



1992

Public Relief

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SUPREME COURT, APPELLATE DIVISION

SECOND DEPARTMENT

Lovelace v. Gross⁷³⁵
(decided August 26, 1991)

See the case analysis under EQUAL PROTECTION.⁷³⁶ The court rejected the plaintiff's claim that Social Services Law section 131-c(2) violated the aid to the needy clause of the New York State Constitution because "the Legislature ha[d] made its determination with regard to need and the determination may not be judicially disturbed or questioned."⁷³⁷

SUPREME COURT

NEW YORK COUNTY

Hope v. Perales⁷³⁸
(decided April 15, 1991)

See the case analysis under DUE PROCESS.⁷³⁹ The court held that the Prenatal Care Assistance Program violated article XVII, section 1 of the New York State Constitution because "[t]he Legislature may not deny aid to eligible women it categorized as needy on the basis of criteria not at all related to need."⁷⁴⁰

735. 573 N.Y.S.2d 752 (2d Dep't 1991).

736. See *supra* notes 327-39 and accompanying text.

737. *Lovelace*, 573 N.Y.S.2d at 753.

738. 150 Misc. 2d 985, 571 N.Y.S.2d 972 (Sup. Ct. New York County 1991).

739. See *supra* notes 201-55 and accompanying text.

740. *Hope*, 150 Misc. 2d at 998, 571 N.Y.S.2d at 981 (citing, *inter alia*, *Tucker v. Toia*, 43 N.Y.2d 1, 371 N.E.2d 449, 400 N.Y.S.2d 728 (1977)).