

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814  
(916) 322-5387



November 28, 1983

ALL-COUNTY LETTER NO. 83-124

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ZAPATA V. WOODS

REFERENCE: ALL COUNTY LETTER NO. 80-50, DATED AUGUST 21, 1980;  
ALL COUNTY LETTER NO. 83-102, DATED SEPTEMBER 28, 1983

This letter is to inform you that on October 3, 1983, the United States Supreme Court refused to hear the Department's petition for rehearing of the Superior Court's Order (writ of certiorari) in the above case. The effect of the United States Supreme Court's action is that this Department must comply with the Superior Court's, April 18, 1981 Order. (Copy Attached) The Order prohibits application of MPP Section 44-205.23 to the extent that AFDC benefits are denied/discontinued solely because the needy relatives' only child(ren) receive SSI/SSP.

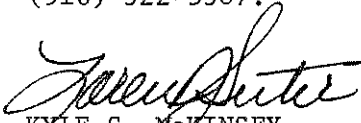
You are hereby instructed to apply this Order to all applications received on or after December 1, 1983, and to continuing cases on an ongoing basis. All actions taken on or after that date shall comply with this order. Therefore, you should rescind any denial or discontinuance of AFDC benefits taken on or after December 1, 1983, related to this Order and to pay benefits as otherwise entitled. The amount of aid shall be based on the Maximum Aid Payment (MAP) for a Family Budget Unit (FBU) of one or two depending on whether or not the FBU includes the child's second parent (MPP Section 44-205.232) or stepparent (MPP Section 44-205.243).

The Department intends to promulgate MPP Division 44 regulations as soon as possible. In the meantime, this letter shall serve as the basis for compliance with the Order.

The Order further stipulates that the Department implement its retroactive provisions within 120 days. In order to do so, the Department is in the process of developing emergency MPP Division 50 regulations. It is anticipated that these regulations will be effective on or before February 1, 1984. We suggest that you begin to make any necessary arrangements in order to facilitate the implementation of these regulations.

Additional information concerning MPP Division 50 regulations will be provided to you as soon as possible so that you will have the maximum time to prepare for implementation.

If you have any questions concerning the prospective application of the Order, please contact Kay Poletti at (916) 322-5330. If you have any questions concerning the retroactive provisions, please contact Joe Carleton at (916) 322-5387.

*for*   
KYLE S. MCKINSEY  
Deputy Director

Attachment

cc: CWDA