

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



September 19, 1990

ALL COUNTY LETTER NO. 90-88

TO: ALL COUNTY WELFARE DIRECTORS

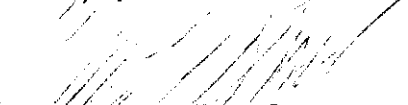
SUBJECT: BROWN V. MCMAHON COURT CASE

REFERENCE: ACL 85-73, ACL 86-138, ACL 90-27

On June 14, 1990, the U.S. Supreme Court ruled in the case of Sullivan v. Strop which directly impacted the Brown Court case in California. The Supreme Court in its decision held that Title II Social Security benefits do not constitute child support within the meaning of Federal law. Brown class members were assistance units who were receiving Title II benefits from the account of an absent parent. The District Court in Brown had granted a stay of its Court order pending a decision on Sullivan on the condition the class members be identified and notified about the court case. Counties identified Brown class members and sent the Brown informing notice (Temp 1771) to potential class members by the time the first AFDC check of May 1990 was mailed. Class members were advised through the use of the Brown informing notice to remain in contact with the County so that the class members could be easily located in the event that the Brown decision was upheld in Sullivan.

Since the Brown decision was not upheld in Sullivan, Counties are no longer required to maintain the addresses of Brown class members. Attached for County use is a recommended Important Notice (Temp 1781). Counties may at their option send out the attached Temp 1781 to inform recipients about the Sullivan decision.

If you have any questions about the result of the Brown Court case, please call Mr. Vincent Toolan at (916) 324-2007.

  
Robert A. Horel  
Deputy Director

Attachment