

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

Telephone: (916) 445-0633



July 31, 1981

ALL-COUNTY INFORMATION NOTICE I-93-81

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: DAVIS v. WOODS

REFERENCE:

On July 28, 1981, we informed you by telegram that Los Angeles Superior Court Judge Robert Weil had issued a Temporary Restraining Order in the case of Davis v. Woods.

The order restrains the Department of Social Services and all county welfare departments from:

"(1) Discontinuing, terminating or reducing the AFDC benefits of plaintiffs and all other AFDC recipients who are otherwise eligible and who are or who have in their families a dependent child 18-20 years old who is regularly attending school, college, university or technical or vocational training;

"(2) Failing to grant assistance to all AFDC applicants who are otherwise eligible and who are or have in their families a dependent child 18-20 years old who is regularly attending school, college, university or technical or vocational training."

A copy of the Temporary Restraining Order is attached for your information.

The Department is requesting from the Department of Finance the funds necessary to implement the provisions of the order.

TO ALL COUNTY WELFARE DIRECTORS

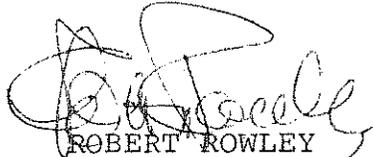
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July 31, 1981

A hearing on plaintiffs' request for a preliminary injunction has been set for August 12, 1981. Also set for the same time is a hearing on the issue of whether the Directors of Social Services and Finance should be held in contempt of court for allegedly failing to comply with the provisions of the Temporary Restraining Order.

We will keep you informed of developments in this matter that will require county action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Rowley", is written over a printed name. The signature is written in dark ink and is somewhat stylized.

ROBERT ROWLEY
Chief Deputy Director

cc: CWDA

Attachment

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LYNN J. GROSS, CEO,
Social Aid Foundation of Los Angeles
1510 West Eighth Street
Los Angeles, California 90017
(213) 487-3120

HARILYN KATE, Esq.
Western Center on Law & Poverty, Inc.
3535 West Sixth Street
Los Angeles, California 90020
(213) 487-7211

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

ICILDA DAVIS, HUNG HONG,

Plaintiffs,

vs.

MARION J. WOODS, Director of the
State Department of Social Services;
KYLE MCKINSEY, Deputy Director of
the State Department of Social
Services; DEPARTMENT OF SOCIAL
SERVICES, an agency of the State of
California; EDWARD G. BROWN, JR.,
as Governor of California; STATE OF
CALIFORNIA, a political entity,

Defendants.

NO.

ORDER TO SHOW CAUSE RE
PRELIMINARY INJUNCTION
AND TEMPORARY RESTRAIN-
ING ORDER

DATE:

TIME:

DEPT:

On reading the complaint and exhibits, supporting declarations,
and points and authorities on file in this action, and it appearing
to the satisfaction of the Court that this is a proper cause for
granting an order to show cause and temporary restraining order,
and that, unless a temporary restraining order issues, the
individual plaintiffs and all other California AFDC recipients
whose benefits will be terminated or reduced on August 1 due to

1 defendant's new AFDC policy will suffer irreparable injury and
2 their rights will be rendered meaningless before this matter can
3 be heard on a noticed motion, now, therefore

4 IT IS HEREBY ORDERED that the above-named defendants will
5 appear before this Court in Department , 111 North Hill Street,
6 Los Angeles, California on August 17 1981, at the hour of 9:00 a.m.,
7 then and there to show cause, if any they have, why they and each
8 of them and their agents, servants, employees, and representatives
9 should not be enjoined and restrained during the pendency of this
10 action from:

11 (1) Discontinuing, terminating or reducing the AFDC benefits
12 of plaintiffs and all other AFDC recipients who are otherwise
13 eligible and who are or who have in their families a dependent
14 child 18-20 years old who is regularly attending school, college,
15 university or technical or vocational training;

16 (2) Failing to grant assistance to all AFDC applicants who
17 are otherwise eligible and who are or have in their families a
18 dependent child 18-20 years old who is regularly attending
19 school, college, university or technical or vocational training.

20 IT IS FURTHER ORDERED that pending the hearing on the order
21 to show cause, defendants, their agents, officers, and employees
22 and representatives, and all persons acting in concert or parti-
23 cipating with them, including employees of county welfare depart-
24 ments, are hereby temporarily enjoined from enforcing, applying
25 or implementing a policy denying AFDC benefits to plaintiffs
26 Davis and Hoang and all other AFDC recipients and applicants who
27 are otherwise eligible solely because they are or they have in
28 their families a dependent child 18-20 years old who is regularly

1 attending school, college, university or technical or vocational
2 training but is not a full-time high school student.

3 IT IS FURTHER ORDERED that defendants Woods and McKinsey,
4 their successors in office, agents, officers, employees and
5 representatives shall effectuate the order by immediately with-
6 out delay, by ~~the court~~, today, July ²⁸ 28, 1981, with regard to
7 each and every one of their agents, the county welfare depart-
8 ments:

9 (1) informing them of this temporary restraining order;

10 (2) instructing them, pursuant to this order, to immediately
11 rescind or withhold the mailing to plaintiffs and all other AFDC
12 recipients and applicants of notices of action which would
13 terminate, reduce or deny benefits pursuant to defendants' policy
14 enjoined above;

15 (3) instructing them, pursuant to this order, to pay, on
16 August 1, 1981, all benefits due otherwise eligible recipients
17 and applicants on that date.

18 IT IS FURTHER ORDERED that copies of the Complaint, Declara-
19 tions, Memorandum of Points and Authorities and this Order to
20 Show Cause to be served on defendants not later than 7 days

21 after to hearing

22 Said service can be effectuated by serving copies of the
23 abovementioned document on Defendants' Counsel, the Attorney
24 General.

25 Let the above Order issue without plaintiffs filing a bond.

26 Dated: July 27, 1981

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JUDGE OF THE SUPERIOR COURT