

Item 08-05-01D Decision Writing
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Reference: All County Letter 07-53; All County Information Notices I-21-08 and I-22-08

All County Letter 07-53, December 28, 2007 provides a general overview of the requirements contained in the settlement agreement of the *Gomez v. Saenz* lawsuit. The settlement agreement sets forth specific requirements for notifying individuals of their right to request a hearing if they feel their name is incorrectly listed on the Child Abuse Central Index (CACI).

The lawsuit addresses the rights of individuals whose names either are or will be listed on the CACI. Based on the settlement agreement, beginning March 1, 2008 individuals are to be provided appropriate notice of their CACI listing as well as the right to appeal. In addition, the settlement allows individuals who may not have received a notice of their right to appeal prior to March 1, 2008, to challenge their listing on the CACI.

New Division 31 regulations will be forthcoming, with the addition of Section 31-021 that details the CACI grievance hearing process. **There is no jurisdiction in the state hearing process to decide these CACI cases.** If claimants want to appeal being listed on the CACI they should read the county notice of their CACI listing that will also advise them where to appeal.