

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



July 1, 1986

ALL COUNTY INFORMATION NOTICE NO. 1-58-86

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: GRIMESY v. McMAHON

This is to inform you that on June 24, 1986, the United States District Court for the Northern District of California issued an Order in the case of Grimesy v. McMahon. A copy of the Order is attached. The Order enjoins the application of EAS Section 44-133.7 (Senior Parent Deeming) to members of the class. The class in the Grimesy case consists of 18-year-old parents of AFDC eligible children who do not meet the school attendance requirement of EAS Section 42-101.2, and who live with their own parents.

The estimated annual general fund cost to implement this court order exceeds \$500,000. Therefore, the Budget Act of 1985 (Statutes of 1985, Chapter 111, Item 5180-101-001, Provision 1) requires that the Department of Finance (DOF) must notify the Joint Legislative Budget Committee 30 days before the All County Letter (ACL) with the instructions for implementation of the order is issued. We will issue implementing instructions upon completion of this process.

In order to assist you with your planning for implementing the Grimesy Order, an advanced draft copy of the ACL and Implementing Instructions are attached. At this time, changes to the attached Implementing Instructions are not anticipated. Notices of Action and Compliance Reporting Forms are not yet available, but will be included with the final ACL. As soon as DOF has certified the availability of funds, the Department of Social Services (DSS) will issue the ACL to County Welfare Departments (CWDs).

In the meantime, you should begin identifying cases in which:

1. AFDC was denied, or granted at a reduced amount on or after June 24, 1986, due to the deeming of senior parent income to 18-year-old minor parents not meeting school attendance requirements;
2. AFDC was terminated or reduced on or after June 30, 1986, due to either the deeming of senior parent income, or to the recoupment of overpayments caused by not deeming senior parent income to 18-year-old minor parents not meeting school attendance requirements.

DSS believes that it is in the best interest of CWDs to identify affected cases as quickly as possible in order to minimize problems associated with the implementation of this order.

An additional injunction regarding the retroactive aspects of the Grimesy lawsuit is expected to be served on the Department in the near future. As soon as the specific details of this forthcoming injunction are known, CWDs will be advised. In the meantime, no specific actions in this regard are required.

If you have any questions, please contact Michael O'Brien at (916) 324-2013.



ROBERT A. HOREL
Deputy Director

Attachment