

**Bet Tzedek Legal Services
Holocaust Survivors Justice Network**

HOW TO PERFORM A “REPARATIONS CHECK-UP”

October 17, 2019



**Lisa Hoffman, Esq.
Holocaust Services Program Director
Bet Tzedek Legal Services**

Bet Tzedek provides free legal assistance to more than 15,000 low-income individuals each year.

Since its inception, Bet Tzedek has assisted Holocaust survivors with reparations and other legal matters, regardless of their income.

Focus on “wrap-around” services for survivors.



Holocaust Survivors Justice Network “HSJN”

Coalition of pro bono lawyers, legal aid organizations and Jewish social services agencies that provides vital legal aid to Holocaust survivors, including

**Holocaust Reparations
Advance Planning Clinics
Tenant Protection**



www.HolocaustSurvivorsProBono.org

Interested in participating or learning more about HSJN?



Kobi Penland
HSJN Administrator
(323) 648-4736
KPenland@bettzedek.org



HSJN Call-In Hour

First and third Thursday of each month
10:00-11:00 Pacific / 12:00-1:00 Central / 1:00-2:00 Eastern

Dial: 1-872-240-3312
Access Code: 816779933
or

<https://global.gotomeeting.com/join/816779933>

Meeting ID: 816779933

Advice or technical assistance concerning Claims Conference compensation, the ZRBG ghetto pension program, the one-time ghetto work recognition (GGWP) payment, or other Holocaust reparations matters.

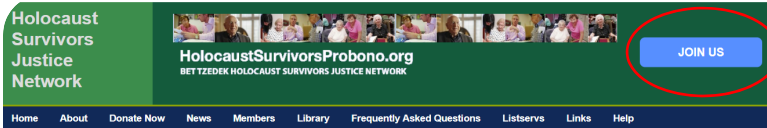
The call-in hour is intended to provide technical assistance to pro bono attorneys and social workers who are assisting Holocaust survivors with their reparations matters. We regret that we cannot include survivors, their families, or other members of the public in this call.



Join the HSJN Website!



www.HolocaustSurvivorsProBono.org

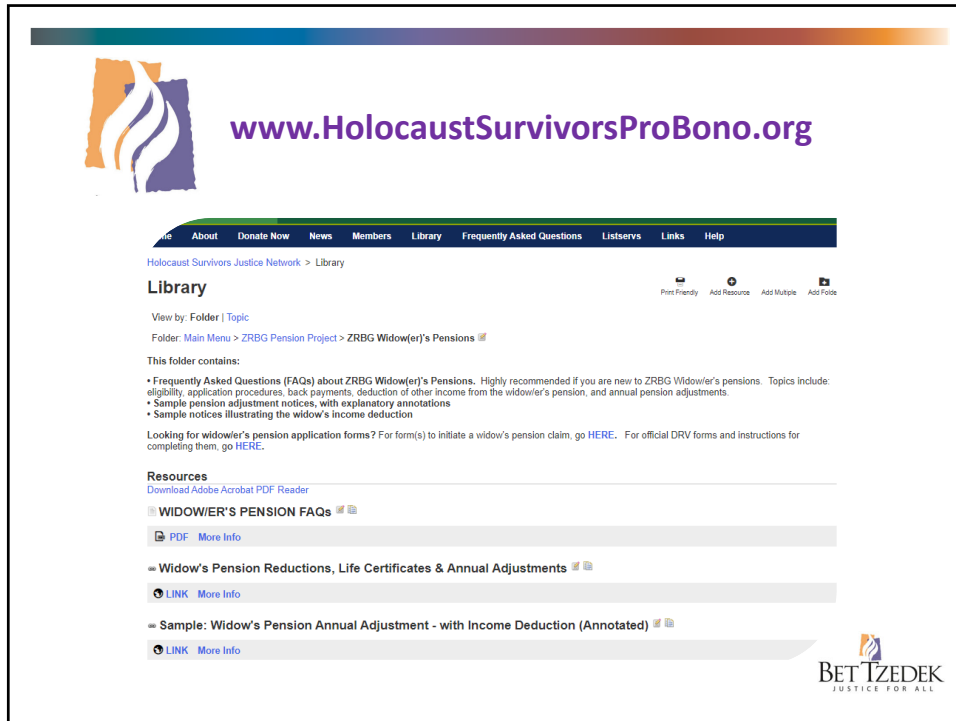


Explore our network...

The Bet Tzedek Holocaust Survivors Justice Network

Truly unprecedented in scope and impact, the Holocaust Survivors Justice Network (HSJN) partners a sophisticated and effective pro bono service corps with local social services providers to provide vital legal aid to Holocaust survivors. Our coalition of Jewish social services agencies, law firms, and corporate legal departments was gathered together by Bet Tzedek Legal Services to provide dignity and resources to survivors, completely free of charge.





The screenshot shows the website www.HolocaustSurvivorsProBono.org. The navigation menu includes Home, About, Donate Now, News, Members, Library, Frequently Asked Questions, Listservs, Links, and Help. The current page is the Library section, specifically the 'ZRBG Widow(er)'s Pensions' folder. It lists resources such as 'WIDOWER'S PENSION FAQs', 'Widow's Pension Reductions, Life Certificates & Annual Adjustments', and a 'Sample: Widow's Pension Annual Adjustment - with Income Deduction (Annotated)'. The footer features the logo for BET TZEDEK JUSTICE FOR ALL.



Why do a “reparations check-up”?

- New compensation programs are created all the time
- Existing programs are frequently updated, expanded and liberalized
- Opportunities to apply for additional payments
- Opportunities to re-open claims that were previously suspended or denied



Three Questions:

1. What kind of compensation is the client currently receiving, and what have they applied for/received in the past?
2. What kind of persecution did the client suffer?
3. Are additional payments available to based on the client’s persecution history and past applications?



Questions for participants:

- How much do you typically know about your clients' persecution histories?
- How do you go about collecting information about clients' persecution? Are you comfortable asking about it, and do you worry about triggering traumatic memories?
- Do you typically help your clients to apply for reparations, or would you feel comfortable doing so?
- Do you keep information about persecution with clients' records, so that you can refer back to it as needed?
- Are you generally aware of all the compensation payments your clients are receiving?




1. Previous Compensation

Clients often don't know the "official" names of compensation programs. Focus on characteristics of the payments they're receiving or have gotten in the past.

- Pension vs. one-time payment
- Amount and frequency of payments
- When (how long ago) the payment(s) started or were received
- Where the payments come from



Table listing current and expired programs can help you identify payments

 Holocaust Compensation Programs Currently Accepting Applications (2019)					
Program	Type of Persecution	Type, Frequency & Amount of Payments (Values in local currency may fluctuate with exchange rate)	Other Requirements or Limitations	Timing of Approval or Payment	Paid By
Article 2 Fund	<ul style="list-style-type: none"> Concentration camp Labor camp or forced labor battalion Ghetto (at least 3 months) Hiding, under inhumane conditions, without access to the outside world in German-occupied territory or Nazi satellite states (at least 4 mos.) Living under a false identity, under inhumane conditions in German-occupied territory or Nazi satellite states (at least 4 mos.) Applicant who was a fetus during mother's persecution is also covered by the above categories <p><i>As of Jan. 2020, surviving spouse of an Article 2 recipient will receive 9 months of payments.</i></p>	Pension (paid quarterly) 446 Euro (~\$490) per month / 1,338 Euro per quarter <i>Will increase to 513 Euro / mo. in Jan. 2020</i> Payment schedule is: January 2, April 1, July 1, October 1	Income and asset limits are the same as those for social services Limited to Jewish survivors. Survivors who currently receive a pension from one of the following sources are excluded from Article 2: <ul style="list-style-type: none"> BEG Austrian National Fund (ÖFG) Israeli Survivors' Pension Pension for Nazi Victims from Berlin (PIVG) Pension for East German Nazi Victims Central and Eastern European Fund (CEEFF) 	Since 1992	Claims Conference
Child Survivor Fund	<ul style="list-style-type: none"> Camp Ghetto Hiding or false identity (at least 4 mos.) Applicant who was a fetus during time that their mother suffered persecution as described above. 	One-time payment 2,500 Euro	Applicant must have been born in 1928 or later Limited to Jewish survivors Not precluded by other compensation payments	Since 2015	Claims Conference

Previous Compensation (cont'd)

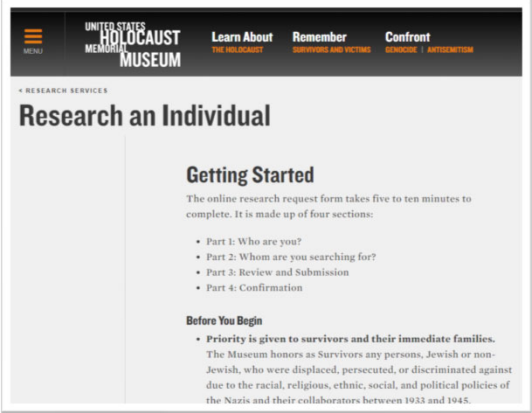
Importance of identifying Claims Conference and one-time BEG payments


- Could make certain other payments unavailable
- Can help to verify persecution history
- Might contain contradictions
- Can ask Claims Conference about prior applications, but what about BEG?
- Can request BEG file copies from state restitution offices in Germany, if you believe client applied. (See handout.)

Previous Compensation (cont'd)

USHMM Research Inquiry – A backdoor method to determine whether client applied for BEG

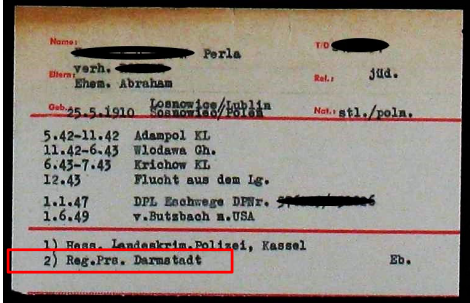
Go to <https://www.ushmm.org/remember/resources-holocaust-survivors-victims/international-tracing-service> - or search on-line for “USHMM ITS request”






USHMM Research Inquiry

- You will need client’s date and place of birth, previous names, names of parents, and a rough idea of client’s whereabouts during WWII.
- Be sure it indicate that your inquiry relates to a compensation claim for a living survivor – USHMM will give your inquiry priority and respond in a few weeks.
- If the response includes a document like this, client does probably have a BEG file (though you won’t be able to tell if the claim was approved):



This is a record of an inquiry that was submitted to the International Tracing Service (probably in the 1950s-1960s) by the BEG office in Darmstadt, seeking verification of the allegations in Perla _____’s BEG application.

This means that there is a BEG file in Perla’s name at the Darmstadt BEG office.



2. Persecution History

- How to get this information while minimizing triggers/traumatization?
- Explain why you're asking
- Ask open questions at first, let client take the lead – then clarify as needed
- Review the information already known
 - Look at old applications
 - Do advance research



Persecution History (cont'd)

Information to collect:

- What country is the client from originally?
- Where did the client live when the war began?
- How old was s/he when the war started?
- Where was the client during the war?
 - In a ghetto? If yes, which one?
 - Did the client do any work while in a ghetto?
 - In a concentration camp or forced labor camp? If yes, which?
 - Evacuated or forced to flee from his/her home to another place?
 - Lived in hiding or under a false identity?



Persecution History (cont'd)

- Try to place events in chronological order, but don't worry about getting exact dates. (Ask instead how long they spent in each place/activity.)
- Don't take client's descriptions or chronology at face value. A little historical research and verification can save lots of time and energy later on.
 - Example: camp vs. ghetto
 - Example: "hiding"



Tools and Databases

- List of compensation programs (see above)
- USHMM ITS research inquiry (see above)
- USHMM Names Database
(www.ushmm.org/online/hsv/person_advance_search.php)
- Yad Vashem Database of Shoah Victims' Names (yvng.yadvashem.org)
- JDC Archives (names.jdc.org)
- Ancestry.com (requires membership)
- JewishGen Holocaust Database (requires membership)
(www.jewishgen.org/databases/Holocaust)
- Finance Ministry's ghetto list
- USC Shoah Foundation Visual History Archive (testimonies) (vhaonline.usc.edu)
- Simple internet search for client's name



3. Available Programs

Table/chart of compensation programs will help you find available payments based on client's

- Persecution history
- Country of origin
- Age during WWII
- Previous payments and applications

Don't forget to look at programs client applied for before without success – eligibility rules might have changed!



Need help?

Lisa Hoffman

(323) 549-5850

LHoffman@bettzedek.org

HSJN Call-In Hour

First and third Thursday of each month

10:00 Pacific / 12:00 Central / 1:00 Eastern

Dial: 1-872-240-3312

Access Code: 816779933

<https://global.gotomeeting.com/join/816779933>

Meeting ID: 816779933



Bet Tzedek Legal Services
Holocaust Survivors Justice Network

www.HolocaustSurvivorsProBono.org

