SOCIAL SECURITY THROUGH AID FOR DEPENDENT CHILDREN IN THEIR OWN HOMES

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HISTORY OF THE MOVEMENT

The term "aid to dependent children in their own homes" has until recently been referred to as "mothers' aid," but it is a broader term than the latter. Even "mothers' aid" is by no means the only term which has been in vogue. Some states in their statutes use the terms "mothers' pensions" or "mothers' allowances." The use of the broader term in the Federal Social Security Act, which permits a broader application of the principle, is likely to have a general acceptance in the course of time.

The history of mothers' aid dates back to the first White House Conference, called by President Theodore Roosevelt in 1909. At that Conference, Rabbi Emil G. Hirsch of Chicago urged that the payment of public money be made possible to mothers of dependent children who might otherwise be placed in institutions, instancing the fact that most of these children had mothers living. The idea did not arouse enthusiasm among the members of the Conference at that time, but it was taken up with great enthusiasm by the National Congress of Mothers and other women's groups who made themselves felt in the development of the early mothers' aid legislation.

In Illinois, however, where the first mothers' aid law was passed in 1911, there was a different origin. Widowed mothers who had been giving their children good care frequently came to the Juvenile Court, asking to have their children placed in institutions. When the Court urged that they keep their children at home they pleaded their inability to support them at home. They found that neither private nor public relief was sufficient to meet their needs to keep their homes intact. This led to the Cook County Juvenile Court's strong advocacy of this new relief measure and to Judge Merritt W. Pinckney's thoughtful and devoted administration, which contributed much to its general acceptance.

Rarely has a movement in legislation spread as fast as that of establishing mothers' aid. By the end of 1913 there were such laws in twenty states. In 1915 eight more were added, in 1917 six more; after this they came more slowly. At present there

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are but two states, Georgia and South Carolina, without laws providing funds for the care of dependent children in their own homes. Similar laws are found on the statute books in the District of Columbia, Alaska and Hawaii.

THE SCOPE OF MOTHERS' AID LAWS

While the first laws enacted for this purpose were apt to be restricted to the widowed mother and her children, the later laws have had a wider scope to include other children in need of care than those of the widow, so that by 1931 only Connecticut and Utah restricted mothers' aid to widows, and in ten states and the District of Columbia statutes provide that assistance may be granted to any needy mother or any mother with dependent children. In spite of the fact that most laws are broad in their scope, their administration generally limits the aid to widows and their children. For example, in 1933 in the State of New York of 22,058 women aided under its broad statute, 19,201 were widows.

Although most all of the states of the United States, its territories and possessions are living under statutes which make mothers' aid payments possible, less than half of the more than 3,000 counties have made systematic appropriations for the care of dependent children under these statutes. In some states only a few counties make such appropriation and in a few states the laws on their statute books are entirely inoperative, for no other reason than a lack of appropriation.

In spite of these limitations of area in which the laws are in force, by 1931, 253,298 children in 93,620 families were reported to the United States Children's Bureau as receiving the benefits of such aid. This approximates in number the 299,417 children reported by the Bureau of the Census of the United States Department of Commerce as under care on January 1, 1933 in all the children's institutions and foster home agencies.

Even waiting lists do not give a correct measure of the need. In many counties applications are not investigated when funds are not available and some mothers who might be eligible for aid do not make their application under such circumstances. It is a reasonable estimate, therefore, that when mothers' aid becomes available in all states and counties and when funds are available to meet all legitimate needs the total number of children to be benefitted may rise to 500,000 or even more for the whole country.

There are at the present time limitations in most states as to the maximum that may be provided for each child, but in eleven states and in the District of Columbia the amount of the monthly grant may be adjusted to the needs and resources of the individual family. The average grant per family for December, 1933, as reported to the United States Children's Bureau by twenty states, showed Massachusetts as giving $52.89 per month per family, the highest of any average grants, with the lowest of any state being $9.76 per family in the same month.

The inadequacies expressed in these great variations of grants also account for

the number of beneficiaries not being greater at this time. During the depression appropriations for mothers' aid were either reduced or withdrawn entirely in some counties and states. In some areas, too, it was possible to get larger grants from public relief agencies than from the mothers' aid authority and therefore applications for mothers' aid were either withdrawn or not made. In many states even now many more widows' families are on relief than on the mothers' aid lists.

The variations in the grants among the various states cannot be accounted for by differences in standards of living and in the needs of families—they point to inadequacies in the meeting of needs by mothers' aid. Low grants are either supplemented by resources in the family or through aid given by relatives or private agencies, which at best are rarely adequate and continuous. It is evident from these figures that a very considerable expansion in grants is necessary in many counties and states if they are to meet the requirements of families for whose children the laws were enacted.

THE SOCIAL SECURITY ACT OF 1935

The Social Security Act, passed by the 74th Congress, under Title IV—Grants to States for Aid to Dependent Children—authorized an appropriation of $24,750,000 for the fiscal year beginning July 1, 1935, to be used for payments to the states equal to one-third of the sums expended by them for such aid during the quarter for which the allotment is made.[1]

It was estimated that in 1934 the total amount of grants in the United States and its territories and possessions from all public sources was about $37,000,000. With the expansion of mothers' aid to meet the needs of all dependent children who can be aided advantageously in their own homes[2] and with the more adequate development of grants it is reasonable to assume that the amount of money needed will be double the total of grants in 1934, or approximately $75,000,000. The sum authorized by Title IV of the Federal Act would provide adequate refunds of one-third of a total expenditure of approximately $75,000,000. For each fiscal year subsequent to June 30, 1936, the Federal Act authorizes the appropriation of whatever sum may be "sufficient to carry out the purposes" of Title IV.

This measure requires that in any state seeking to qualify under it there shall be a state plan which must:

"(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by

[1] Social Security Act, Tit. IV, §§401, 403.

[2] Section 406 (a) of the Federal Act defines "dependent child" very broadly: "The term 'dependent child' means a child under the age of sixteen who has been deprived of parental support or care by reason of the death, continued absence from home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their own home."

Although this definition determines the children with respect to whom federal funds may be paid, the states are free to incorporate a narrower definition in their plans.

the State; (3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim with respect to aid to a dependent child is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; and (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports."[3]

A plan for such a program as is specified above must be approved by the Social Security Board but cannot be approved unless its residence requirements make every dependent child eligible for the aid who has resided in the state for one year immediately preceding the application for such aid or was born within the state within one year immediately preceding the application, if the mother has resided in the state for one year immediately preceding the birth.[4]

The provision that no political subdivision can benefit unless the aid is in effect in all subdivisions has an important bearing upon the development of aid to dependent children in all the states but particularly in rural districts. Until now such aid has been much more widely and generously provided in urban centers than for rural children. For instance, in one of the southern states aid to dependent children in their own homes is provided only in the county containing the largest city in the state and in three other counties with large urban areas. In another state the county containing the largest city and the one containing the third largest city are the only ones that provide mothers' aid.

Similar statements might be made about states in other sections of the country but particularly regarding rural states. If no city or county can benefit unless all counties in the same state are included for such benefits, the desire of the urban areas to receive refunds will tend to make the law mandatory on all areas.

Sums are provided by the federal government for each quarter, and equal to one-third of the total of amounts expended during that quarter under the plan that has been accepted beforehand. Eighteen dollars per month is set as a maximum for one child and twelve for each of the other dependent children in the same home which the federal government will allow in its calculations of one-third refund.[5] States and counties may appropriate larger sums but these will not increase the amount of refunds.

ADMINISTRATIVE DEVELOPMENTS UNDER THE STATE LAWS

In the development of mothers' aid since 1911 there is evidence of much broadening of purpose, eligibility, and intelligence in the application of the laws. In some

[3] *Id.* §402 (a). [4] *Id.* §402 (b). [5] *Id.* §403 (a).

of the states in the early days of the movement mothers' aid was urged as a payment to the mother because of the value she had been to the state in contributing children to its population. In others it was urged as a form of social justice. Those who were charged with the responsibility of administering laws very soon found themselves grappling with the problem of economic needs and the idea of a compensation for her function to the state was crowded aside by the questions that arose as to what needed to be done to meet the family budget.

Early laws in some of the states were passed on the assumption that a payment of money was all that was necessary. In others no provision was made for administrative service other than that of certain members of administrative boards who served in a volunteer capacity. In the passage of time these problems have largely righted themselves by experience in grappling with the problem of family relief, which mothers' aid is now generally recognized to be.

To begin with, residence requirements were inclined to be rigid but changes have been made in the laws of a number of the states, relaxing the restrictions as to residence. A requirement of one to three years in the state or county, or both, is still usual. The requirement of Title IV of the Social Security Law that but one year immediately preceding the application for aid shall be necessary will have the tendency to reduce residence restrictions still further. Indiana and Vermont have no residence requirements, Texas requires five years in the state, and New Jersey, five years in the county. Only four states require United States citizenship, although six more and the District of Columbia require that the mother has made application or has declared her intention to become a citizen. With greater rigidity in immigration laws in the United States a tendency is evidenced in mothers' aid statutes to become more rigid in citizenship requirements.

Eligibility, however, is not limited merely by questions involving citizenship or residence. With the development of recognition that mothers' aid is one of the important forms of family relief there has gradually come to be developed a procedure for determining the giving of relief on the basis of the same standards that have come to be applied in many areas to other relief measures. Inquiry is now usually made beforehand, even when citizenship and residence have been found to be no bar, as to the health, character and home-making qualities of the mother, and her ability to inculcate thrift in her children. Although certain states have encouraged the mothers to work full-time or at least a considerable part of the time, in most of the states she is required to remain at home at least two-thirds of the working hours, in order that she may give her children proper oversight.

Ownership of some property is usually permitted but restricted. A number of the states specifically permit ownership of a homestead or for an equity of from $500 to $2,000 of property, the amount varying greatly in the different states.

School attendance of the children has been a factor of importance in the eligibility of the mother to receive aid. To begin with, two states considered the administra-

tion of the mothers' aid law as belonging in state boards of education, but even these later transferred it to departments of welfare.

The growing tendency to make restrictions less rigid and to depend increasingly upon the application of social service principles has emphasized the importance of the use of trained staff. By this means there has been provided some oversight of the expenditure of grants and of the medical care of the mothers and children. Better housing has been insisted upon and often found for the family; housekeeping standards have been raised; the work of the mother has been diminished, sometimes by increased grants, and other times by setting limitations of eligibility. Children's recreational needs have been looked after, behavior problems among the children have found solution, truancy and delinquency have been decreased. The mother has been encouraged to keep a record of her expenditures, allowances have been put on a budgetary basis; altogether standards of living of the family have become substantially higher. Instead of the aid being given in the form of orders for groceries and fuel, cash has now come to be recognized as of more value in dealing with these families and the ability to manage cash has often become a standard in determining eligibility.

Supervision of these families is on the whole local. While in most of the states the decisions as to grants of aid are made by the juvenile court and the supervision is in the hands of the probation officers, the trend here and there is away from leaving the administration in the hands of the court and toward the use of county or state boards, having no relationship to court administration. One of the reasons for this change is the recognition of the difficulty of developing standards for the administration of the same law among the different courts. On the other hand, when the local administration is in the hands of county boards, state boards of public welfare are able to coördinate the services into a program of state administration.

It is generally recognized that the states having such oversight provide better service in the individual counties and especially where the state provides for from one-third to one-half of the expense for the support of the families. In this way state supervision comes naturally into the right relationship and at an early enough stage in the process of determining just what the program in the individual family shall be. Not only does the investigation of the circumstances in the individual family come under scrutiny, but a plan is made that is likely to lead to wholesome relationships being established between the family and the social work visitor. Some of the states engaged nutritionists for the study of budgets and for wise help in expenditures. The trend is clearly toward state administration.

These administrative services have led to an increase of administrative costs but they have generally brought economies in expenditures to the families. Such administrative costs are now reckoned as amounting to from ten to fifteen percent of the total mothers' aid budget, if the work is to be well done and the money is to bring good returns in family and child life.

THE EFFECT OF TITLE IV OF THE FEDERAL ACT

Despite their limited application, the laws now on the statute books of the various states and territories of the United States have already resulted in virtually a revolution in child care. In most of our states children are now given an opportunity to grow up with their mothers, or near relatives, when by death or other misfortune the home has been broken. In certain sections of our land, and some sections of many states, foster care, however, is still needed to provide for the same types of children, principally because no appropriations have been made to make a stay in their own homes possible. This cannot be due to any motive of economy, for it generally costs about twice as much to provide for the child in suitable foster care as to maintain him in his own family.

With the coming of a demand for the social security of those persons who are least able to meet the vicissitudes of everyday life, the maintenance of home life for helpless children, whenever possible, has been recognized as a reasonable social objective. Mothers' aid has so far been an experiment. The principle lying behind the service is now accepted by everybody. Lessons of importance have been learned in its administration in the various states. But much more needs to be done to have the benefits of such a service come to all who are eligible, and in such a way that the large investment shall bring reasonable returns in happiness and more wholesome home life. Title IV of the Social Security Act will encourage a large acceptance of the principle of maintaining life for dependent children in their own families, and particularly in rural areas.

With the further development of state departments of public welfare, and county or other administrative units in the various states, a more or less harmonious plan will be developed. The Social Security Board, to whom Congress has entrusted the development and supervision of this project, through the state departments, will stimulate the acceptance of the law and guide the states' administration in a general way. The states, through their departments of public welfare in name or in essence, will directly or through the county, city or other local units, bring the largest possible benefits of this law to the children and families who need them.

There are many obstacles first and last to such a program's being worked out in all the states. The principle of the grant-in-aid of which Title IV makes use is a powerful instrument, however, for standardization. Out of this crazy-quilt of divergent policies now in existence in the various states it is reasonable to hope that Title IV, under the Social Security Board, may lead to harmonious, though not necessarily identical, plans in the various states.