

DEPARTMENT OF BENEFIT PAYMENTS
744 P Street, Sacramento, CA 95814
916/445-7046



March 24, 1976

ALL-COUNTY LETTER NO. 76-53

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: **SMOCK v. CARLESON - RETROACTIVITY**

REFERENCE: All-County Letter No. 76-38

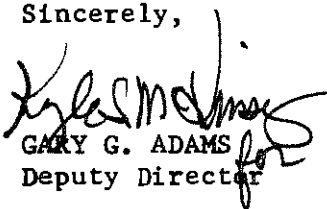
You were directed by All-County Letter No. 76-38 to comply with the Judgment of the Alameda County Superior Court in Smock v. Carleson by providing retroactive aid for the period October 1, 1971 through February 28, 1974. Retroactive payments are to be made for any month during this period in which a recipient child who lived with both unmarried parents would have been entitled to an increased grant if the second unmarried parent had been included in the FBU. The purpose of this letter is to outline the procedures for claiming these retroactive payments.

Retroactive payments may be authorized by a single line entry on the ABCD 278L (or substitute authorizing document) and paid in one warrant. The months covered in the amount authorized will be identified on the authorizing document. The minimum information needed on the Aid Payroll is case number, name, persons count, amount, warrant number, and indication that the amount paid is the result of the recomputation per the Smock decision.

The persons count for the second needy unmarried parent included in the FBU is usually nonfederal. However, if, in addition to the mutual child (children), each parent has a separate child whose deprivation is based on the death or absence of a parent, both unmarried parents are federally eligible.

If you have questions concerning this letter, please contact Gen Whitfield or Vicki Smith at 916/445-7046.

Sincerely,


GARY G. ADAMS
Deputy Director

cc: CWDA

GEN 654 (2/75)