

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



September 1, 1982

ALL-COUNTY LETTER NO. 82-90

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: CITIZEN CHILDREN OF ILLEGAL OR UNDOCUMENTED ALIEN PARENTS

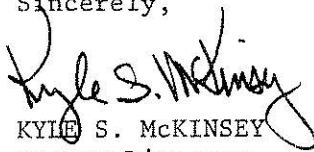
REFERENCE:

This is to serve as a further clarification of the issue regarding citizen children of undocumented and/or illegal alien parent(s). All-County Letter No. 82-86 set forth the appropriate policy in these situations. Subsequently, a Temporary Restraining Order (TRO) was issued in the Los Angeles County Superior Court on August 26, 1982 (see attached) which requires that August and September AFDC benefits be provided to otherwise eligible applicants who were denied aid on the basis of the residence requirements which were addressed in All-County Letters 81-78 and 82-86. This category consists of current applicants who have reapplied for aid following a denial or discontinuance. It shall also include those who have been denied or discontinued for failure to meet the residency requirement who have requested a fair hearing but are not receiving aid pending the hearing. The TRO further requires that benefits be provided to current eligible applicants no later than September 3, 1982. All new applications which fall into this category are to be processed and granted as soon as all eligibility factors have been determined. Reapplications should be reviewed to ascertain whether an underpayment exists.

Finally, the TRO prohibits the recoupment of benefits paid to recipients in the above category who are appealing the proposed termination of their aid.

Should you have further questions, please contact your AFDC Management Consultant at (916) 445-4458.

Sincerely,


KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA

GEN 654 (9/79)