Special COVID-19 Edition

Anishinabe Legal Services Newsletter

Serving the Leech Lake, Red Lake, & White Earth Reservations

Cass Lake, Minnesota • September 2020

P.O. Box 157, Cass Lake, MN 56633 • Phone 218-335-2223 or 1-800-422-1335

From the Director:

By: Chari LaDuke-Clark
Admin Director

Anishinabe Legal Services has continued its operations throughout the COVID-19 Pandemic with little interruptions to client services. COVID-19 changes at ALS include: Limited in-person meetings; Regular sanitization of public areas; Request clients wear a mask when visiting our staff; and Call ahead to schedule an appointment whenever possible.

Intakes hours have not changed! We still process intakes everyday through the main phone line at: 218-335-2223, Monday through Thursday until 4:00 pm and through 3:00 pm on Fridays, or intakes that are done online at: www.justice4mn.org/a2j. The types of cases the program will assist individuals with include many issues that are a direct result of COVID-19 pandemic orders/changes, such as issues with housing and benefits.

As a member of the legal services coalition in MN, ALS encourages clients and the general public to view available resources offered online on the COVID-19 resource page: www.LawHelpMN.org.

ALS has received funding for this newsletter and additional COVID-19 related cases and outreach from our partners at the Legal Services Corporation and the MN State Bar Association. We appreciate the continued support from our other funders as well to ensure that there is no lapse to client services during this time.

Tips from an attorney for using remote technology in court

By: Andrea Szabo
Staff Attorney

The coronavirus has changed the way we're living. Social distancing, sanitizer, and face masks are now a part of our lives. But how does this change the way the courts are taking cases? For the most part, across the country courts are using video conferencing to get the job done. Primarily they use Zoom or allow people to call in from their phones. Without these important technologies, our court systems would be stalled or people would be exposed to unseen risks in the pursuit of justice. Court is not the same as it was before the pandemic. What can you do to make sure you're ready to go to court using remote technologies?

Plan ahead.

If you have an attorney helping you make sure to talk to them at least two weeks out. The sooner you talk to them the more prepared you both will be. If you're representing yourself (pro-se) call the court ahead of time to find out how they want you to submit evidence. Every court is different, and every judge is too. Make sure you give yourself enough time to get copies of whatever documents you'll need and send them to court in advance. Since court won't be in person you won't have a chance to bring the documents you need on the day of and you won't really have a good chance to talk to your lawyer before or during court like you could in person. So, make sure you plan ahead!

Get the Zoom application.

If you have a device like a smart phone, tablet, or computer you can download Zoom for free before your hearing. Make sure you have an internet connection and go to https://zoom.us to get started and sign up. You'll need a reliable in-

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COVID-19, Rental Housing, and Homelessness

By: Ellen Weinberg
Staff Attorney

The COVID-19 pandemic has temporarily changed housing law in Minnesota. This article will discuss some of those changes.

Eviction

On March 23, 2020, as the pandemic was beginning, the governor issued Executive Order 20-14 temporarily forbidding most evictions. Tenants could not be evicted for not paying rent. But that did not change the obligation to pay rent. Tenants still owe rent for every month that they lived in the rental unit.



This order allowed evictions for only two reasons: seriously endangering the safety of others, or conducting certain unlawful activities in the housing unit: controlled substance violations, prostitution, illegal possession of firearms, or possession of stolen property.

The executive order does not change any other provisions of the lease. For example, if the lease says that a tenant must not bring in a pet or change the locks, the tenant still is not allowed to do those things.

Under the order, eviction cases could not be started; existing evictions were put on hold; and landlords who had obtained writs of recovery were not allowed to use them. A writ of recovery is a court order for the tenant to move out within 24 hours. A landlord gets a writ of recovery after winning an eviction case. Someone from the sheriff's office goes to the housing unit and gives the writ of recovery to the tenant.

The order did not forbid people to move out of their rental units.

The order does not apply on reservations.

On July 14, the governor issued Executive Order 20-79, which made some changes to Executive Order 20-14. This new executive order adds two new situations in which eviction is allowed. The landlord may evict a tenant for causing significant damage to the property. The landlord may also evict if he/she or a relative of his/hers will move into the housing unit within seven days after the ten-

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Beware COVID-19 Related Scams

By: Valerie Field
Staff Attorney

Every day on the news there are updates regarding the number of deaths from COVID-19. It is a serious issue and people should listen to medical professionals. However, one very effective way scammers steal money from individuals is through the use of fear. Scammers are usually attached to highly organized criminal organizations. These criminals have in the past and continue to use people's justifiable concern regarding covid-19 to steal both money and information.

There are a number of ways a criminal may scam someone. For instance, the criminal will make web sites claiming to sell products such as hand sanitizer and disinfectants. The victim will order the product and pay for it but it never arrives. Other examples of scams include places offering blood and/or saliva from "covid survivors" claiming that it is a cure and/or will make the person immune. In these examples, nothing arrives. However even if blood or saliva was received, doing anything with other people's blood or saliva is dangerous as it could be diseased.

There are also scam "treatments" and the claims can vary a great deal. The claims range from a particular music CD that the victims listens too to taking high doses of vitamin C, special herbs, acupuncture, UV light therapy and more. Keep in mind that if there is a medical breakthrough, it will be all over the news and one is not going to hear about it for the first time through an advertisement or sales pitch.

Scammers also pretend to be government and/or medical officials and use various forms of contact from phone to e-mails and text messages to claim that the victim has come into contact with someone with CO-

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Tips from an attorney

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ternet connection if you're using Zoom on a device. Consider getting a hotspot or Ethernet cable to plug directly into your modem when you're using Zoom for court.

If you're internet isn't reliable or downloading the Zoom app isn't an option for you, you can call into your hearing using Zoom without the app. If the notice you got in the mail doesn't already list a phone number then call the court ahead of time to get the phone number you'll need to dial in. When you call into court there will be a specific phone number to use, a meeting ID, and unique password that you dial in when the system prompts you by using the number pad on your phone.

Double check your information.

On the day of court, call in and talk to court admin to double check that you have the right information for your hearing! Sometimes, we all make mistakes and it's possible the log in information you got in the mail from the court may not be correct. You need to make sure the information you have is right!

Be patient.

Zoom has virtual waiting rooms when you log or call in. The court, called the meeting host on Zoom, will let you in when it's ready for your case. Don't panic if you're stuck in the virtual waiting room past your scheduled time – sometimes court runs late. Stay put and be patient. It does no good to get upset and no matter what don't log off!

Go somewhere quiet.

When you use remote technology for your hearing there are some important simple things to do that will make the process easier for everyone involved. Turn off all other devices that could make any noise while you're in court. That means silencing ringers, shutting off the TV and radio. It's important to get yourself into a quiet space for court – another room with a door away from other people in your home or even in your car if you're out. If you have noisy pets consider putting them in another room. If you have kids, plan ahead that you'll need them to be quiet for at least an hour while you're calling or zooming into court. It may even be a good idea to find a babysitter. If you live with other people in your home be sure to let them know so they can do their best to be quiet too.

Be quiet!

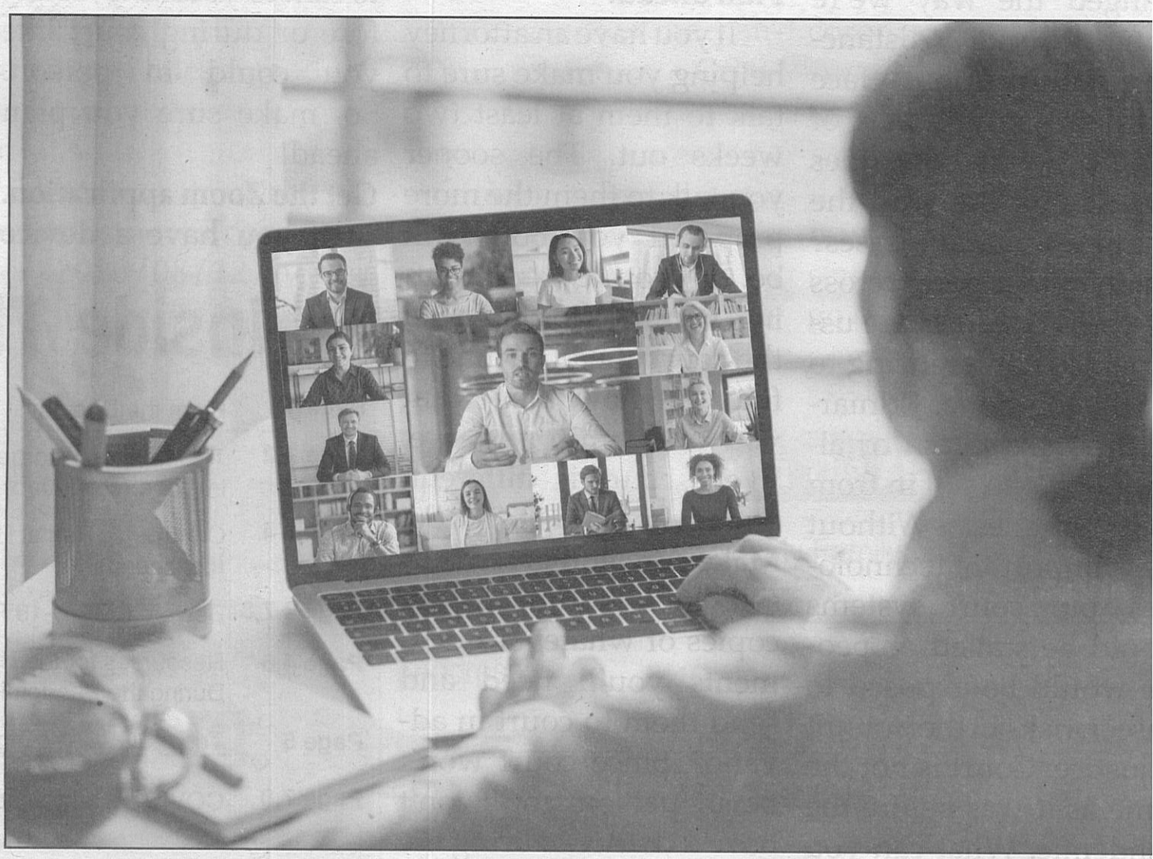
A critical and simple thing you can do when you call in or Zoom into court is to turn yourself on MUTE when you're not speaking! It's really important. All the background noise from multiple people calling or Zooming in adds up quickly and before you know it you can't even hear your judge. Putting yourself on mute until you need to speak is not only a necessity, it also shows respect for the court. After all, no matter what reason you're in court it always helps your case to show some respect and be polite.

Enunciate when you speak.

If you're wearing a mask it's especially important to speak loudly so everyone can hear you. Also, sometimes there's a lag with the remote technologies so make sure you speak slowly and clearly in case there is a delay. You want to be heard when you're in court so be sure to remember when you're not on mute you need to t slowly, loudly, and cl ly.

Useful Resources

- For some more u ful tips and best prac es in the state on how use remote technolog for court please go h http://www.mncou gov/Remote-Hearin aspx
- To find out wh court you'll be in if you in state court go h http://www.mncou gov/Find-Courts.aspx
- For White Ea Tribal Court call: (2 983-4648 or visit https whiteearth.com/di sions/judicial/home
- For Leech Lake Tri Court call: (218) 335-3 or visit http://www. jibwe.org/court/cou html
- For Red Lake T al Court call: (218) 6 3303 or visit https www.redlakenation.o courts/



COVID-19, Rental Housing

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ant moves out.

In addition, Executive Order 20-79 allows a landlord to use a writ of recovery to force a tenant out if the landlord won an eviction case before Executive Order 20-14 took effect.

A landlord who intends to evict a tenant must give the tenant seven days' written notice.

Masks

Everyone who enters an apartment building must wear a mask in common areas of the building such as lobbies, halls, stairs, and elevators.

Masks are not required on the apartment grounds or on apartment terraces.

No one is required to wear a mask inside a house or apartment. A tenant is free to invite guests to take off their masks in the housing unit.

Homeless Encampments

Executive Order 20-55 was issued on June 29. It stated that law enforcement should not conduct sweeps or disbanding of homeless encampments unless there is a threat to health, safety, or security. The size of the encampment may be a factor in the decision.

COVID-19 Housing Assistance Program

Minnesota residents whose incomes are at or below 300% of federal poverty guidelines can apply to the COVID-19 Housing Assistance Program. This program helps with past-due housing expenses incurred between March 1, 2020 and December 30, 2020. People who receive federal rental assistance are not eligible for this program.

No dollar figure for the federal poverty level is given here because poverty level depends not only on the dollar amount of income but also on the household size. The more people there are in the household, the higher the household income can be while still staying under poverty level.

You can reach the Housing Assistance P gram by telephone, text, or online. Cont information is:

1-800-543-7709

www.211unitedway.or

Text MNRENT or M HOME to 898-211

COVID-19 has be here since March 20 and no one knows h long it will last. The l and programs that dress the needs crea by the pandemic, continue to change as situation develops. governor is also likely periodically issue n executive orders, and ishinabe Legal Servi has been monitoring changes and will con ue to stay updated.

Resources for homeless individuals and families during the Pandemic

By: Rita Ostman
Paralegal

Enduring homelessness at anytime is difficult, but during a pandemic it is even harder. Trying to stay isolated when you are seeking shelter, or trying to find places that serve meals, have become extremely difficult if not impossible to find during this pandemic.

The homeless population on the reservations and surrounding areas are living under dire conditions with extremely limited places to stay for shelter. I have provided nearby shelter information, along with places to contact for clothing, diapers, gas and food vouchers.

Most homeless are older adults and have underlying medical conditions, they are a particularly vulnerable group. There are many homeless families in our area with children. All homeless individuals are in need of shelter, food, diapers, clothing among other daily necessities.

Person's experiencing homelessness can protect themselves, here are a few tips for prevention of contracting COVID-19.

1.) Try to avoid other crowded public settings.

2.) If using public transportation, follow the CDC guidelines. Wear a mask, clean your hands if possible before and after the trip, and try to travel during less busy times.

3.) If possible, use take-away options for food.

4.) Maintain a distance of 6 feet (about two arm's length) from other people.

5.) Wash your hands with soap and water for at least 20 seconds as often as possible, and cover your coughs and sneezes.

6.) Avoid sharing personal items like cloths, dishes, or cigarettes, ect, with other people.

If any person experiencing homelessness with symptoms of fever, cough, or shortness of breath, you should alert the service provider, such as case managers, shelter staff, and other care providers.

If any person is ex riencing homelessn with symptoms of fe cough, or shortness breath, you should a the service provider, s as case managers, she staff, and other care viders.

IN THE LEE LAKE AREA:

Bena Homeless S ter: 218-665-2250,

15038 Old Hous Drive NE, Bena M 56626

This shelter is pro ing shelter for single or adult couples. If agree to stay at this s ter you are not allowe leave the shelter du the pandemic.

If you do leave

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Tribal COVID-19 Emergency Relief Payments

By: Faith Neumann
Staff Attorney

Through the federal CARES act grants, many tribes received emergency funds. Recently several local tribes have approved a direct payment process for individual enrolled band members who have had hardships due to the COVID-19 pandemic. If you are enrolled, to apply for COVID-19 relief from your tribe, please see eligibility requirements as outlined below, or contact your tribal government agency.

Red Lake Nation

Relief: $1,000

Requirements:

(1) Must be an enrolled Tribal Member and 18 years or older on July 31, 2020; and

(2) Individuals must sign and **return form by end of business day on 10/30/2020.**

How to Apply: Applications can be mailed, emailed, or faxed.

Mail: Red Lake Accounting Department, PO Box 574, Red Lake, MN 56671

Email: CRP@redlakenation.org

Fax: 218-679-1390

Find Form:

Website: https://www.redlakenation.org/covid-19-public-health-emergency-relief-program-application/

White Earth Nation

COVID-19 Relief: $500

Requirements:

(1) Must be an enrolled Tribal Member of White Earth who are 18 years of age on or before 7/23/2020; and

(2) Must complete application and be **mailed on or before 9/30/2020.**

a. *PLEASE NOTE*, the completed application must be **notarized** prior to mailing. Ask for a notary at 1730 Clifton Place Minneapolis, MN or contact your local bank or credit union for notary services.

How to Apply: Mail-in only

Mail: White Earth Enrollments PO Box 506 White Earth, MN. 56591

Find Form:

Website: https://whiteearth.com/assets/files/home/news/White%20Earth%20Coronavirus%20Relief%20Program%20.pdf

In Person:

Minnesota Chippewa Tribe Office - 1308 Franklin Avenue Minneapolis, MN.

White Earth Building - 1730 Clifton Place Minneapolis, MN.

Leech Lake Nation

Relief: $1,000

Requirements:

(1) Must be an enrolled member of the Leech Lake Band of Ojibwe who is at least 18 years of age as of July 22, 2020;

(2) Must have experienced an economic impact as a result of the COVID-19 pandemic;

(3) Must check at least one box of the "Economic Impact" section of the application; and

(4) The application must be **postmarked by October 1, 2020.**

How to Apply: Applications may be mailed in or online application.

Mail: Leech Lake Band of Ojibwe, Emergency Relief Assistance, 190 Sailstar Dr NW, Cass Lake, MN. 56633

Online: https://hipaa.jotform.com/201954426093153

Find Form:

Website for Mail-in: http://www.llojibwe.org/COVID19_EA_APP.pdf

Website for Online: https://hipaa.jotform.com/201954426093153

ALS has several notaries on staff, but please call ahead to confirm availability at 218-335-2223 and bring with you a valid picture ID. Thank you.

Anishinabe Legal Services Mission Statement

Ensuring equal access to high quality legal assistance for historically under-served people living on or near the Leech Lake, Red Lake, and White Earth Tribal Lands and to protect legal rights and Tribal Sovereignty.

Resources for the homeless

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will not be able to come back for **30 days**. They are not accepting families with children, however if you call the shelter they may be able to provide hotel stays for you and your children. Through the CARES ACT this homeless shelter can provide vouchers for permanent housing, to include first month rent and deposit. They can provide gift cards for food, clothing, and some limited furniture for permanent housing.

The services listed in this article are just some of the services provided by the listed shelters, housing authority, and US Department of Housing and Urban Development. If you have questions on other services needed, please, feel free to contact the shelters and local housing authority listed below and they will help to direct you to the proper places for your individual needs.

Cass Lake Homeless Shelter: 218-335-3607

6044 161st Street, Cass Lake, MN 56633

This shelter is providing shelter for single and or adult couples. If you agree to stay at this shelter you are not allowed to leave the shelter during the pandemic.

If you do leave you will not be able to come back for **30 days**.

They are not accepting families with children, however if you call the shelter they may be able to provide hotel stays for you and your children. Through the CARES ACT this homeless shelter can provide vouchers for permanent housing, to include first month rent and deposit. They can provide gift cards for food, clothing, and some limited furniture for permanent housing.

Leech Lake Band of Ojibwe Housing Authority: 218-335-2674

611 Elm Ave. NW, Cass Lake, MN 56633

Funds may be available for: temporary hotel housing, first month's rent, rental deposit, gas, food, and baby diapers, during the Covid-19 pandemic.

IN THE RED LAKE AREA:

Red Lake Homeless Shelter, Service Center: 218-679-3228 or Shelter: 218-679-3171

15855 Main Avenue/ P O Box 280, Red Lake, MN 56671

The RL Homeless shelter provides emergency shelter to families and single adults over 18 years of age(beds, meals, showers, transit transportation and case management). There are different grants available that may provide rental subsidies, a long term homelessness grant that helps with security or utility deposits, and homeless prevention grants that may help with back rental or security deposits.

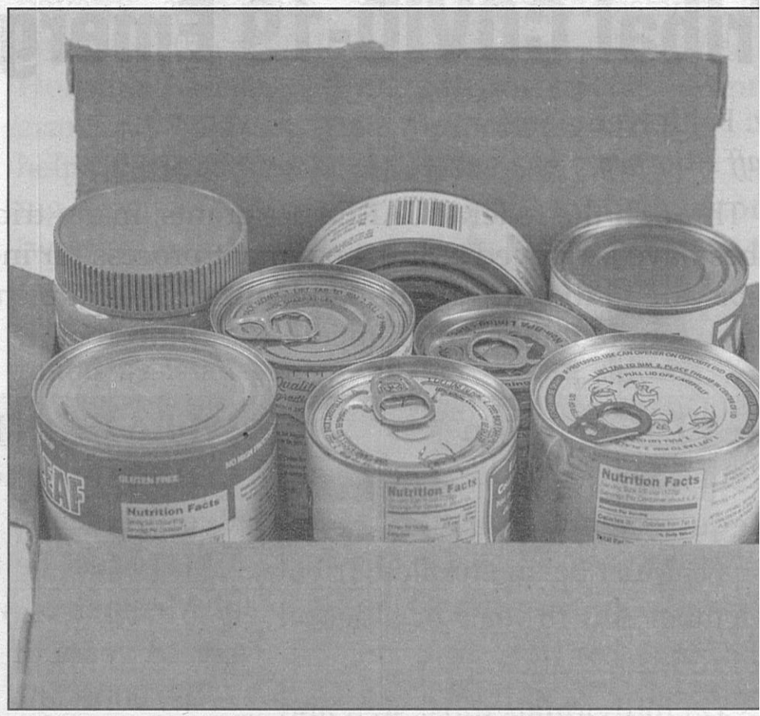
The Homeless shelter works with other local programs and housing authorities.

IN THE WHITE EARTH AREA:

None specified.

FOR TRIBAL COMMUNITIES or NEARBY:

U.S. Department of Housing and Urban Development (HUD) has awarded Minnesota Housing $6.9m for the FY 2020 HUD Section 811 Project Based Rental Assistance (PRA) Program. The purpose of Section 811 PRA is to expand the supply of supportive housing that promotes and facilitates community integration for people with significant and long-term disabilities. This new grant will fund 183 additional units of Section 811 supportive housing to the 159 units currently funded.



Find out more about Section 811 PRA at the US Department of Housing and Urban Development web site.

Bemidji Food Shelf: 218-444-6580

1260 Exchange Ave. SE, Bemidji MN 56601

The hours for distribution are Mondays and Wednesdays from 10:00 am to 3:00 PM. The food distribution can be picked up in the parking lot of the food shelf during Covid-19. You may have someone pick up the food acting as your Proxy. You may walk up and pick up the food or if you are home bound ar live in a 10 mile radiu of the distribution cent they will deliver the foo to your home.

The goal for the foo shelf is to go back to i door distribution by C tober 1, 2020 and the re ular registration proce will go back into effect.

Anishinabe Leg Services is here to he find the right agenci for your needs. We a cept clients in our Ma Office at its' tempora location of 113 Spru Avenue, Cass Lake, M but please call ahead possible to request an a pointment. We will try point you to the appr priate resources, we ca help print forms or a plications, and if neede make calls for referra If you or someone yo know has any questio specific to their need please call 218-335-22 for more information.

Beware COVID-19 Related Scams

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VID-19 and needs to self-isolate and click the link sent to get more information. It is a scam and the criminals are interested in getting the victims information. Do not click the link.

Another scam claims that the victim received an overpayment of the stimulus money and demands a "refund" of the difference. The victim may be threatened with fines, forfeiture or arrest. Payments are often demanded by store value cards and/or MoneyGram. This is a scam.

Law enforcement has also seen scams using smartphone apps or wesites that claim to be a government office associated with the CARES Act programs. They request banking information and use the promise of payments to later be able to take money from individual bank accounts.

Anyone can fall victim to a scam. Do not feel bad or dumb if it has happened. Report it to the FBI.



Here are some suggestions to avoid scams:

Do not click on links in emails or tests that you did not expect.

Do not let anyone rush you into giving a donation to an organization. Check tax exempt status.

Never give out health or personal information to anyone other than a known and trusted medical professional.

Beware of people calling or e-mailing claiming to be from a government agency.

Be on the lookout for efforts to divert payments such as last-minute changes to banking

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COVID-19 and Schools: No Right Answer

By: Samir Grover
Paralegal

Decisions regarding re-opening schools during a national pandemic have caused a serious moral dilemma. We as a society are faced with questions such as:

1. Do we risk the safety of our students, teachers, and their families in order for children to gain a necessary social and educational experience?
2. When does virtual learning no longer become effective?
3. With no end date for the coronavirus pandemic in sight, how long will it be till our good intentioned protection of students end up hurting them more in the long term?

This series of questions truly have no right answer, but the state of Minnesota and local school districts have been trying their best to address these concerns. The first step that all states have taken in this process is to **ensure that safety measures are in place** before a return can occur. However, certain safety procedures such as social distancing, hand sanitizers for classrooms, no touch thermometers, and deep cleaning of schools comes at a hefty cost. For example, the average potential cost of deep cleaning schools after a confirmed case is $26,000 and the total cost to enforce reopening policies could cost school districts hundreds of thousands of dollars.

With these questions and potential costs in mind, the state of **Minnesota came up with three scenarios for reopening schools; Full in person learning, a hybrid model, or distance learning only.** Each comes with its own conditions and rules. For example, even if a full in person learning or hybrid model is implemented, face masks are still required and social distancing will be enforced. Furthermore, the

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On average, 2/3 of eligible individuals are turned away from legal services statewide due to resource limitations:

Have you considered a donation to ALS?

We are a private non-profit organization and your donation is tax deductible.

Please visit our website for secure online donation or make your check payable to:
Anishinabe Legal Services, PO Box 157, Cass Lake, MN 56633.

Your support is greatly appreciated and will be used in accordance with the LSC Act.

Please find enclosed a check for donation in the amount of:

❑ $500 ❑ $250 ❑ $100 ❑ $50 ❑ $ _____

❑ I will need a contribution letter returned for tax purposes, my address is:

_____

COVID-19 & Schools

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hybrid model has a 50% capacity limit with students switching back and forth between in person and distance learning depending on the day. Lastly, the first two scenarios still give students the ability to opt out of in person learning for any reason. Whether there is in person learning or not, meals will still be provided for students during the school day probably at pickup locations.

Based on the information available, most local school districts such as the Cass Lake-Bena, White Earth Schools, and Red Lake are starting with a fully distance learning model. This came after much discussion and contemplation from school boards who decided to take more time to monitor the situation. Teachers also had a say in this decision as their safety is of the utmost priority to these school districts. The learning models are flexible and subject to change during the school year depending on the percentage of COVID-19 outbreaks within local communities.

On the other hand, Bemidji area schools are opening full in personal learning for grades K-5 and are using the hybrid model for grades 6-12. Bemidji area schools say that they are representing what the community wants, with the superintendent stating that "most parents want their children back in school". In order to have additional time to ensure safety, Bemidji schools have pushed back their start date to September 14th.

What is the right decision? Only time will tell. For now, please continue to monitor any changes in your children's local school districts. If we work together as communities, openly communicate, and stay safe we can hopefully still offer all students the education they deserve.

Information obtained from:

https://www.nytimes.com/2020/08/13/podcasts/the-daily/school-reopening.html

https://www.nytimes.com/2020/08/12/us/georgia-school-coronavirus.html

(The state of Georgia and what has happened there provides a good anecdote for the re-opening of schools)

https://www.redlakenationnews.com/story/2020/08/12/news/the-cost-of-schools-reopening-177-mil



lion-for-the-average-district/91423.html

https://www.fastcompany.com/90538028/the-cost-of-schools-reopening-1-77-million-for-the-average-district

https://www.waubun.k12.mn.us/o/waubunogemawhitearthschoolsmn/page/covid-19--93

https://educatiomn.gov/MDE/dshealth/covid19/

http://www.clbs.kmn.us/

https://www.bemidji.k12.mn.us/updates

Beware of COVID-19 Scar

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information through fake e-mails that appear to come from a trusted source.

Stay alert as the pandemic continues. Criminals will continue to come up with scams to steal money while using the fear of the pandemic against people.

• The majority of this information came from U.S. Federal Trade Commission Consumer formation website https://www.ftc.gocoronavirus/scams-csumer-advice Anotuseful source is https:www.justice.gov/conavirus/combattinfraud To check tax exemstatus of an organizatigo to https://apps.gov/app/eos/

www.alslegal.org
www.facebook.com/anishinabelegalservices
www.alslegal.blogspot.com
Find us on
LSC
Helping Low-Income Minnesotans Solve Legal Problems
LawHelpMN.org
The new website is designed to make finding legal information even easier. Learn about your legal rights and responsibilities; fill out court forms; find free and low-cost legal help; and more!

Do You Want To Be On The ALS Mailing Lis

YES! Please Add Me/My Family:

Name: _____

Address: _____

City: _____ State: ____ Zip: _____

Return to: P.O. Box 157, Cass Lake, MN or call Mary at 1-800-422-1335