

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814
(916) 322-5387



February 3, 1981

ALL-COUNTY LETTER NO. 81-8

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: BALDERAS V. WOODS

REFERENCE:

On December 22, 1980, a preliminary injunction was issued in the case of Balderas v. Woods (Los Angeles Superior Court, CA 000627), a copy of which is attached. The department and county welfare departments have been enjoined from "terminating benefits of AFDC recipients solely because their monthly CA-7 reporting form is not received or is received in a form considered incomplete and from suspending benefits without attempting to make personal contact with the recipients." You shall comply with this preliminary injunction beginning with the February report month.

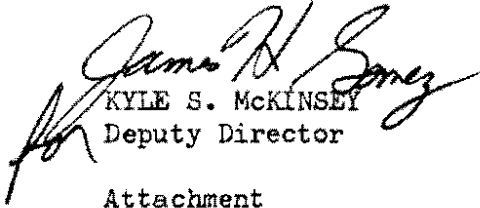
Counties must attempt to make a telephone call to all recipients who have failed to return their complete CA-7. Since all recipients might not be reachable by telephone because they do not have a telephone, there is no answer, or the person responsible for submitting the CA-7 is not at home, such recipients must be mailed a written notice (suggested language attached). The personal contact (i.e. telephone call or letter) should inform the recipient to submit the complete CA-7 and specify the date by which this information/documentation must be received. The personal contact requirement is also satisfied if the same information is transmitted to the recipient during the course of a home visit or a face-to-face meeting at the welfare office. Counties must document in the case file how and when personal contact was made.

All current CA-7 notification requirements remain in effect. The personal contact procedures described above must allow the recipient at least five days to respond before the effective date of the discontinuance.

The Department plans to develop proposed regulations to address requirements under Balderas v. Woods as well as federal regulatory requirements on monthly reporting. We will keep you informed of any further developments requiring action by the county.

If you have any questions, contact your AFDC Management Consultant at (916) 445-4458.

Sincerely,


KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA