

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



December 5, 1990

ALL COUNTY INFORMATION NOTICE I-89-90

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: THORNTON V. McMAHON

A lawsuit was filed against the State Department of Social Services (SDSS) because of the way we supervise the county administration of the Special Circumstances Allowance (SCA) Program. A Preliminary Injunction was granted which enjoins and restrains SDSS from certain actions. (See attached copy of Preliminary Injunction.)

SDSS has informed the Attorney General to file an appeal. We believe the Order is stayed pending appeal and need not be implemented at this time. This will most likely result in more court activity. At this time, the counties are not required to comply with this preliminary injunction and are to continue to administer the program as they were before the Order. Further direction in this matter will be provided as appropriate.

If you have any comments or questions, please do not hesitate to contact the staff of the Adult Program Management Bureau at (916) 324-4184.

A handwritten signature in black ink, appearing to read "Robert A. Horel", is written over the typed name.

for ROBERT A. HOREL
Deputy Director

Attachment

ENDORSED
FILED

SEP 24 1990

RENE C. DAVIDSON, County Clerk
By CATHY MILLS, Deputy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

SHIRLEY THORNTON, DENISE WEINBERG,
HAZEL KITCHEN, VIOLA PINTO, et al.,

Plaintiffs,

vs.

LINDA McMAHON,

Defendants.

AND RELATED ACTIONS

NO. 664292-3

AMENDED
ORDER GRANTING
PRELIMINARY INJUNCTION

Plaintiffs' Motion for Preliminary Injunction was argued and submitted for decision on July 31, 1990. All parties were represented by counsel. The court having considered the memoranda of points and authorities and exhibits thereto, the declarations in support and in opposition thereto and the verified Complaint and Answer, and having heard and considered the arguments of counsel, and good cause appearing,

IT IS HEREBY ORDERED that defendant McMAHON, together with here agents, employees and successors in interest, and all persons

1 persons acting by, through or under her, shall be and are hereby
2 preliminarily enjoined and restrained, during the pendency of
3 this action, from:

4 1. Denying Special Circumstances assistance to otherwise
5 eligible SSI recipients who have unmet shelter needs on the
6 grounds that they are unable to provide independent documentation
7 of an eviction or a forced move from unsafe or unhealthful
8 housing;

9 2. Denying Special Circumstances assistance to otherwise
10 eligible SSI recipients who are unable to immediately secure
11 permanent housing and whose unmet shelter need is for temporary
12 shelter;

13 3. Denying Special Circumstances assistance to otherwise
14 eligible SSI recipients who reside in rental housing to enable
15 such persons to prevent eviction and remain in their present
16 housing;

17 4. Failing to employ reasonable means of giving notice of
18 the availability to Special Circumstances assistance to all SSI
19 recipients; and

20 IT IS FURTHER ORDERED that defendant shall effectuate this
21 Order as follows:

22 1. Within thirty (30) days of the date of this Order,
23 defendant shall, in consultation with counsel for plaintiffs,
24 prepare a plan reasonably calculated to provide effective notice
25 to SSI recipients of the Special Circumstance Program. In the
26 event the parties are unable to agree on the content of such
27 plan, either party may by noticed motion seek additional relief
28

1 from this court.

2 The Court finds that plaintiffs are indigent; accordingly no
3 bond shall be required.

4 Dated: SEP 24 1990
5

HOWARD SCHWARTZ

DEMETRIOS P. AGRETELIS
JUDGE OF THE SUPERIOR COURT

PURSUANT TO C.C.P. 635

for Hon. DEMETRIOS AGRETELIS

judge