

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



March 25, 1988

ALL COUNTY LETTER NO. 88-33

TO ALL COUNTY WELFARE DIRECTORS

SUBJECT: RUTAN COURT ORDER AND IMPLEMENTATION METHODOLOGY

REFERENCES: ALL COUNTY LETTER NO. 86-45, 86-55, 86-84, 86-90, 86-117, 86-129 AND  
ALL COUNTY WELFARE DIRECTOR MEDS TRANSMITTAL OF JUNE 10, 1986

On February 19, 1988, Judge Michael E. Sallachey of the Superior Court for the County of Alameda signed the final order for the retroactive portion of the Rutan v. McMahon Court Case (see attached court order). The retroactive period covered by the court case is June 1, 1983 to July 31, 1986. Rutan class members were applicants for, or recipients of, AFDC during the retroactive period when they received a lump sum and spent all or part of the lump sum before receiving an adequate and timely written explanation of the lump sum rule.

Implementation is scheduled for August 1, 1988. An ACL with implementing instructions and materials will be sent out to the counties by July 1, 1988.

Notification of potential class members will be by two different methods. The method used will be determined by an individual county's ability to identify potential class members. In 40 counties referred to as "Mailing Counties," the potential class members will be identified by either manually searching existing computer listings or statistical reports, or by a specific computer generated report. The mailing counties will mail an Intent to Claim Form to identified class members on August 1, 1988. All mailing counties are instructed to compile a mailing list of all potential Rutan class members if they have not already done so. This mailing list may contain an overinclusive class of individuals, e.g., members of families who became ineligible due to the receipt of excess income. The mailing list once established must be updated with the most current addresses available before mailing to potential class members.

The "Mailing Counties" are: Alameda, Alpine, Amador, Calaveras, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Kern, Madera, Marin, Mendocino, Merced, Modoc, Mono, Monterey, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Tehama, Tulare, Ventura, Yolo, and Yuba.

The other 18 counties referred to as "Face to Face Counties," for the period of one year will identify potential class members at the time of application if the applicant had been on aid previously at any time during the retroactive period and by screening open caseloads at the time of annual redetermination for recipients who underwent a lump sum period of ineligibility.

The "Face to Face Counties" are: Butte, Colusa, Humboldt, Imperial, Inyo, Kings, Lake, Lassen, Los Angeles, Mariposa, Napa, San Benito, Shasta, Sierra, Siskiyou, Sutter, Trinity, Tuolumne.

If you have any questions about the Rutan Court Case, please call Mr. Vincent Toolan at (916) 324-2007.



ROBERT A. HOREL  
Deputy Director

Attachment