

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



December 2, 1982

ALL-COUNTY LETTER NO. 82-121

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: AFDC NOTICES OF ACTION DISCONTINUING STATE-ONLY AFDC-U

REFERENCE: BLAIR v. WOODS, ORDER OF CALIFORNIA SUPREME COURT

On October 6, 1982 we informed you of the proceedings in Blair v. Woods. The District Court of Appeal on October 20, 1982 denied the motion to have the peremptory writ enforced. The petitioners then filed a motion in the California Supreme Court to have the peremptory writ enforced. On November 18, 1982, the Supreme Court granted the petitioners' motion to have the peremptory writ of the Alameda Superior Court enforced. This means that while our appeal is pending, notice of the availability of the General Assistance program must be given to discontinued State-only AFDC-U Program recipients.

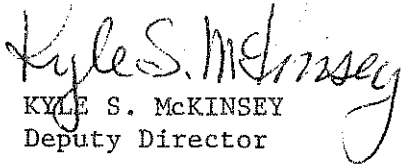
The order is retroactive. Those State-only AFDC-U recipients discontinued effective October 1, 1982 because of the time limited nature of the program must receive notice of the availability of General Assistance. The instructions given in the October 6, 1982 All-County Information Notice I-137-82 need to be amended slightly.

Each county which did not give notice of the availability of General Assistance either prior to the court order or voluntarily after the court order must now give such notice. For these counties the following is required:

Send to each former recipient of State-only AFDC-U benefits whose aid was discontinued effective after September 30, 1982 because of the limitation contained in SB 1326, a notice advising them that they may apply for and if eligible may receive general assistance benefits. This notice shall be sent as soon as administratively feasible. Since the Notices of Action discontinuing these cases have already been sent, a supplemental notice will be necessary. In sending this supplemental message, do not use a standard Notice of Action form because these messages are not to give the recipients a right to a state hearing. The order does not invalidate the notices of action discontinuing these cases.

All counties must now notify each current recipient of State-only AFDC-U benefits whose aid is discontinued because of the limitation contained in Section 207 of SB 1326 that the family may apply for and if eligible receive general assistance benefits. This notice should be included on the approval notice for State-only AFDC-U benefits. For those who are already on aid this notice should be given by a separate notice, not a notice of action, prior to the last day of the last month of State-only AFDC-U benefits.

Suggested messages, a copy of the Supreme Court order and a copy of the Peremptory Writ are attached. Please contact your AFDC Management Consultant at (916) 445-4458 if you have any questions.


KYLE S. MCKINSEY
Deputy Director

Attachments

cc: CWDA