook).

**If I begin this process, will attempts to rescue or identify my loved one stop?**

No. This process will not in any way affect the attempts being made to find survivors or to identify bodies recovered at the World Trade Center.

**Please be aware that the procedures described above may change. For the most up to date information on how to obtain a certificate of death for a loved one, you may call the Family Assistance Center at (646) 710-6245, or visit the Center at Pier 94, located at 54th Street and 12th Avenue. The Center is open 8 a.m. to 8 p.m., seven days a week, but assistance in obtaining a death certificate is available from 9 a.m. to 7 p.m.**

## **SUBJECT 2 -- PROBATE (WILLS) AND INTESTACY**

### **Who will get ownership of my deceased loved one's assets?**

Jointly held assets in New York will pass automatically to the surviving joint owner. Other assets may pass to designated beneficiaries. In addition, if a person died with a valid will, his or her individually-owned property will be distributed according to the will. A person who died without a valid will is said to have died "intestate." In this case, his or her property will be distributed according to the intestacy laws of the state where the deceased resided. Generally, a spouse, children, or parents will receive the assets.

### **My loved one left behind a will. What do I need to do?**

The will should name an executor. The executor's job is to collect the assets, pay the deceased's debts, and distribute any remaining assets according to the provisions of the will.

Once the executor has been determined, that person must then file a Petition for Probate and Letters Testamentary. A form of this document can be found at [www.courts.state.ny.us/suroform/sfindex.htm](http://www.courts.state.ny.us/suroform/sfindex.htm) or at any Surrogate's Court (see below for the address for the Surrogate's Court nearest you). The Petition for Probate and Letters Testamentary must be filed along with the original will and death certificate in an appropriate Surrogate's Court. The Petition for Probate and Letters Testamentary lists pertinent information about the deceased and his or her family, debts, and assets. Usually, this filing must be done in the Surrogate's Court in the deceased's home county; however, by special order, this can now be done in any Surrogate's Court that is most convenient for the executor.

Once the Letters Testamentary have been granted, the executor has the authority to and may begin to make the proper distributions to the beneficiaries of the estate.

### **What if I know that my loved one left a will, but I cannot find it?**

Check with the attorney who prepared it. That attorney may have retained the original, or at least a copy. In certain cases, a copy can be probated if the original cannot be found.

### **My loved one did not leave behind a will. What do I need to do?**

If no will has been left behind, an administrator of the deceased's estate will need to be appointed to disburse the assets of the estate and to pay any outstanding debts (such as taxes, bills, loans). The appointed administrator will be selected in the following order (assuming the potential administrator is competent and is at least 18 years old):

- surviving spouse;
- children;
- grandchildren;
- parents;
- brothers or sisters; or
- any other distributee (heir).

The proposed administrator must file a Petition for Letters of Administration in an appropriate Surrogate's Court along with a death certificate (or if no death certificate has been obtained, an affidavit may suffice). This, too, may be done in the county most convenient for the proposed administrator. Similar to the Petition for Probate and Letters Testamentary, this Petition lists pertinent information about the deceased and his or her family and assets.

Once the Letters of Administration have been granted by the Surrogate's Court, the administrator of the estate has the authority to and may begin to make the proper distributions to the beneficiaries of the estate in accordance with the laws of intestacy.

## Where are the Surrogate's Courts?

Petitions for Probate and Letters Testamentary and Petitions for Letters of Administration may be filed at the following locations either by mail or in person:

Bronx County  
Honorable Lee H. Holzman  
Surrogate's Court  
851 Grand Concourse  
Bronx, NY 10451  
(718) 590-3611

Dutchess County  
Honorable James D. Pagones  
Surrogate's Court  
10 Market Street  
Poughkeepsie, NY 12601-3203  
(845) 486-2235

Kings County  
Honorable Michael H. Feinberg  
Surrogate's Court  
2 Johnson Street  
Brooklyn, NY 11201  
(718) 643-5262

Nassau County  
Honorable John B. Riordan  
Surrogate's Court  
262 Old Country Road  
Mineola, NY 11501  
(516) 571-2082

New York County  
Honorable Eve Preminger  
Honorable Renee R. Roth  
Surrogate's Court  
31 Chambers Street  
New York, NY 10007  
(212) 374-8233

Orange County  
Honorable Elaine Slobod  
Surrogate's Court  
Surrogate's Courthouse  
30 Park Place  
Goshen, NY 10924  
(845) 291-2193

Putnam County  
Honorable Robert E. Miller  
Honorable James T. Rooney  
Surrogate's Court  
Historic Courthouse  
44 Gleneida Avenue  
Carmel, NY 10512  
(845) 225-3641 ext. 293, 295

Queens County  
Honorable Robert L. Nahman  
Surrogate's Court  
88-11 Sutphin Boulevard  
Jamaica, NY 11435  
(718) 520-3713

Richmond County  
Honorable John A. Fusco  
Surrogate's Court  
Courthouse  
18 Richmond Terrace, Rm 201  
Staten Island, NY 10301  
(718) 390-5400

Rockland County  
Honorable Alfred J. Weiner  
Surrogate's Court  
Courthouse  
18 New Hempstead Road  
New City, NY 10956  
(845) 638-5330

Suffolk County  
Honorable Gary J. Weber  
(Acting Surrogate)  
Surrogate's Court  
320 Center Drive  
Riverhead, NY 11901  
(631) 852-1745

Sullivan County  
Honorable Frank J. LaBuda  
Honorable Burton Ledina  
Surrogate's Court  
Government Center  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701  
(845) 794-3000 ext. 3450

Ulster County  
Honorable Joseph Traficanti, Jr.  
Surrogate's Court  
240 Fair Street  
P.O. Box 1800  
Kingston, NY 12402-1800  
(845) 340-3348

Westchester County  
Honorable Anthony A. Scarpino  
Surrogate's Court  
140 Grand Street  
White Plains, NY 10601  
(914) 995-3712

## **SUBJECT 3 -- SOCIAL SECURITY**

### **What Social Security benefits are available and am I eligible?**

#### **Survivors Benefits**

When a worker dies, certain members of his or her family may be eligible for financial benefits from the Social Security Administration if the deceased worker earned enough Social Security credits while he or she was working. The younger a person is, the fewer the credits that are needed to be eligible for survivors benefits.

The family of a deceased worker may be able to get survivors benefits, even though the deceased worker had fewer credits than are needed for retirement benefits. If the deceased worker was born in 1930 or later, one credit is needed for each year after age 21 and prior to 2001, up to a maximum of 40 credits. Regardless of when the deceased worker was born, dependent children could get survivors benefits if the deceased worker had six credits in the three years before his or her death. For more information about how credits are earned, see the SSA pamphlet "How You Earn Credits" at [www.ssa.gov/pubs/10072.html](http://www.ssa.gov/pubs/10072.html).

The family members who may be eligible for such benefits include:

- a widow(er) aged 60 or older;
- disabled widow(er) aged 50 or older;
- a widow(er) of any age if caring for a child under age 16;
- unmarried children if they are under age 18;
- children under the age of 19, but still in high school;
- disabled children aged 18 or older; and
- parents of a deceased worker if the deceased worker was their primary means of support.

A special one-time payment of \$255 may be made to a deceased worker's spouse if he or she was living with the deceased at the time of death, or if living apart, if he or she was eligible for Social Security benefits on the beneficiary's earnings record for the month of death. If there is no surviving spouse, the payment is made to a child who was eligible for benefits on the beneficiary's earnings record during the month of death.

The average monthly benefit for a widowed parent with two children is \$1,696, according to Social Security figures. The average monthly benefit for a surviving spouse over 60 years of age is \$815. Survivors benefits for those who qualify will be payable for the month of September, 2001 and are scheduled to be made in October, 2001.

#### **Disability Benefits**

Disability benefits are payable at any age to people who have earned enough Social Security credits and who suffered severe physical or mental trauma that is expected to prevent them from doing "substantial" work for a year or more or who have a condition that is expected to result in death. If, because of a medical condition, a person cannot do the work that he or she performed in the past, then age, education and past work experience must be considered in determining whether the person can do other work. If the evidence shows that the person can do other work, even if it involves different skills or pays less than his or her previous work, he or she cannot be considered disabled for Social Security purposes. Some disabling impairments are considered so severe by the Social Security Administration (SSA) that they automatically qualify persons with such impairments as disabled for Social Security purposes. The disability program includes incentives to smooth the transition back into the workforce, including continuation of benefits and health care coverage while a person attempts to work. The average monthly benefit for a disabled worker is \$789, according to Social Security figures.

#### **Family Benefits**

If a worker is eligible for disability benefits, other members of his or her family may be able to receive benefits too. Those who may be eligible for such benefits include: a spouse if he or she is at least 62 years old or under 62 but caring for a child under age 16; and children if they are unmarried and under age 18, under 19 but still in high school or 18 or older and disabled. If a worker is divorced, his or her ex-spouse could be eligible for benefits.

### **Medicare and Medicaid (Hospital Insurance and Medical Insurance)**

You may be eligible for Medicare if you or your spouse worked for at least 10 years in Medicare-covered employment and you are a 65-year-old U.S. citizen or permanent resident. If you are already a Medicare or Medicaid beneficiary or a Child Health Plus member and your normal medical needs have been interrupted by the disaster, you should contact the Medicare & Medicaid hotline at (800) 331-7767 or (866) 446-3507 (TTY).

### **Supplemental Security Income**

Supplemental Security Income is a needs-based benefits program for the blind and disabled who have not worked and paid Social Security taxes or who have accumulated insufficient quarters of coverage to receive Survivors Benefits. There are strict limits on resources and unearned income. Earned income and resources from financially responsible parents or spouses are “deemed” available and might lower the benefit to be received. The blind or disabled individual only (not his/her dependents) will receive monthly cash benefits that vary in amount from state to state and that depend on the person’s living situation.

### **How can I apply for Social Security Benefits?**

In response to the WTC disaster, the SSA has activated special emergency handling procedures to facilitate the processing of claims resulting from the WTC disaster. Those who wish to determine if they are eligible to receive Social Security benefits must file a claim with the SSA.

**By phone:** You may file a claim or determine if you are eligible for Social Security benefits as a result of the WTC disaster, by calling (800) 772-1213 or (800) 545-7316 (TTY) from 7 a.m. to 7 p.m. Monday through Friday.

**In person:** You may file a claim in person at a local area SSA office and will have your claim processed at the time of your visit. If you wish to file a claim in person, you may contact the SSA at (800) 772-1213 to find the SSA office located nearest to you or visit the SSA’s website at [www.ssa.gov](http://www.ssa.gov) which includes the SSA’s office locator.

**Online:** You may apply for Social Security benefits online at [www.ssa.gov/applytoretire](http://www.ssa.gov/applytoretire).

### **What documents do I need to file a claim with SSA?**

To show that you are eligible for Social Security benefits and to help the SSA determine the estimated amount of such benefits, there are certain documents the SSA may ask you to provide, for example:

- Social Security card (or record of your social security number);
- birth certificate;
- children’s birth certificates (if they are applying);
- proof of U.S. citizenship or lawful alien status if you (or a child who is applying) were not born in the U.S.;
- spouse’s birth certificate and Social Security number if he or she is applying for benefits based on your record;
- marriage certificate (if signing up on a spouse’s record);
- military discharge papers if you had military service; and
- W-2 form from last year, or your last year’s tax return if you are self-employed.

Family members who wish to apply for survivors benefits do not need to produce a death certificate to file a claim. In place of death certificates, the agency will accept airplane manifests, lists of employees from employers and other statements placing a worker at a disaster site as proof of death.

An SSA representative will tell you exactly what you need given your particular circumstances. You will need to submit original documents or copies certified by the issuing office. You can mail or bring documents to Social Security and they will photocopy them. However, if you don't have all the documents you need, don't delay applying for Social Security benefits. SSA will help you get the necessary information.

### **Where can I get more information or additional help?**

For general information you can contact the SSA at (800) 772-1213 or go to their website at [www.ssa.gov](http://www.ssa.gov).

If you would like the assistance of an attorney, you can contact the Legal Referral Service of the New York City and County Bar Associations at (212) 626-7373 (or at [www.ilawyer.com](http://www.ilawyer.com)); the New York State Bar Association at (877) HELP-321 or (518) 487-5709 (or at [www.nysba.org](http://www.nysba.org)); the American Bar Association Disaster Legal Services Hotline at (866) 606-0626 (or at [www.abanet.org](http://www.abanet.org)); or Law Help, New York's Online Legal Referral & Information System at [www.lawhelp.org](http://www.lawhelp.org).

You can also contact legal service agencies such as the Legal Aid Society in New York City, Legal Services for New York (LSNY) and the Law Services Corporation on Long Island.

Legal Services for New York has neighborhood offices throughout the boroughs of New York City. To get more information, you can reach their Manhattan office at 350 Broadway, 6th Fl., New York, NY or call (212) 431-7200.

At present, the Legal Aid Society's Lower Manhattan and Brooklyn Neighborhood Offices can be reached at 166 Montague Street, Brooklyn, NY, 11201; (718) 722-3100. For people in other areas, contact the following Legal Aid offices:

Harlem Neighborhood Office  
(serves Lex. to Riverside Dr./ W. 110th St. to 169th St.)  
2090 7th Ave., 8th FL.  
New York, NY 10027  
(212) 663-3293

Rockaway Neighborhood Office  
(serves zip codes 11414, 11416-17, 11420, 11422, 11691-95, 11697)  
1600 Central Ave.  
Far Rockaway, NY 11691  
(718) 337-4900

Staten Island Neighborhood Office  
(serves all of Staten Island)  
60 Bay St.  
Staten Island, NY 10301  
(718) 273-6677

Nassau/Suffolk Law Services Committee, Inc.  
(East end of Long Island/Suffolk County)  
313 West Main St.

Riverhead, NY 11901  
(631) 369-1112

Bronx Neighborhood Office  
(serves all of the Bronx)  
953 Southern Blvd.  
Bronx, NY 10451  
(718) 991-4758

Queens Neighborhood Office  
(serves all of Queens)  
120-46 Queens Blvd., 2nd Fl.  
Kew Gardens, NY 11415  
(718) 286-2450

Nassau/Suffolk Law Services  
Committee, Inc. (Suffolk County)  
1757 Veterans Highway, Suite 50  
Islandia, NY 11749  
(631) 232-2400

Nassau/Suffolk Law Services  
Committee, Inc. (Nassau County)  
1 Helen Keller Way, 5th Floor  
Hempstead, NY 11550-3903  
(516) 292-8100

230 East 106<sup>th</sup> Street  
New York, NY 10029  
(212) 426-3070

Community Law Offices  
(serves all of Upper Manhattan above 96<sup>th</sup> Street)

#### **SUBJECT 4 -- NEW YORK STATE AID**

#### **What benefits does the New York State Crime Victims Board provide?**

The Crime Victims Board (CVB) provides emergency awards for personally injured victims and families of missing or deceased victims. It will also pay for counseling for those who witnessed the WTC disaster, for family members of victims, and for recovery workers at the scene. It typically pays loss of earnings or support up to \$30,000, some medical expenses and rehabilitative and occupational training. It does not provide assistance relating to damage to property, such as a residence, but may pay up to \$500 for personal property. The CVB can be reached at (800) 579-9541.

#### **What awards are available to be given out by the NY State Crime Victims Board on an emergency basis?**

Awards can be given on an emergency basis for loss of earnings or support (based on the number of weeks the earnings/support has been lost due to the crime), and for reasonable burial and funeral expenses. Locally sponsored CVB programs (see below) or CVB itself can give emergency awards.

Loss of earnings or support is based on the actual loss of the victim's net salary, up to a total lifetime cap per event of \$30,000. Any person who pays for the funeral is eligible for compensation, and it is not necessary that there be a family relationship.

An application for emergency funds automatically triggers an application for non-emergency benefits.

#### **What is the procedure for obtaining these emergency benefits?**

CVB workers are assisting claimants in determining eligibility, filling out applications, and obtaining emergency benefits on a walk-in basis at the following locations:

- Pier 94 at 54th Street and 12th Avenue, Manhattan, 8:00 a.m. to 8 p.m.; and
- 55 Hanson Place, 10th Floor, Brooklyn, 8:00 a.m. to 8:00 p.m.

The following locally sponsored CVB programs and locations are issuing Emergency Awards on behalf of the CVB. Call to make sure this location is open before going there, or call (800) 247-8035 to be connected with the CVB location nearest to you.

- Richmond County Safe Horizon, Staten Island Borough Hall, 10 Richmond Terrace, Staten Island, 8:00 a.m. to 8:00 p.m., (718) 816-2042;
- Westchester County D.A.'s Office, Courthouse Building - 5th Floor, 111 Dr. Martin Luther King Jr. Blvd, White Plains, 9:00 a.m. to 6:00 p.m., 914-995-3358;
- Queens County Safe Horizon, Queensborough Hall, 120-55 Queens Blvd. - Rm. 213, Kew Gardens, 8:00 a.m. to 8:00 p.m., (718) 286-3187;
- Bronx County Safe Horizon, 25-30 Grand Concourse - 7th Floor, Bronx, 9:00 a.m. to 8:00 p.m., (718) 933-1000;
- Suffolk County D.A.'s Office - North County Complex- Bldg. 77, Veterans Memorial Hwy., Hauppauge, 9:00 a.m. to 5:00 p.m., (631) 853-3278; and
- Nassau County Victim Assistance Center, Nassau County Police Department, 1490 Franklin Ave, Mineola, 8:00 a.m. to 8:00 p.m., (516) 573-5360.

If eligible, you may receive the emergency check immediately at each location.

NY State Crime Victims Board Claim Application and Affidavit (Personal Injury or Death Claim) can be downloaded from [www.cvb.state.ny.us](http://www.cvb.state.ny.us) and sent to:

NY State Crime Victims Board  
845 Central Ave, STE 107  
Albany, NY 12206-1588.

The application must be notarized. Notary services are available at many pharmacies, store front offices, banks, and the Family Assistance Center. Photo identification will generally be required in order to have a document notarized.

### **How do I demonstrate loss of support and eligibility?**

The spouse and children of a person who died at the WTC disaster are eligible for loss of support compensation. Spouse or children in the same household of the victim need only show the victim's income at the time of death. Separated/divorced spouses or children receiving child support may have to show the amount of any court-ordered support. Parents and grandparents may be eligible if they are able to prove any actual support they received from the victim.

Any person other than a spouse or a dependent child of the victim would have to show that his or her principal support was received from the victim.

Documentation for loss of support includes proof of employment (such as pay stub of victim, past tax returns) and for those who do not have the same last name and same address as the deceased or injured person, also:

- marriage license or certificate;
- birth certificates of children; and
- proof of child support.

### **Who is eligible for loss of earnings and how can it be documented?**

Loss of earnings will be paid directly to victims injured in the WTC disaster, if the injury has left him or her unable to work. Also, if you are receiving other benefits for loss of earnings or still receiving a salary due to sick leave benefits, you may not be eligible for this award.

Required documentation for loss of earnings includes proof of employment (such as pay stub, past tax returns) and proof and estimated period of physical disability (physician's letter).

### **What should I bring to claim funeral expenses from the CVB and is there a limit to the amount I can claim?**

You should bring a completed CVB claim application, which can be downloaded from [www.fema.gov](http://www.fema.gov), a copy of the notarized death affidavit, your photo identification, statement of funeral goods and services, and a final bill. There is no maximum amount, but expenses should be reasonable.

**I have expenses or needs that do not seem to be covered by my insurance or any other funding or program. Am I eligible for any other assistance?**

### **NY State Individual and Family Grant Program**

The New York Individual and Family Grant (IFG) Program was established by the NY State Department of Labor to assist individuals and families with certain “necessary expenses” or other “serious needs” caused by the WTC disaster that are not adequately covered by private insurance or other disaster relief programs. If you have been affected by the WTC disaster, you may be eligible for funding to help you obtain services or items such as housing, clothing, furnishings, transportation, medical services, funeral expenses, transportation or housing repairs, or flood insurance.

To be eligible for IFG funding for particular expenses or needs, applicants must **first** seek funding from the following other sources in the order they are listed, **and** such sources must either be unavailable or inadequate for the particular needs for which applicants are seeking funding before seeking funding from the IFG:

- Volunteer emergency assistance agencies (such as the American Red Cross or the Salvation Army);
- Insurance;
- Disaster Housing Assistance (FEMA); and
- Small Business Administration (SBA).

For additional information and to apply for IFG funding, call the NY State Department of Labor at (800) 447-3939 or (800) 666-1220 (TTY) (24 hours a day).

### **Medicare and Medicaid**

Medicare and Medicaid beneficiaries and child health plus members whose normal medical needs have been interrupted by the disaster should contact the Federal Centers for Medicare & Medicaid Services and Administration on Aging hotline at (800) 331-7767 or (866) 446-3507 (TTY).

### **Issues affecting the elderly or senior citizens**

Contact the New York State Office for the Aging at (800) 342-9871, as well as various legal services organizations such as the City Bar Fund Community Outreach Law Program--Elderlaw Project, at (212) 382-6708, Legal Services for New York (LSNY) at (212) 431-7200, the Legal Aid Society at (718) 722-3100 and Bronx Legal Services-Office of the Elderly at 718-220-0030. Get basic information on these and other helpful organizations at [www.lawhelp.org](http://www.lawhelp.org).

## **SUBJECT 5 -- FEDERAL AID**

Who is eligible for relief and what benefits does the Federal Emergency Management Agency (FEMA) provide?

Residents of New York City, survivors of the WTC disaster and their families, and families of the deceased are eligible for the following benefits from FEMA:

- grants for temporary housing and minimal home repair, transportation and personal property loss;
- U.S. Small Business Administration (SBA) low-interest loans for homeowners, renters, businesses of all sizes and non-profit organizations;
- crisis counseling;
- disaster unemployment assistance for those unemployed as a result of the disaster, including self-employed persons and others not normally eligible for unemployment (through the Department of Labor);
- disaster counseling;

- information and referrals; and
- legal advice (through the American Bar Association).

Most, but not all, federal assistance is in the form of low interest loans to cover expenses not covered by state or local programs, or private insurance. If you do not qualify for a loan, you may be able to apply for a cash grant.

### **How can I apply for FEMA assistance?**

Call (800) 462-9029 or (800) 462-7585 (TTY) from 8:00 a.m. to 8:00 p.m., seven days a week, or go to FEMA's website at [www.fema.gov](http://www.fema.gov). New information and disaster updates are posted to the website daily.

### **What information do I need to apply?**

You should have the following information available:

- a description of your property losses, the street address of your damaged property;
- your current mailing address and the telephone number where you can be reached in the event you have been forced to relocate;
- your Social Security number;
- your household's approximate gross income at the time of the WTC disaster; and
- information on the type of insurance coverage that you have.

FEMA suggests that you take pictures of any damaged property and save receipts in case there is any question about your damages later.

Processing normally takes two weeks, but due to the large number of requests, it could take longer, so you are encouraged to apply as soon as possible.

### **Who is eligible for relief and what benefits does the U.S. Department of Justice Office for Victims of Crime provide?**

Victims of the WTC disaster and their families are eligible for federal transportation assistance not covered by airlines, military or other sources; crisis counseling; and free information and referrals to other state agencies for assistance.

### **Who should I contact to apply for assistance through the U.S. Department of Justice Office for Victims of Crime?**

Call (800) 331-0075 or (800) 833-6885 (TTY) 24 hours a day, seven days a week. For more information go to the website at [www.ojp.usdoj.gov/ovc](http://www.ojp.usdoj.gov/ovc) or the victims-only website at [www.ojp.usdoj.gov/ovc/terrorismvictimassistance](http://www.ojp.usdoj.gov/ovc/terrorismvictimassistance). New information and disaster updates are posted to the website daily. For crisis counseling, you can also log onto [www.responsecare.com](http://www.responsecare.com). In addition, callers and visitors to the website can provide identification information about individual victims and contact information for future notification about benefits, services, and criminal justice proceedings.

### **What benefits does the September 11th Victim Compensation Fund of 2001 provide?**

In conjunction with the recently adopted Airline Assistance Program, Congress has created a new fund to provide compensation for those who were physically injured in the September 11th attacks and their families (Title IV of the Air Transportation Safety and System Stabilization Act H.R. 2926). You should be aware that if you accept compensation through the fund, you may be required to give up the right to bring a lawsuit for damages in connection with the WTC disaster.

Information about the Fund is available online at [www.911lawhelp.org](http://www.911lawhelp.org) or by calling (888) 780-8637 or (888) 780-8682 for Spanish.

## **SUBJECT 6 -- UNEMPLOYMENT ASSISTANCE**

### **I am unable to report to work because of the WTC disaster. Am I eligible for unemployment benefits?**

You may be eligible for either unemployment insurance benefits or disaster unemployment assistance.

### **What are unemployment insurance benefits?**

If you are unable to report to work because of the WTC disaster, you may be eligible for unemployment insurance benefits. Unemployment insurance is temporary income for workers who are unable to work through no fault of their own. In order to be eligible, you must be ready, willing and able to work, in addition to meeting other criteria. The NY State Department of Labor determines according to its formula which workers are eligible to receive unemployment insurance benefits and how much such workers are eligible to receive on a weekly basis.

### **How can I apply for unemployment insurance benefits?**

The NY State Department of Labor is encouraging all individuals who are unable to report to work to apply by calling the NY State Department of Labor Telephone Claims Center at (888) 209-8124, Monday through Saturday from 8:00 a.m. to 7:00 p.m. or by visiting a Department of Labor Employment Services Office in person. For a listing of the employment offices, visit the Department of Labor website at [www.labor.state.ny.us](http://www.labor.state.ny.us).

To apply for unemployment insurance, you should have:

- your Social Security number;
- the names and addresses of all of your employers within the last 18 months;
- your New York State driver's license or Motor Vehicle ID card number if you have one;
- your mailing address and zip code;
- a telephone number where you can be contacted for additional information;
- if you are not a U.S. citizen, your alien registration card number;
- if you have been a federal employee within the last 18 months, copies of your separation forms (SF 8 and SF 50); and
- if you are a former service member, a copy of your most recent separation form DD214.

### **What is Disaster Unemployment Assistance?**

If you are not eligible for unemployment insurance benefits (described above), you may be able to receive special relief made available by the U.S. Department of Labor through the NY State Department of Labor. The Disaster Unemployment Assistance program may provide help to workers whose jobs have been lost or interrupted, including self-employed persons who are unable to continue working, because of the WTC disaster. Recipients will receive a weekly payment by check in an amount to be determined by the NY State Department of Labor. The maximum weekly benefit is \$405.

### **Am I eligible to receive Disaster Unemployment Assistance?**

If you are a worker or "self-employed" individual who became unemployed as a direct result of the WTC disaster, you may be eligible to receive Disaster Unemployment Assistance benefits if you:

- were determined to be ineligible for unemployment insurance benefits (described above);
- meet the ready and able to work requirements of the unemployment insurance program;
- lost your job, or if you are self-employed, can no longer perform the regular services you performed in self-employment;
- are unable to reach your place of work, or the place where self-employment services were performed;
- were scheduled to begin a new job which will not now begin or which you are unable to reach;

- cannot work because of a disaster-incurred injury; or
- became the “head of your household” because of a death resulting from the WTC disaster.

In addition, in order to receive assistance, your job or home must be located in New York, Bronx, Kings, Queens or Richmond counties.

### **For how long can I receive Disaster Unemployment Assistance?**

The period during which assistance may be available begins on September 17, 2001 and ends March 17, 2002. You may receive Disaster Unemployment Assistance for as long as you remain unemployed during this period.

### **How do I make a claim for Disaster Unemployment Assistance?**

You may apply by calling the NY State Department of Labor Telephone Claims Center at (888) 209-8124, Monday through Saturday from 8:00 a.m. to 7:00 p.m. or by visiting a Department of Labor Employment Services Office in person. For a listing of the employment offices, visit the Department of Labor website at [www.labor.state.ny.us](http://www.labor.state.ny.us).

### **I have lost my job because of the WTC disaster and am looking for new employment opportunities. Who can I call for guidance?**

The State and City of New York have created the Twin Towers Job Center to provide assistance to those seeking either permanent or temporary work as a result of the WTC disaster. For more information on how the Twin Towers Job Center can help you, call the newly established hotline at (718) 557-1332, weekdays 9 a.m. to 9 p.m. and on weekends 9 a.m. to 5 p.m. You can also visit the website at [www.TwinTowersJobs.org](http://www.TwinTowersJobs.org) or visit one of the Center’s branches at 68-46 91st Avenue in Jamaica, Queens or 180 Water Street in Manhattan.

Additional assistance may be available through the New York Department of Labor employment centers at (212) 621-9300 or the Emergency Employment Clearinghouse Program, which is a labor-business partnership between the Consortium for Worker Education, the NY City Partnership and the NY City Central Labor Council, at (212) 558-2261.

## **SUBJECT 7 -- LIFE INSURANCE**

### **How do I collect on a life insurance policy?**

You are entitled to proceeds of the life insurance policy if you are listed as a beneficiary in the deceased's policy. There are two basic kinds of life insurance policies which the deceased may have had - individual and employer-sponsored group policies. Individual policies typically are obtained by people on their own, often through an insurance agent. Group coverage typically is obtained as part of an employee's benefits package. Many employers provide coverage with death benefit protection equal to a worker's salary or twice his or her salary.

### **Who do I contact to make a claim for individually purchased life insurance?**

The beneficiary of a life insurance policy starts the claim process by notifying the insurance company. If the insurance was obtained through an insurance agent, he or she can help walk you through the process. If no agent was used or you do not know who the agent is, you can contact the life insurance company directly. Many companies have set up hotlines and websites to help families file claims.

If you don't know who the insurance agent or the insurer is, look for any records that might contain information identifying the agency, policy or insurer, such as:

- statements (bills) from the insurance company or agency;

- insurance renewal notices; or
- check registers or bank statements that may show payments made to an insurer.

The American Council of Life Insurers has comprehensive contact information for life insurance companies on its website, [www.acli.com](http://www.acli.com). The NY State Insurance Department website provides information to contact the insurers' catastrophe centers at [www.ins.state.ny.us/wtccats.htm](http://www.ins.state.ny.us/wtccats.htm). The NY State Insurance Department has also established a disaster hotline, (800) 339-1759, which is available from 8 a.m. to 8 p.m. seven days a week.

To expedite insurance claims of those affected by the WTC disaster, an insurance service center has been set up at Pier 94 in Manhattan. It is staffed by representatives of insurance companies to assist individuals in the claim process.

### **What if the life insurance coverage was provided as an employee benefit?**

First contact the employer and inform them you would like to apply for death benefits on the employer's group life insurance policy. You should request a copy of the summary plan description (SPD) for the life insurance plan. In many cases, employers will get some or all of the benefits for you. Others may not be able to do so, and you may have to apply for benefits from the life insurance company yourself as you would for an individual policy. Because the WTC disaster has disrupted many businesses, it may take longer to obtain benefits.

### **What do I need to submit to the insurer?**

Life insurance companies typically pay claims on insured lives upon receipt of a death certificate for the insured and a claim form. Because death certificates may not be immediately available for people who died at the WTC disaster, many insurance companies are accepting a sworn affidavit in lieu of a death certificate. A simple, one-page form, called an Affidavit in Lieu of Death Certificate, was devised especially for the WTC disaster by insurance companies and regulators. That form is available on the New York State Insurance Department website at: [www.ins.state.ny.us/acrobat/affidav.pdf](http://www.ins.state.ny.us/acrobat/affidav.pdf).

Many insurance carriers have instituted other emergency measures for the processing of claims for those affected by the WTC disaster. An emergency plan may have been filed with the New York State Superintendent of Insurance. You may contact the New York State Insurance Department to find out about the insurer's emergency plan at [www.ins.state.ny.us/wtccats.htm](http://www.ins.state.ny.us/wtccats.htm).

Your insurer may send you claim forms. These must be filled out, signed and returned within a period of time stated on the forms. Be sure to return all forms on time and to keep records of all communications to and from the insurance company, including correspondence, faxes, e-mail messages and telephone notes.

Several life insurance companies have announced plans to waive deadlines for premium payments for families affected by the WTC disaster. Contact your agent or company to learn more.

### **How long will it take to receive benefits once I complete the application for benefits?**

Life insurance companies typically attempt to pay claims within 30 days of receiving a death certificate on the insured. The insurance companies have indicated that they remain committed to this standard in cases where an Affidavit in Lieu of Death Certificate is submitted.

### **What should I do if my claim is denied?**

If the insurance was provided by an employer, you must follow the claims procedure set out in the SPD. Otherwise, you should object to the denial in writing, and ask the insurer to reconsider. If you have new information pertinent to your claim, provide it.

If you opt to bring a lawsuit against the insurance carrier, you must do so within the time frame specified in the insurance policy or state law. Certain policies require an internal review or “appeal” process before you may sue, so read all policy materials carefully. You should contact a lawyer if you are considering bringing a lawsuit.

## **SUBJECT 8 -- HEALTH INSURANCE**

### **I was injured in the WTC disaster and cannot return to work. Can I continue my health insurance?**

Almost every employer in New York is required to offer employees the ability to continue their medical coverage at their own cost for up to 18 months. This coverage is referred to as COBRA coverage. You must make an election to continue the coverage within 60 days after the date your coverage terminates as a result of your termination of employment. If you are disabled, you may have the ability to continue your coverage for up to 29 months.

### **Can my family members keep their health insurance coverage?**

Your dependents, who were covered by the plan, can also elect COBRA coverage, if available, at their own cost. Their maximum coverage period will be either 18 or 29 months depending on whether or not you are disabled for Social Security purposes.

### **Am I entitled to other benefits if I was working at the time I was injured?**

You may be able to make a claim under workers’ compensation for your injuries and lost wages if you were working at the time you were injured. You should contact your employer to discuss this coverage. The NY State Workers’ Compensation Board has established a web page on its site to assist victims and their families, at [www.wcb.state.ny.us/design/framework/emergencyinfo.htm](http://www.wcb.state.ny.us/design/framework/emergencyinfo.htm). The web page provides basic information regarding workers’ compensation rights, programs and services and provides relevant Board forms and instructions as they pertain to work-related deaths and injuries.

### **I am not eligible for workers’ compensation. Are there other benefits available to me?**

If you were not on the job at the time you were injured, you may be entitled to short-term or long-term disability insurance payments. Check with your employer and personal insurance agent to find out what coverage you have. Your employer may also provide benefits for specific injuries such as loss of a limb under an accidental death or dismemberment policy. If you have been injured, you should inquire about this coverage as well.

### **My deceased spouse’s employer provided group health plan coverage for the family. Can we continue our coverage?**

Almost every employer in New York is required to offer each covered dependent who loses coverage as a result of the death of a covered employee the right to elect COBRA coverage. The election must be made within 60 days after the day coverage will terminate. Generally, COBRA coverage can continue for up to 36 months for family members of a deceased worker. Each dependent is required to make an election to continue coverage. You may contact the employer for the appropriate election forms.

You may also be entitled to Social Security disability benefits. Social Security Administration representatives are available, from 7a.m. to 7p.m. Monday through Friday at their toll-free number (800) 772-1213. You may also visit the Social Security Administration Web site, [www.ssa.gov](http://www.ssa.gov). For more information, see the Social Security Section in this handbook.

### **What other benefits may I be entitled to?**

You should check with the employer to find out whether the employer provided benefits such as accidental death and dismemberment insurance or travel/accident insurance. These plans pay benefits to a beneficiary designated by the employee similar to life insurance. Most insurers will waive the requirement of a death certificate for these policies. In addition, many employers are voluntarily continuing health coverage for family members at the employer's cost for a limited period of time. This information may be posted on the employer's website.

### **What is the New York State Workers' Compensation Death and Funeral Benefit?**

When an individual dies while at work, his or her spouse and/or minor children (or other dependents as defined by law) may be entitled to weekly cash payments equal to two-thirds of the deceased's average weekly wage for the past year, up to a maximum of \$400 per week.

If there are no surviving children, spouse, grandchildren, grandparents, brothers or sisters entitled to compensation, the surviving parents or the estate of the deceased worker may be entitled to a \$50,000 payment. Funeral expenses may also be paid, up to \$6,000 in Metropolitan New York counties and up to \$5,000 in all other counties.

You can contact the NY State Workers' Compensation Board at (800) 580-6665, (800) 697-4878, or (800) 877-1373 or on the web at [www.wcb.state.ny.us/content/main/onthefjob/wc03005.htm](http://www.wcb.state.ny.us/content/main/onthefjob/wc03005.htm).

For a discussion of Workers' Compensation benefits for those injured while on the job, see the Health Benefits Section of this handbook.

## **SUBJECT 9 -- RETIREMENT PLANS AND BENEFITS**

### **What retirement benefits might an affected employee or his or her family be entitled to?**

Retirement benefits include the following:

- employer sponsored pensions (so-called defined benefit plans);
- employer sponsored 401(k) plans (or other defined contribution plans);
- union or multiemployer sponsored pensions or 401(k) plans;
- individual retirement arrangements (IRAs); and
- Social Security retirement benefits.

Not every employee or his or her beneficiary would be entitled to these benefits. Entitlement depends on what plans the employer has in place, as well as any plan rules relating to eligibility and vesting (generally based on years of service with the employer or union). All plans have standards you must meet to qualify for benefits. Only vested benefits are paid.

Most people age 62 or over qualify for Social Security retirement benefits. For more information, see [www.ssa.gov/pubs/10035.html](http://www.ssa.gov/pubs/10035.html). You may also call the Social Security Administration's toll-free number at (800) 772-1213 or visit your local Social Security office. For the location of the Social Security office nearest you visit [www.ssa.gov/locator](http://www.ssa.gov/locator).

### **How can I find out what benefits I am entitled to either as a disabled employee or beneficiary of a deceased employee?**

A first step in determining these benefits would be to contact the Plan Administrator or other plan official at the employer or union office for complete information on filing a claim for your benefits.

For each plan, you should obtain a copy of the plan's summary plan description (SPD). This is a document that the Plan Administrator must furnish to each plan participant and beneficiary. It gives a detailed summary of the plan: how it works, what benefits it provides, and how they may be obtained. The

SPD is also required to spell out your rights and protections under ERISA, the federal law that covers most employer sponsored benefit plans.

Some employers lost their records in the WTC disaster, so you should try to gather and examine whatever paperwork you have concerning the employed person's retirement benefits.

### **How are retirement benefits paid under a pension plan?**

In a typical pension plan, benefits are payable at normal retirement age, but may also become payable in the case of the disability of the employee, or to a surviving spouse in the case of death of the employee. Many pension plans provide benefits to non-spouse beneficiaries in the case of death. The forms of the retirement benefit payments (lump sum or annuity) will be specified by the plan and are subject to a series of complex rules. The Plan Administrator will provide detailed information about the various forms of payment. You should consult a tax advisor before selecting a form of payment.

### **How are retirement benefits paid under a defined contribution plan (such as a 401(k) plan)?**

Most profit sharing and 401(k) plans permit lump sum payments upon termination of employment or death. While these plans also permit a participant to designate a non-spouse beneficiary to receive benefits upon the participant's death, there are rules that protect the spouse as beneficiary. If an employee selected a beneficiary other than his or her spouse, the spouse must have consented in writing, witnessed by a notary or plan representative in order for the alternative designation to be effective.

### **How do I make a claim for benefits under these plans?**

Each plan will have a written procedure for processing claims for benefits and for appealing if the claim is denied. This information will be found in the SPD. If for any reason information concerning the filing of a claim has not been provided, you may make a claim in writing to the employer or union or the Plan Administrator. Generally, claims for benefits are processed within 90 days, although 401(k) plans are typically faster than traditional pension plans. You may be required to provide proof of death. If you receive notice that your claim has been denied, the SPD will contain information about how you can appeal the decision. Additional information and assistance can be obtained through the Department of Labor (see below).

### **Who can I contact for more information about pensions and 401(k) plans?**

You should first contact your Plan Administrator and/or union representative. They will have specific information on the plans provided by employer or union of the affected employee.

The Pension and Welfare Benefits Administration of the Department of Labor is also a good resource for information about your rights under federal law. While service in their New York regional office is being restored since its destruction in the WTC disaster, inquiries from plan participants in the New York region are being directed to the national office at (202) 219-8776. You may also write to them at:

U.S. Department of Labor  
Pension and Welfare Benefits Administration  
200 Constitution Ave., N.W.  
Washington, D.C. 20210

For more detailed benefits information on the web, you can log on to [www.dol.gov/dol/pwba](http://www.dol.gov/dol/pwba).

### **Can I use money in my traditional Individual Retirement Arrangement (IRA) to pay for medical expenses?**

Yes, if over a certain percentage of your taxable income. If the medical expenses are not deductible, however, any amounts you withdraw from the IRA will be subject to a ten percent penalty. Any amounts

withdrawn are taxed as ordinary income. You should consult a tax advisor before withdrawing money from an IRA.

### **What should I do if I am the beneficiary of an IRA?**

If you have been designated as a beneficiary of an IRA you will have several options regarding the amounts in the IRA. The options will vary depending on the age of the IRA owner and whether the IRA owner had begun distributions. Several options allow you to leave the assets in the IRA so they continue to grow on a tax deferred basis for a period of time. Your decision about the timing and form of an IRA distribution will have serious tax consequences, so you should contact a tax advisor before taking a distribution from an IRA. You should contact the IRA custodian for more information on how to obtain a distribution. The custodian is the bank or brokerage firm holding the IRA assets. See the Personal Finance Section of this handbook for more information on contacting banks and brokerage firms.

### **Where can I get more information about IRAs?**

For more information you can read IRS Publication 590-Individual Retirement Arrangements and other helpful tax resources available on the Internal Revenue Service website [www.irs.gov](http://www.irs.gov). You can also call the New York office of the IRS at (800) 829-1040.

## SUBJECT 10 -- FAMILY LAW

**I know a child who lost his or her only parent or both parents in the WTC disaster. The parent provided for me to become the caretaker of the child in a will. What steps do I need to take to become the child's legal guardian?**

If the parent specified you to be the child's guardian in a will, you must complete guardianship proceedings in either the Family Court or Surrogate's Court in the county in which the deceased parent resided, as described in more detail below. The parent's will must also be duly admitted to probate. (See the Probate Section of this handbook for more information about Wills.)

**The deceased parent did not specify another person to care for his or her child. What do I do if I wish to become a guardian of, take custody of or adopt the child? What's the difference between guardianship, custody and adoption?**

**Guardianship:** A guardian is a non-parent to whom the Court gives authority to take responsibility for the care of a child. An appointment of guardianship may be permanent or temporary, and it expires when the child reaches the age of 18. You can petition the Court to be appointed as the guardian of a child and/or the child's property if you have the ability and want to take responsibility for that child.

To file a petition for guardianship, you can go to either the Surrogate's Court or the Family Court in the county where the child resides and ask the Clerk of Court for the necessary legal forms. If the Court appoints you as guardian, you will receive Letters of Guardianship. You will need these documents for matters such as enrolling the child in school or for hospital emergencies. Please note that Letters of Guardianship are only valid in the state where they are issued.

If there is an estate that the child will inherit, it is best to file in Surrogate's Court, together with the administrator of the estate. Because of the volume of anticipated filings, Surrogate's Courts are reviewing the forms for Probate and Guardianship in order to streamline the process. You should ask about whether there are any such streamlined procedures in place when you go to file a petition in Surrogate's Court.

**Custody:** Having custody means that you are legally responsible for the care, control and maintenance of a child. Unlike adoption, a custody proceeding does not establish a parent-child relationship for legal purposes. If the child has a surviving parent, that parent has the right to take custody of the child. If you want to seek custody of a child with a surviving parent, you must have the court papers delivered to that parent notifying him or her of the date to be in court for the hearing. If the parties agree about the custody of the child, the judge may enter an order of custody on consent without a formal hearing. If the parties cannot reach an agreement, the Court will hold a hearing.

You can go to the Family Court in the borough in which the child resides or has resided for the past six months to start custody proceedings. The Family Court is user-friendly, and most petitioners in Family Court are not represented by an attorney. You should ask the Clerk of Court for the necessary legal forms, including a Petition for an Order of Custody.

**Adoption:** An adoption is a legal process in which a child's legal rights, privileges and duties with respect to his or her natural parents are terminated, and the Court gives permanent legal responsibility for the child to the adoptive parents. The adopted child and adoptive parents will have the same legal relationship with each other as in a natural parent-child relationship. If you wish to adopt a child, you can initiate proceedings in either the Surrogate's Court or Family Court in the county where the child resides. You may wish to have an attorney to guide you through the adoption process, but this is not required. Please note that if the child has a parent that is still living, an adoption cannot be completed unless the surviving parent's parental rights have been terminated. This can be done during the adoption process upon proving that the surviving parent has no contact with the child or that he or she is abusive.

### **Will I need to get a lawyer to represent the child?**

No, but in some cases, the judge will assign a lawyer called a law guardian for the child. Law guardians are lawyers who are appointed by the Court to represent the wishes and interests of the child. There is usually no charge for representation by a law guardian assigned by the Court.

### **Are there any documents I should bring with me to court?**

You should bring the child's birth certificate, any prior orders concerning the child (such as the parent's judgment of divorce, if applicable, any orders of custody, orders of visitation, orders of protection, or dispositions on abuse or neglect proceedings), and any legal documents available showing the status of the missing or deceased parent, such as the death certificate if you have it. (See the Death Certificate Section of this handbook).

### **How do the Courts decide whether someone is an appropriate adoptive parent, custodian or guardian?**

The Surrogate's Court and Family Court both make determinations based on what is in the best interests of the child. To assist the Court in making its determination, the judge may order an investigation and report by the Department of Probation, the Administration for Children's Services or a law guardian.

### **What if a child inherits a sum of money or receives funds from an organization?**

Funds received by a child through inheritance or award will be administered by a guardian of the child's property. To file a petition to be appointed as guardian of the child's property, you should go to the Surrogate's Court in the county where the child resides. The child's assets or income must be invested as directed by the Court for the child's benefit. The Court may require the guardian to post a bond to ensure compliance with rules of the Surrogate's Court and laws regarding the investment of a child's assets. If there are assets, the best scenario is for the guardian of the child to be appointed the guardian of the assets. Both of these processes can be completed in Surrogate's Court. Usually, the funds are turned over to the child on the child's 18th birthday, at which time the guardianship is typically ended.

### **What if I am responsible for the care of a child who has received funds and I need to spend money on the child's behalf?**

With the permission of the Surrogate's Court, as guardian of the child's property you may pay certain expenses on behalf of the child using funds held by you on the child's behalf. The Court will decide each request based on the best interests of the child. You must petition the Court for approval of each expense in advance or, if the Court deems it to be appropriate, you may be able to obtain a monthly stipend for regular expenses. While Courts approve spending on a case-by-case basis, expenses that are typically approved include education, medical and other support.

### **Do guardianships apply for adults as well? What if I now have to take care of an adult who is incapacitated?**

Yes, under the Mental Hygiene Law in New York, guardianship may also be obtained over an adult when the adult is incapacitated or has become unable to take care of his or her personal needs and property. You can file a petition to become a guardian of an adult and his or her property in court.

### **Where do I file the petitions?**

If you want to file a petition in Surrogate's Court, a list of addresses for Surrogate's Courts in New York can be found in the Probate section of this handbook.

If you want to file a petition in Family Court, addresses for the New York City Family Courts are as follows:

Bronx County  
900 Sheridan Avenue  
Bronx, New York 10451  
(718) 590-3321

New York County  
60 Lafayette Street  
New York, New York 10013  
(800) COURT-NY (268-7869)

Kings County  
283 Adams Street  
Brooklyn, New York 11201  
(718) 643-2650/2

Queens County  
89-14 Parsons Boulevard  
Jamaica, New York 11432  
(718) 520-3991

Richmond County  
100 Richmond Terrace  
Staten Island, New York 10301  
(718) 390-5460

### **Where can I get additional information or assistance?**

The Legal Referral Service of the New York City and County Bar Associations, (212) 626-7373, [www.ilawyer.com](http://www.ilawyer.com) (click on "New York City") and Law Help, New York's Online Legal Referral & Information System, at [www.lawhelp.org](http://www.lawhelp.org).

The Children's Aid Society  
105 East 22nd Street  
New York, NY 10010  
(212) 358-8930

Legal Services for New York City  
350 Broadway  
New York, New York 10013  
(212) 431-7200

SHIELD Program  
42 West 44th Street  
New York, New York 10036  
(212) 626-7383

## **S**

### **SUBJECT 11 -- PERSONAL FINANCE: BANK ACCOUNTS, LOANS AND CREDITI held a joint bank account or a joint brokerage account with a deceased loved one. Will I be able to continue accessing the account?**

Yes. The surviving joint owner can and does have immediate access to the assets in a joint bank account as well as joint brokerage accounts. In order to have the name on the account changed, you will need to supply the financial institution with proof of death in the form of a death certificate.

### **How do I access my deceased loved one's bank accounts if I am not a joint owner?**

If a bank account is in the deceased's name only, the bank may require the surviving spouse to go through the collection of personal property by affidavit process. Contact the bank for information on what will be required. A spouse may gain access if he or she is named personal representative in the deceased's will. If the account was a "payable-at-death account," the account owner should have designated a beneficiary who shall receive funds remaining in the account.

Under an executive order issued by Governor Pataki on September 24, 2001, a deceased's spouse, or if there is no spouse, the guardian or care-giver to the deceased's children, will be able to make withdrawals from the deceased's bank accounts and money market mutual fund accounts by submitting affidavits to the financial institutions holding such accounts. Forms of the required affidavit should be available at the deceased's bank. These forms must be notarized, so bring photo identification with you. Spouses and guardians/caregivers will be able to withdraw up to an aggregate total of \$15,000 from all such accounts.

### **My loved one maintained a safety deposit box at a local bank. How can I gain access to its contents?**

Each bank has its own rules about safety deposit boxes. Some banks allow a survivor to open a deceased's safety deposit box to look for a will. A bank employee will accompany the survivor to make sure that only the will is removed.

For a small estate of up to \$25,000, an affidavit for collection of personal property should permit access to the safety deposit box. Some banks have forms that serve the same purpose as the affidavit. Other banks require the appointment of a personal representative before allowing access to the safety deposit box.

Access to safety deposit boxes jointly held in the deceased's and surviving spouse's names depends on the bank. Some permit free access; others seal the box and restrict access to the personal representative.

**I think I might be the beneficiary of a lost loved one's securities and assets held in a brokerage account. Can I get access to these assets prior to going through probate?**

Probably not, if the brokerage account is maintained in New York State. Many states allow "payable-on-death" brokerage accounts whereby the owner of an account may designate a beneficiary for such assets upon the death of the owner, but New York has not passed such legislation. If, however, the financial institution is not based in New York State, it may be possible that a payable-on-death account was established. You should call the financial institution to determine if a beneficiary was allowed and named.

**If I owned real estate in New York jointly with a deceased individual, do I need to do anything in order to retain ownership of the property?**

If you owned real estate with your spouse and were married at the time of purchase, you probably owned the property as Tenants in the Entirety and you are now the sole owner. No action is required to maintain your rights to the property, but you should contact the Legal Referral Service to be certain.

If you owned property with the deceased as "Joint Tenants with Rights of Survivorship," which should be clearly set forth on your deed (a copy of which should be available from the County Clerk in the county that the property is located), then you are now the sole owner and no further action is necessary. Again, you should contact the Legal Referral Service to be certain.

If you and the deceased were not married and your deed does not specify that you are Joint Tenants with Rights of Survivorship, then you are a Joint Tenant and own the property jointly with the deceased. If you and the deceased once owned property as Tenants in the Entirety and you subsequently divorced, you are probably a Joint Tenant as well. Being a Joint Tenant means that the deceased's share of the property will pass to one or more beneficiaries (which may or may not be you) by a will or by operation of law (see the Probate Section of this handbook).

Transfer of ownership to the beneficiary of a Joint Tenant must be legally transferred by filing a new deed and completing other necessary documentation after the probate proceeding. You will not be able to transfer property without probate letters and a death certificate. Certain property transfers will require taxes to be paid. You should start this proceeding prior to any contemplation of sale, as the proceeding may take time and could delay a sale. A delay in the transfer from the deceased to his or her beneficiary could also result in certain penalties.

Please note that if you are the owner of a co-op, you must look to your proprietary lease and stock certificate to determine your ownership status as described above. There is no deed for a co-op. In any event, you should continue to pay the mortgage and real estate taxes on your property or you risk losing your property in a foreclosure action or tax sale.

**What if my apartment lease was in the name of a member of my household who died in the WTC disaster?**

A Landlord cannot evict you, change your locks, or cut off your utilities without proper legal proceedings. If any of these things occurs, especially if you receive a notice of eviction, you should go to the clerk at the Housing Court with the papers you received to get the appropriate relief.

If you live in a rent controlled or rent stabilized apartment, you may be deemed as successor to the deceased individual if you are a family member and have lived with the deceased individual for some time. In NYC Public Housing, however, gaining succession rights is much more difficult and subject to particular regulations. If you believe your landlord is unfairly attempting to increase your rent, you should report it to the Housing Court.

For more information, see the Tenant's Rights Guide prepared by the NY State Attorney General's office at [www.oag.state.ny.us/realestate/guide-intro.html](http://www.oag.state.ny.us/realestate/guide-intro.html). For directions, hours and information about the New York City Housing Court go to [www.courts.state.ny.us/NYCHousingCT/Housing\\_Court\\_Home\\_Page.htm](http://www.courts.state.ny.us/NYCHousingCT/Housing_Court_Home_Page.htm).

**Because of the WTC disaster, I may not be able to pay off some or all of my bills on time or make mortgage or other loan payments, especially in the short term. What should I do?**

You should immediately contact creditors, financial institutions and any other parties to whom you owe or will owe money in the short term, discuss your specific circumstances with each creditor and request that payments be reduced or delayed while you attempt to work things out. In all events, you should follow up any conversation with a letter which reiterates your conversation and any agreements reached during the conversation. In addition, you can contact the National Foundation for Credit Counseling at (800) 388-2227, [www.nfcc.org](http://www.nfcc.org), or the Budget & Credit Counseling Service at (212) 675-5070, (800) 475-1994 (Outside the NY area) or [www.buccs.com](http://www.buccs.com).

**I may not be able to pay off my student loans. Is there relief available for me?**

The U.S. Department of Education has directed lenders to grant "mandatory administrative forbearance" to borrowers who live or work in New York City. The procedure allows affected borrowers to postpone or reduce the amount of monthly payments from September 11, 2001, through January 31, 2002 due to changes in their financial circumstances resulting from the attacks. Default collection activities are also on hold until January 31, 2002. The relief is provided to borrowers who are repaying loans received under the Federal Family Education Loan (FFEL), the William D. Ford Federal Direct Loan (Direct Loan), or the Federal Perkins Loan Programs.

Borrowers or families need to contact their lender and inform the lender of the recent announcement by the Department of Education, called a "Dear Colleague Letter-Gen-01-11", and forbearance will automatically be granted upon request. Forbearance beyond January 31, 2002 will require documentation and a written forbearance agreement between the lender and the borrower. If you have questions about the U.S. Department of Education's guidance issued, you may call (800) 4-FED-AID (433-3243) or visit [www.ed.gov](http://www.ed.gov).

**My loved one passed away, and he or she usually handled our credit cards and bills. What can I do?**

If you have a joint account with your spouse, the law prohibits a creditor from automatically closing the account or changing the terms because of the death of your spouse. Most likely, the creditor will ask you to update your application or reapply in your own name and then will decide whether to continue to extend credit to you or change your credit limits. The creditor must let you continue to use the account without new restrictions while the application is being reviewed.

**What do I do if I am denied credit?**

Find out exactly why you have been turned down for credit, and take whatever steps are necessary to reverse the situation. If necessary, consider getting someone to cosign for you. The Fair Credit Reporting Act requires that anyone denied credit based on information contained in a credit report must be notified in writing. A credit report is a record of your credit payment history stored in a database at a consumer reporting agency. You can obtain a copy of your credit report by contacting a credit reporting company such as:

Equifax

P.O. Box 740241  
Atlanta, GA 30374  
(800) 685-1111  
[www.equifax.com](http://www.equifax.com)

Trans Union  
P.O. Box 2000  
Chester, PA 19022  
(800) 888-4213  
[www.transunion.com](http://www.transunion.com)

Experian  
P.O. Box 2002  
Allen, TX 75013  
(888) 397-3742  
[www.experian.com](http://www.experian.com)

### **Can I file for bankruptcy?**

Generally, bankruptcy allows you to get rid of most of your debts, but it also requires you to use almost all of your assets (bank accounts, cars, stocks, etc.) to pay off as much of your debts as possible. Other bankruptcy options currently include keeping your assets but paying off your debts over time. Additionally, bankruptcy may make it more difficult to get a mortgage, and it usually does not wipe out fines, certain taxes, and most student loan obligations. Bankruptcy is a serious decision and should only be made after careful consideration, preferably with the help of a lawyer. If you want to talk to an attorney about bankruptcy, contact the Legal Referral Service of the NY City and County Bar Associations at (212) 626-7373.

## **SUBJECT 12 -- TAX**

### **Should tax returns be filed on behalf of my missing relatives?**

A delay in obtaining a death certificate may have important tax consequences. If your missing relative has not been officially declared deceased, consult a professional tax advisor. If your missing relative were to be treated as living, regular tax returns might be required on his or her behalf. The Internal Revenue Service (IRS) is expected to clarify this matter in the future.

### **Should tax returns be filed on behalf of my deceased relatives?**

Yes. If not filing a joint return, a final tax return should be filed by the "executor" or the "personal representative" or other administrator of the estate of the deceased person, appointed by the Court. Such administrator may seek professional assistance, such as that offered by The Legal Referral Service of the New York City and County Bar Associations at (212) 626-7373.

### **Can I file a joint tax return with my missing or deceased spouse?**

Yes. However, you should identify on the top of the return that you are doing so.

### **When should estate tax returns be filed?**

You should consult a professional tax advisor regarding applicable deadlines. Generally, federal and New York State returns for the estate of a deceased person are due nine months after the date of death. Thus, in this case, returns would be due by June 11, 2002. Extensions for filing are generally available, although taxes should be paid on time to avoid interest and penalties charges. Estate tax returns should be filed by the person administering the estate of the deceased.

### **When should personal income tax returns be filed?**

Most employees are required to file their federal, New York State and City personal income tax returns for the calendar year 2001 by April 15, 2002. Extensions are generally available upon timely request. However, you may be required to file and pay estimated taxes earlier (for example, if you are self-employed or your employer did not withhold income taxes throughout the year).

### **What happens if I am unable to meet a tax filing date?**

The IRS has announced a filing extension under certain circumstances in its IR-2001-81 Release. It is important to read the entire official notice to see what extension deadline is applicable for you. If you currently have an extension that expires between September 11, 2001 and November 30, 2001, if eligible, you have an additional 120 days to file your return. If you face an estimated tax payment date during the year 2001, if you are eligible, you may postpone that payment, and include the amount with your final estimated payments for tax year 2001, which are due on January 15, 2002.

The New York State Department of Taxation and Finance, the agency that administers both New York State and New York City personal income tax, has issued notices (Important Notice N-01-14 and Important Notice N-01-16) which extend, for eligible individuals, all NY State and City tax filing, payment and other deadlines which arise between September 11, 2001 and December 10, 2001 until December 10, 2001. For example, if you normally would have been required to file and pay quarterly estimated taxes on September 17, 2001, if eligible, you would not have to file or pay them until December 10, 2001.

### **Am I eligible for the new extended deadlines?**

The federal extended deadlines apply to all taxpayers in the five boroughs of New York City and all other taxpayers who have been directly affected by the WTC disaster, regardless of where they reside. The extended deadlines apply to the workers assisting in the relief efforts, individuals whose records are unavailable due to the disaster, individuals faced with disruptions in the transportation of documents or in their communications services, and those whose tax practitioners are unable to meet the tax deadlines because of the disaster.

### **How should I mark documents I send to the tax authorities?**

If you qualify for this extension, you should (a) mark in red ink “**WTC - September 11, 2001 - Terrorist Attack**” at the top center of any late filed return, extension, estimated tax voucher or other document, and (b) include a brief explanation of the circumstances affecting your ability to meet the normal tax deadline.

### **Is there any additional tax relief for which I might qualify if my property has been damaged?**

If you suffered property losses because of the WTC disaster you may get a quick tax refund by claiming your losses on an amended Federal income tax return for the year 2000. By amending the 2000 return (rather than waiting to file a return for 2001), you can get a refund in a few weeks. You must reduce the amount of loss by any insurance or other reimbursements received or expected. Tax forms and publications with additional details about this are available through [www.irs.gov](http://www.irs.gov) or by calling (800) 829-3676.

### **Where can I get more tax related information?**

The IRS handles inquiries from taxpayers whose ability to meet their federal tax obligations has been affected by the WTC disaster by phone at (866) 562-5227, Monday through Friday in English (7 a.m. to 10 p.m.) and Spanish (8 a.m. to 9:30 p.m.). Other sources of information include the following:

- The IRS: [www.irs.gov/relief/index.html](http://www.irs.gov/relief/index.html) or (866) 562-5227;
- New York State: [www.tax.state.ny.us](http://www.tax.state.ny.us) or (800) 225-5829;
  - New York City: [www.ci.nyc.ny.us/html/dof/html/fm\\_wtc.html](http://www.ci.nyc.ny.us/html/dof/html/fm_wtc.html) or (718) 935-6000/9500.

## **SUBJECT 13 -- IMMIGRATION**

### **What is the status of my visa?**

If you are in the United States in nonimmigrant visa status based on your family relationship with a visa holder (for example, if you have an F-2, L-2 or H-4 visa, or if you have an E visa as a dependent), the loss of a family member in the WTC disaster may have terminated or otherwise affected your visa status. The loss of a family member may also have affected your eligibility for a visa status requested in a pending application or petition. In such cases, you must determine whether your visa status continues to be valid, and whether you are eligible for a requested status.

The Immigration and Naturalization Service (INS) is forming a task force to review the immigration issues arising from the WTC disaster for the purpose of developing public information and possibly recommending legislative solutions. See the INS website at [www.ins.gov](http://www.ins.gov).

### **Where can I find more information?**

Individuals with immigration-related questions are encouraged to consult an attorney since this is a complicated area of law. You can obtain legal advice by contacting The Legal Referral Service of the New York City and County Bar Associations at (212) 626-7373. In addition, free legal services for individuals who cannot afford private attorneys may be obtained through the following organizations:

Legal Aid Society  
Immigration Unit (serves all boroughs of New York City)  
166 Montague Street  
Brooklyn, NY  
(718) 722-3100

Immigration Legal Services  
Jackson Heights Community Office  
74-09 37th Ave., Suite 412  
Queens, NY  
(718) 899-1233

Catholic Charities  
Department of Immigration and Refugee Services  
1011 First Avenue, 12th floor  
New York, NY  
(212) 419-3700

#### SUBJECT 14 -- OTHER RESOURCES

##### **Who can help me better understand all these legal issues?**

The following organizations offer legal assistance and referral:

- The American Bar Association Disaster Legal Services at (866) 606-0626 ([www.abanet.org](http://www.abanet.org));
- New York State Bar Association help line at (877) HELP-321 or (518) 487-5709 ([www.nysba.org](http://www.nysba.org));
- The Legal Referral Service of the New York City and County Bar Associations at (212) 626-7373 ([www.ilawyer.com](http://www.ilawyer.com) click on "New York City");
- Queens County Bar Association Lawyer Referral & Information Service at (718) 291-4500;
- Law Help, New York's Online Legal Referral and Information System at [www.lawhelp.org](http://www.lawhelp.org);
- The Legal Aid Society in New York City at (718) 722-3100; or
- Legal Services for New York (LSNY) at (212) 431-7200.

##### **Who can help me with the non-legal issues?**

The Family Assistance Center at Pier 94, located at 54th Street and 12th Avenue is open 8 a.m. to 8 p.m., seven days a week, (646) 710-6245.

For The New York Crime Victims Board see [www.cvb.state.ny.us](http://www.cvb.state.ny.us), or call (718) 923-4325 for the Brooklyn location, or (914) 995-3358 for the White Plains location.

**Safe Horizon** provides support, crisis counseling, practical assistance and emergency compensation to cover immediate expenses (rent, utilities, groceries, etc.), burial and funeral expenses, and longer-term counseling. This effort is supported by the New York State Crime Victims Board in the Manhattan Family Center, with whom Safe Horizon has developed procedures to expedite payments, and the United Way/NYCT September 11th Fund. See [www.safehorizon.org](http://www.safehorizon.org) or call (800) 621-HOPE (4673), (800) 247-8035 or (212) 577-7777. Additionally, you may contact one of their community offices:

Manhattan - Upper West Side  
166 West 75th Street  
New York, NY 10023  
(212) 874-0724

Brooklyn  
3021 Atlantic Avenue  
Brooklyn, NY 11208  
(718) 827-4700

Manhattan - Harlem  
2090 7th Avenue, 10th floor  
New York, NY 10027

Staten Island  
130 Stuyvesant Place, 5th floor  
Staten Island, NY 10301

(212) 316-2100

Manhattan - Washington Heights  
336 Fort Washington Avenue  
New York, NY 10033  
(212) 740-7446

Queens - Jamaica  
90-14 161st Street  
Queens, NY 11432  
(718) 291-2555

Queens - Jackson Heights  
74-09 37th Avenue, Room 412  
Jackson Heights, NY 11372  
(718) 899-1233

(718) 448-3118 x 21

Bronx - Claremont  
1460 Washington Avenue  
Bronx, NY 10456  
(718) 538-9382

Bronx - Kingsbridge  
2530 Grand Concourse  
Bronx, NY 10458  
(718) 933-1000

### **Where can I get other assistance?**

Several non-governmental organizations are collecting money to help the families affected by the WTC disaster. Many organizations are not yet ready to distribute the money they have collected, and most will not distribute money directly to individuals. You can contact:

- Salvation Army (800) SAL-ARMY (725-2709) or [www.salvationarmy.org](http://www.salvationarmy.org);
- Red Cross (800) 217-5687 or [www.redcross.org](http://www.redcross.org);
- Brooklyn Bureau of Community Service (718) 310-5600. Offers job training and placement assistance;
- Catholic Charities of the Archdiocese of New York (212) 371-1011 x2401. Offers temporary shelter, child care and medical attention;
- Catholic Charities of the Archdiocese of Brooklyn and Queens (718) 625-7800. Offers support groups and day care services;
- Community Service Society of New York (212) 614-5566. Specializes in helping families learn what public benefits they are eligible for and helps with funeral and burial expenses;
- Children's Aid Society, in conjunction with the New York Times (212) 358-8930, provides food, clothing, housing, furniture, child care, legal information and referral and funeral expenses; and
- National Association of Realtors has established the Realtors Housing Relief Fund (800) 874-6500 or [www.relief.realtor.org](http://www.relief.realtor.org), to help pay the mortgage and rental costs of the families devastated by the WTC disaster.

For information about disaster assistance loans for businesses of all sizes, nonprofit organizations, homeowners and renters, contact:

- U.S. Small Business Association at (800) 659-2955 or visit the website at [www.sba.gov/disaster](http://www.sba.gov/disaster);
- New York State Business Assistance Center at (800) STATE-NY (782-8369);
- New York City Economic Development Corporation Hotline at (866) 227-0458, (718) 403-2220 or visit the website at [www.newyorkbiz.com](http://www.newyorkbiz.com); or
- New York State Department of Labor, Employment Services Offices (layoff aversion grants at (212) 621-9343.

### **Where can I get food assistance?**

Several organizations solicit donated food and grocery products from the nation's food and grocery industry and distribute it to people in need. You can contact the following:

- America's Second Harvest: [www.secondharvest.org/aboutash/disaster.html](http://www.secondharvest.org/aboutash/disaster.html); (800) 771-2303;

- New York City Harvest: [www.cityharvest.org](http://www.cityharvest.org); (917) 351-8700;
- Food for Survival, Inc.: [www.foodforsurvival.org](http://www.foodforsurvival.org); (718) 991-4300;
- Food for Survival Hotline: (718) 991-4300 Ext. 20; or
- Emergency Assistance 24 hour Hotline: (800) 994-6494.

In addition, Food Stamp benefits have been expanded for New York residents and other individuals (regardless of their immigration status) who need food assistance as a result of the WTC disaster due to:

- loss of food;
- damage to or destruction of the household's home or self-employment business;
- disaster-related expenses not expected to be reimbursed during the benefit period (e.g. home or business repairs, temporary shelter expense, etc.);
- loss or inaccessibility of income for half the benefit period; or
- inaccessible liquid resources (e.g. banks closed due to the disaster).

For information on whether you are eligible and how to apply, call the NY City Human Resource Administration information line at (877) 472-8411 (English/Spanish) or (718) 557-1015 (Russian, Vietnamese, Chinese language). Also see [www.wnyc.net/pdf/misc/foodstampinfo.pdf](http://www.wnyc.net/pdf/misc/foodstampinfo.pdf).

### **Where can I get help with funerals?**

If your loved one died while at work, New York State Workers' Compensation Death and Funeral Benefit may pay funeral expenses of up to \$6,000 in Metropolitan New York counties and up to \$5,000 in all other counties. Call (800) 580-6665, (800) 697-4878, or (800) 877-1373.

### **Where can I get more information?**

The Federal and NY State governments are continuing to allocate new resources in an effort to assist victims of the WTC disaster. Note, for example, that Congress recently passed legislation that would provide financial assistance to individuals (or the families of individuals) who died or were injured. As a result, affected individuals should continue to check on existing and new resources being made available. Recommended sources for keeping up to date and learning about new programs are:

NY City Help Line: (212) 560-2730 or (212) 221-8635.  
 New York City Central Labor Council: (800) 509-0036.  
[www.firstgov.gov](http://www.firstgov.gov);  
[www.labor.state.ny.us](http://www.labor.state.ny.us);  
[www.nyc.gov](http://www.nyc.gov);  
[www.ny1.com](http://www.ny1.com);  
[www.nypl.com](http://www.nypl.com) or [www.nypl.org/branch/services/emerginfo.html](http://www.nypl.org/branch/services/emerginfo.html);  
[www.nypost.com](http://www.nypost.com) or [www.nypost.com/news/regionalnews/wtchelpinfo.htm](http://www.nypost.com/news/regionalnews/wtchelpinfo.htm);  
[www.nytimes.com](http://www.nytimes.com) or [www.nytimes.com/national/resources/index.html](http://www.nytimes.com/national/resources/index.html); and  
[www.september11fund.org/grief.html](http://www.september11fund.org/grief.html) .

**If you or any of your family members belong to a labor or trade union, or are an employee of NY City, NY State or the U.S. Government, you might have specific resources and procedures available for you. You should follow up with those organizations or agencies.**