

DEPARTMENT OF SOCIAL SERVICES

744 P Street  
Sacramento, CA 95814



July 11, 1983

ALL-COUNTY LETTER NO. 83-62

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ANGUS v. WOODS Preservation of Records

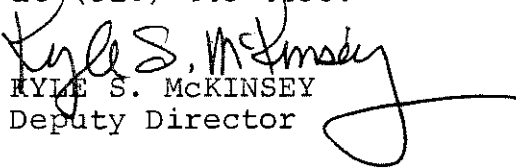
This letter transmits a copy of the order issued on June 30, 1983 by the United States District Court, Northern District of California, in the Angus v. Woods case (Attachment A).

The Angus case is a class action suit which was filed in 1978. On August 25, 1980, a classwide Preliminary Injunction was issued enjoining the Department from collecting willfully caused overpayments of AFDC from current grants. (See related All-County Letter No. 80-73, dated December 3, 1980). Regulations delineating the proper method of recoupment were issued effective May 1, 1981. These regulations were subsequently repealed on April 2, 1982 (Manual Letter No. 82-36, Rev. 177) pursuant to changes in federal law. The only issues remaining are with respect to retroactive relief for the affected class members. The Department has appealed the District Court order to the United States Court of Appeal for the Ninth Circuit. Concurrent with the appeal, the Department has requested a stay of the order. It is expected that a decision regarding the stay will be forthcoming soon and also that the Court of Appeal will issue its decision within the next few months.

The June 30 order enjoins the destruction of case files or other records for persons who were affected during the period August 31, 1977 to May 1, 1981. The persons affected are AFDC recipients from whom there was a recoupment of willful overpayment benefits. The order requires that you retain all existing records for this period, but it does not require that new lists or computer tapes be created.

Pursuant to the attached order, you are hereby instructed to comply with paragraphs one and two of the order.

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

  
KYLE S. MCKINSEY  
Deputy Director

Attachment