

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814  
(916) 322-5387



September 28, 1983

ALL-COUNTY LETTER NO. 83-102

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ZAPATA v. WOODS

REFERENCE: ALL COUNTY LETTER 80-50, DATED AUGUST 21, 1980

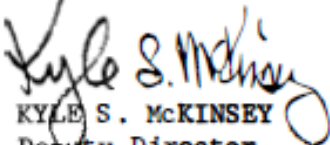
This letter is to advise you of the current status of the Zapata v. Woods class action lawsuit and to request that you take certain actions in anticipation of compliance with the court's ruling in this matter. This suit was brought to challenge the validity of the denial of AFDC benefits to caretaker relatives whose only children receive SSI/SSP. (See MPP Section 44-205.23)

On April 18, 1981, the court awarded a judgment to the plaintiffs in this matter. The judgment prohibited further application of MPP Section 44-205.23 and ordered retroactive aid back through January 27, 1975. On November 30, 1982, the Court of Appeal affirmed the trial court's decision and on March 16, 1983, the California State Supreme Court denied this Department's petition for hearing. Although a petition for writ of certiorari has been filed with the United States Supreme Court, it appears that compliance with the trial court's decision will be required.

The portion of this judgment not stayed pending appeal is the requirement that each county preserve and maintain all records of applications for AFDC, notices of action, and fair hearing decisions which contain information with respect to any case which was denied or discontinued as a result of MPP Section 44-205.23. In our All-County Letter (ACL) No. 80-50, dated August 21, 1980, we requested that you preserve all closed case records pertaining to the individuals in question in order that eligibility for benefits could be determined when necessary. You should continue to preserve such closed case records and "flag" any such cases incoming at this time.

In order to assure compliance with the portion of the judgment described above as contained in ACL No. 80-50 and to assist in the development of cost estimates regarding the anticipated implementation of the court's decision, we have developed the attached brief report form (Attachment A). It must be completed and returned to the State Department of Social Services by November 10, 1983.

If you have any questions concerning this matter, please contact Joe Carleton at (916) 322-5387.

  
KYLE S. MCKINSEY  
Deputy Director

cc: CWDA

Attachment