

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



March 8, 2002

ALL-COUNTY LETTER NO. 02-12

TO: ALL COUNTY WELFARE DIRECTORS  
 ALL DISTRICT ATTORNEYS  
 ALL TITLE IV AGENCIES

REASON FOR THIS TRANSMITTAL

- State Law Change  
 Federal Law or Regulation  
 Change  
 Court Order  
 Clarification Requested by  
 One or More Counties  
 Initiated by CDSS

SUBJECT: RECORDS RETENTION

SUPERSEDES: ALL-COUNTY LETTER NO. 01-36

This All-County Letter is a reminder of the legal requirements for records retention and the identification of certain records which require extended retention periods.

A. Public Assistance Records

The California Department of Social Services Manual of Policies and Procedures (MPP) sets forth various retention periods for public assistance records. Generally, the regulations require that all public assistance (23-353), social service (10-119.2), and administrative claiming (25-815.38) records and their supporting documents be retained for three years from the date the State submits the last expenditure report to the Federal Department of Health and Human Services (HHS). Case record material must be retained for three years after the date the last State expenditure report has been made to HHS for the period the records were last used to document eligibility. MPP Sections 23-353 through 23-356 set forth the requirements for certain records which have retention periods which vary from the general rule. While the regulations must be reviewed for a complete listing, the most common occurrences are listed below. Some records require retention periods of more than three years. These include:

1. Records and their supporting documents must be retained when there is an open Federal or State audit. This includes those Federal audits in progress and pending issuance of final reports listed on Attachment I, those unresolved Federal audits listed on Attachment II, and the State Controller's Office audits listed on Attachment IV.\* Counties are to inform contractors providing social services to retain all necessary records for audits which have not been resolved/closed.

---

\* Records retention periods vary among unresolved State audits. See special instructions at the beginning of each category of State Controller's Office audits listed in Attachment IV.

2. Case records in which criminal or civil litigation was involved are to be retained for three years after the final claim is submitted for Federal reimbursement. These records include those which were used in the determination of eligibility, including denials, for the amount of retroactive benefits. Other records in the case must be retained in accordance with the requirements for public assistance records specified elsewhere in this letter. Attachment V lists court cases involving the California Department of Social Services (CDSS) which require the extended retention period.
3. The Form ABCD 278L, List of Authorizations to Start, Change, or Stop Aid Payments (or its equivalent), which bears the original initials or the original signature of the delegated county employee who authorized the specific action is identified as one of the records and supporting documents which must be retained in accordance with the retention period for the case record material.
4. The County shall retain Form ABCD 278L or its equivalent for a period of 10 years following closure in all cases where notification to do so by the Child Support Agency has been received.
5. County welfare warrants must be retained for five years. **Warrant registers must be retained for five years.\*\***
6. While not required by regulation, it is desirable that those AFDC/CalWORKs case records, and their supporting documents, identified by CDSS as federal sample quality control cases containing an error be retained until the federal sanction process is resolved for the applicable federal fiscal year. See Attachment VI.
7. Federal and/or state law and regulations require 18- or 24- and 60-month time limits on the receipt of aid and provide for exceptions to the time limit requirements; therefore, counties are required to track TANF and CalWORKS time on aid. Welfare case records that support the tracking of time on aid for CalWORKS recipients must be retained and transmitted to the statewide automated time limit tracking (Welfare Data Tracking Implementation Project [WDTIP]) system. Case records must be retained until the system is validated for completeness and accuracy. CDSS will instruct counties when this period has ended. **Please refer to ACL 03-01 for the specific time limit information that must be retained.**

---

\*\* AB 3472, Chapter 872, Statutes of Section 53 amends the 15 year retention period for warrant registers.

NOTE: Other records need not be retained in the case file as long as sufficient records/verifications are retained to meet federal quality control requirements for the AFDC/CalWORKs Program (AFDC Quality Control Manual Section 3000) and for the Food Stamp Program (FNS Quality Control Handbook 310, Chapter 5). Listed below are examples of those documents which may be purged from the case records:

8. Documents or evidence (photocopies) such as birth certificates and divorce papers provided by the recipient to establish eligibility may be purged (MPP Section 48-001.112) provided that there is a written record of the type of evidence and its pertinent content in conformance with Quality Control (QC) requirements. This notation would normally be made in the case narrative and shall also contain the following detail:
  - A. The type and source of document, its date (processed, signed, received or sent), any identification/serial numbers, and the volume and page number, if applicable.
  - B. Where the original document is located, if appropriate, such as a government office.
  - C. Any other pertinent information for Quality Control purposes from the document.

NOTE: Original documents should have been returned to the applicant/recipient. The county may choose to retain essential and non-essential documents in the case records in lieu of the documentation and purging discussed above. Retention would assure that all necessary information is in the case file.

9. Documents which were never used to document eligibility may be destroyed provided they have no potential of being used to take action on a case, including good cause determination or fair hearing process. For example, a note from an applicant canceling a meeting may be needed as evidence, should you determine a denial is appropriate based on noncooperation. However, once the eligibility determination is made and documented, the note would be of no value and may be destroyed.

---

\* See footnote on page 1.

10. Records which were used to document eligibility may be destroyed provided three years have passed since the last state expenditure report for that period has been submitted to HHS. These records must be retained longer when there are unresolved audits\* or court cases.
11. While not required by regulation, it is desirable that those cases identified by CDSS as Federal sample quality control cases containing an error be retained until the Federal sanction process is resolved for the applicable Federal fiscal year. See Attachment VI.

Attachment III lists closed audit records which may be flagged for destruction.

B. Food Stamp Records

There are two separate retention requirements for Food Stamp Program records. First, all program records are to be retained for a period of three years from the month of origin. Second, all fiscal records and accountable documents are to be retained for three years from the date of fiscal or administrative closure. This means that records such as, but not limited to transaction receipts, master issuance files, records-for-issuance for each month, authorization documents, cashier's daily reports, Notices of Change, Form FNS-250s (Food Coupon Accountability Report), Household Issuance Record cards, and tally sheets shall be retained for three years from origination. However, any documents or records which are involved in any billing or claim shall be retained for three years from the date of fiscal or administrative closure. For example, FNS-250s that do not result in a billing against the state agency shall be retained three years from the month of origin. But, FNS-250s that result in a billing must be retained for three years from the date that obligations for or against the Federal Government have been liquidated. Also, any records or documents that are involved in a fiscal \*audit or investigation must be retained for three years from the date the audit or investigation is closed.

To illustrate this point further, if an FNS-250 that originated prior to April 1992 had fiscal liabilities that were not settled until July 1994, that FNS-250 cannot be destroyed until August 1997. But, on the other hand, if the same FNS-250 had no fiscal involvement, it could be destroyed as of May 1995. Attachment III lists closed audit records which may be flagged for destruction.

---

\* See footnote on page 1.

Some records require retention periods of more than three years. These include:

1. Food Stamp (FS) program case records that are a part of an assistance case record must be retained in accordance with MPP Chapter 23-350. (See Part A of this letter.)
2. Records and their supporting documents for which there is an open Federal or State audit must be retained until resolution of the audit. This includes those federal audits in progress and pending issuance of final reports and the unresolved audits\* listed on Attachments I, II, and IV.
3. Case records in which criminal or civil litigation was involved are to be retained for three years after the final claim is submitted for federal reimbursement. Records which must be retained include those documents which were used in the determination of eligibility (including denials) and those used to determine the amount paid as retroactive benefits. Other documents in the case record must be retained in accordance with the requirements for public assistance records specified elsewhere in this letter. Attachment V lists court cases involving CDSS which require the extended retention period.
4. While not required by regulation, it is desirable that those FS program case records and their supporting documents, which have been identified by CDSS as federal sample quality control cases containing an error, should be retained until the federal sanction process is resolved for the applicable Federal fiscal year. See Attachment VI.

C. Title IV-D Child Support Records

Assembly Bill 196 (Kuehl), Chapter 478, Statutes of 1999, mandated the establishment of a new state Department of Child Support Services (DCSS) effective January 1, 2000, and vested in the DCSS Director, the authority to administer all services and perform all functions necessary to establish, collect, and distribute child support in California. To support the orderly transition of Child Support Enforcement Program (CSEP) administration from the California Department of Social Services (CDSS) to the DCSS, the CDSS continued to include record retention instructions pertinent to CSEP audits in its All County Record Retention Letters 00-34 (issued February 6, 2000) and ACL 00-74 (issued December 12, 2000).

---

\* See footnote on page 1.

Effective January 1, 2001, updated record retention instructions for the CSEP will be published in record retention letters issued by the DCSS.

Until new DCSS letters are available, all questions regarding retention of records necessary to support CSEP audits and lawsuits should be directed to Mr. Jessie Saenz , DCSS-Business Services Section, at (916) 464-5104.

Questions or comments regarding records retention involving court cases for specific programs should be addressed to the following persons representing those programs:

CalWORKs/Eligibility	Vince Toolan	(916) 654-1808
CalWORKs/Eligibility - Time Limit Issues	Charissa Miguelino	(916) 657-3665
CalWORKs/Welfare To Work	Milt Yee	(916) 657-5039
Food Stamps	Varaniece Hall	(916) 653-5208
Child Support	Jessie Saenz	(916) 464-5104

All questions or comments regarding records retention for audits contained in Attachments I-III, should be directed to Jerry Demorest of Information Security and Management Systems Branch (916) 657-3659. All questions and comments regarding record retention for audits contained in Attachment IV, should be directed to the Fiscal Policy Bureau at (916) 657-3440.

For general records retention questions, contact Shirley Trice at (916) 657-1912, or by e-mail at [shirley.trice@dss.ca.gov](mailto:shirley.trice@dss.ca.gov).

***Original Document  
Signed by Gloria Merk  
On 3/802***

GLORIA MERK  
Deputy Director  
Administration Division

c: CWDA

Attachments

FEDERAL AUDITS PENDING RELEASE OF FINAL AUDIT REPORTS

Programs Administered by the  
U. S. Department of Health and Human Services and  
by the U.S. Department of Agriculture

ID Number	Description	Audit/Review Period (1)	Status	State/County Agencies Affected	Records Required to Be Retained
PUBLIC ASSISTANCE RECORDS:					
HHS OIG* A-09-01 -00066	Audit AFDC Overpayments Since Conversion to TANF	10/01/96- 09/30/01	b	Los Angeles San Bernardino San Diego	B
SCO*	Audit Foster Care Payments Issued to Foster Family Agencies (FFA)	01/01/01 03/31/01	b	Los Angeles Sacramento	B
FOOD STAMP PROGRAM RECORDS:					
USDA-OIG*	Audit Food Stamp Program (FSP) Admin Claims For FFY 2001	10/01/00 09/30/01	b	Alameda Fresno Los Angeles	C & E

- 
- (1) If a single date is listed, it will be the date of the audit report.  
B Pertinent Foster Care Assistance Claims; supporting documentation; audit-related materials  
C Pertinent Administrative Expense Claims, supporting documentation and audit related materials.  
E Pertinent Food Stamp Program reports [e.g., F'S 46, 209, 250, 259, etc.]; supporting documentation; audit-related materials  
b Entrance conference completed; Field work in progress.  
\* New since ACL 01-36

FEDERAL AUDITS: FINAL AUDIT REPORTS ISSUED

Programs Administered by the  
U.S. Department of Health and Human Services and  
by the U.S. Department of Agriculture

ID	Audit/Review	State/County	Records			
Number	Description	Agencies	Exception			
	Period (1)	Affected	Amount (2)			
	Status		Required to			
			Be Retained			
<b>PUBLIC ASSISTANCE RECORDS:</b>						
ACF-OSS	Implementation	10/01/93	o	All Counties	Penalty	C & D
QTRS	Review-CA's	09/30/97				
	SACWIS System					
	(Child Welfare					
	Services-Case					
	Mgmt System)					
HHS-OIG	Audit CA's	07/01/94-	j	All Counties	\$ 9,449,053	C
A-09-	Title IV-E	12/31/95				
-96-	Training Costs					
-00066						
HHS-	Audit CA's	10/01/88-	j	Los Angeles	\$38,953,679	A & B
OIG-A-	Foster Care	09/30/91		Marin		
09-98-	Program (FC)			Riverside		
00075	Payments For			San Bernardino		
	FFY's 89,90			San Diego		
	and 91			Santa Clara		
<b>FOOD STAMP PROGRAM RECORDS:</b>						
WR-FNS*	FSP Access &	10/01/00	s	Orange	Programmatic	A
	Pmt. Accuracy	09/30/01		Santa Clara	Changes Only	
	FFY 2001			Tulare		

- 
- (1) If a single date is listed, it will be the date of the audit report.
- (2) County and State total of disallowed Federal funds identified in the final audit report; County/State share and grand total may change as a result of appeal(s).
- A Case records selected for audit; audit-related materials (e.g., county policy, procedures, correspondence, memoranda, etc., pertinent to the audit/review).
- B Pertinent Assistance Claims; supporting documentation; audit-related materials.
- C Pertinent Administrative Expense Claims, supporting documentation and audit related materials.
- D Pertinent ADP systems design, documentation and approvals: supporting documentation for ADP system-related costs claimed; audit related materials.
- j Appeal filed. DAB has granted ACF time to exhaust opportunities to settle appeal issues with CDSS.
- o CDSS negotiating audit clearance strategies with the ACF-OSS.
- s CDSS & Counties are implementing corrective action to resolve report findings.
- \* New since ACL 01-36

CLOSED FEDERAL AUDITS

Programs Administered by the  
U.S. Department of Health and Human Services

ID	Audit/Review	Audit Period(1)	Audit Agency	State/Co. Agencies Affected	Exception Amount	Records Required to Be Retained	Destruction Date**
PUBLIC ASSISTANCE RECORDS:							
CA-09- -99- -00052*	Audit/IV-E Protections For Wards Placed in Foster Care	09/01/98- 09/30/98	HHS-OIG	CDSS & Seven Counties (see Attachment IIIA)	Programmatic Changes Only	A,B, & G	06/30/04
A-09- -98- -00071*	Audit of CA's FC Rate Set Method For FFA's (Part III)	10/01/96- 09/30/97	HHS-OIG	CDSS & all FFA's	Programmatic Changes Only	B,C & G	06/30/04
A-09 -96- -00082*	Audit of CA's FC Rate Set Method For FFA's (Part II)	01/01/95- 12/31/95	HHS-OIG	CDSS & all FFA's	Programmatic Changes Only	B & K	06/30/04
A-09- -95- -00056*	Audit of Title IV-E (FC) Training Costs	04/01/92- 03/31/95	HHS-OIG	CDSS & LA Co.	\$ 3,934,717	C & K	03/31/95

- 
- (1) If a single date is listed, it will be the date of the audit report.
- A Case records selected for audit/review; audit-related materials (e.g., county policy, procedures, correspondence, memoranda, etc. pertinent to the audit/review).
- B Pertinent Assistance Claims; supporting documentation; audit-related materials.
- C Pertinent Administrative Expense Claims; supporting documentation, audit-related materials.
- G Pertinent Foster Care Program Reports; supporting documentation and audit related materials.
- K Fiscal/financial claims, reports, contracts, agreements, records, etc. which pertain to the audit; supporting documentation; audit related materials.
- \* New since ACL 01-36
- \*\* These records may be flagged for destruction on the date shown.
- \*\*\* Date Federal adjustment completed.

CLOSED FEDERAL AUDITS

Programs Administered by the  
U.S. Department of Health and Human Services and  
By the U.S. Department of Agriculture

ID	Audit/ Review	Audit Period(1)	Audit Agency	State/Co. Agencies Affected	Exception Amount	Records Required to Be Retained	Destruction Date**
PUBLIC ASSISTANCE RECORDS							
A-09- -96- -00071	Audit of CA's FC Rate Set Method For FFA's (Part I)	10/01/91- 09/30/95	HHS-OIG	15 Counties (Attachment IIIC)	\$15,693,626	A & B	06/30/03
DHHS ACF	CVR of IV-E Claims for Out-Of-State Foster Care Placements	10/01/98 12/31/98	Region IX ACF	Alameda, Los Angeles, and San Bernardino	Effectuated Counties Submitted Corrected Claims (07/31/99)***	C	07/31/02
FOOD STAMP PROGRAM (FSP) RECORDS:							
	Review FSP Access and Pmt. Accuracy	10/01/99- 09/30/00	WR-FNS	Alameda Los Angeles, Riverside	Programmatic Changes Only	A	10/30/04
27099- -11-SF	Audit CA's Food Ass't Program (CFAP)	10/01/97 12/31/98	USDA- OIG	CDSS & All Counties	Programmatic Changes Only	E	12/31/03
	State Agency Ops Review (SAOR) FFY 1998	10/01/97 09/30/98	WR-FNS	8 Counties (See- Attachment III B)	Programmatic Changes Only	A & E	12/31/03

- 
- (1) If a single date is listed, it will be the date of the audit report.
- A Case records selected for audit/review; audit-related materials (e.g., county policy, procedures, correspondence, memoranda, etc. pertinent to the audit/review).
- B Pertinent Assistance Claims; supporting documentation; audit-related materials.
- C Pertinent Administrative Expense Claims, supporting documentation and audit related materials.
- E Pertinent Food Stamp Program reports [e.g., F'S 46, 209, 250, 259, etc.]; supporting documentation; audit-related materials.
- \*\* These records may be flagged for destruction on the date shown.
- \*\*\* Date Federal disallowance withdrawn or adjustment completed.

COMPLIANCE AUDIT OF TITLE IV-E PROTECTIONS FOR  
WARDS PLACED IN FOSTER CARE  
CA-09-99-00052

Alameda  
Los Angeles  
Riverside  
Sacramento  
San Bernardino  
San Diego  
Santa Clara

Western Region-Food and Nutrition Service (WR-FNS)'  
Food Stamp Program  
California State Agency Operations Review (SAOR) For FFY 1998

Fresno (Report Issued In 5/98)  
Los Angeles (Report Issued In 8/98)  
Merced (Report Issued In 7/98)  
San Bernardino (Report Issued In 11/98)  
San Diego (Report Issued In 3/99)  
San Francisco (Report Issued In 4/98)  
San Joaquin (Report issued In 6/98)  
Sacramento (Report Issued In 6/98)

AUDIT OF CALIFORNIA'S  
FOSTER FAMILY AGENCY CLAIMS (PART I)

A-09-96-00071

Alameda  
Butte  
El Dorado  
Kern  
Los Angeles  
Orange  
Sacramento  
San Bernardino  
San Diego  
San Francisco  
San Joaquin  
San Luis Obispo  
Santa Clara  
Shasta  
Stanislaus

COUNTY EXPENSE CLAIMS (CEC)  
COST VALIDATION AUDITS AND REVIEWS

Attachment IV lists unresolved CEC Cost Validation Audits (CVA) performed by the SCO prior to December 31, 1991 and CEC COST VALIDATION REVIEWS (CVR) performed by the CDSS. Total amounts are cited for all audit exceptions in the CVA reports. However, total exception amounts are not specified in CVR reports because in many instances, the county determines the total cost.

Separate lists exist for each stage of resolution. Please see notes at the beginning of each list.

The county must retain pertinent CEC and supporting documentation for the audit periods noted below. Supporting documentation includes whatever records are necessary to support costs posted on the CEC, and which directly or indirectly relates to all exceptions/questioned costs.

---

IV. A FINAL REPORT ISSUED

At this stage, fieldwork has been completed and a final report has been released identifying exceptions/questioned costs. There are no CVA or CVR reports in this category as of 4/15/99.

---

IV. B PROTEST PENDING

At this stage, a final report has been issued, a protest has been filed by the affected county and a final protest decision is still pending clarification from the Department of Health and Human Services.

CEC COST VALIDATION AUDITS AND REVIEWS

---

IV. C APPEAL FILED; HEARING PENDING

At this stage, a formal hearing has been completed for one or more exceptions or questioned costs, but a final appeal decision is still pending. There are no CVA's or CVR's in this category as of 04/15/99.

---

IV. D APPEAL HEARD; DECISION PENDING

At this stage, a formal hearing has been completed for one or more exceptions or questioned costs, but a final appeal decision is still pending. There are no CVA's or CVR's in this category as of 04/15/99.

---

IV. E EXCEPTIONS HELD FOR APPLICATION

At this stage, the exceptions have been sustained but are pending development of an approved application methodology. Decision letters have been issued and none of the exceptions/questioned costs have been appealed. There are no CVA's or CVR's in this category as of 04/15/99.

---

#### IV. F EXCEPTIONS IN APPLICATION

At this stage, actions are being taken to adjust claims so that there will be a proper State, County, and Federal share of costs claimed and to collect or pay any amounts due. After all State and County adjustments have been applied, these CVA's and CVR's will be transferred to the "Applied" list and a record destruction date will be assigned after the final state expenditure report implementing the appeal decision is sent to the DHSS.

IV. G EXCEPTIONS CLEARED/APPLIED

At this stage, all necessary State and County adjustments have been applied and the final state expenditure report implementing the audit exceptions has been sent to the DHHS. Destruction dates for records pertinent to these CVA's and CVR's are specified below.

<u>COUNTY</u>	<u>AUDIT AGENT</u>	<u>AUDIT PERIOD</u>	<u>RECORDS DESTRUCTION</u>
ALAMEDA	CDSS	07/93-09/95	12/24/04
BUTTE	CDSS	09/94 QUARTER	09/08/02
COLUSA	CDSS	06/95 QUARTER	04/28/05
CONTRA COSTA	SCO	07/77-06/79	08/21/02
CONTRA COSTA	SCO	07/79-06/80	08/21/02
CONTRA COSTA	SCO	07/80-06/83	08/21/02
EL DORADO	CDSS	03/94 QUARTER	09/15/02
KERN	CDSS	12/93-03/95	09/30/04

---

IV. G EXCEPTIONS APPLIED (CONTINUED)

<u>COUNTY</u>	<u>AUDIT AGENT</u>	<u>AUDIT PERIOD</u>	<u>RECORDS DESTRUCTION DATE</u>
LOS ANGELES DPSS	CDSS	12/95-03/96	04/03/05
LOS ANGELES DPSS ADMINISTRATIVE	SCO	07/77-06/80	06/10/02
LOS ANGELES DPSS ADMINISTRATIVE	SCO	07/80-06/82	08/21/02
LOS ANGELES DAPSS ADMINISTRATIVE	SCO	07/84-06/86	06/12/02
LOS ANGELES DPSS	SCO	07/86-06/88	06/16/02
LOS ANGELES DPSS	SCO	07/85-06/88	06/12/02
LOS ANGELES DPSS	SCO	07/76-06/77	06/10/02
MENDOCINO	CDSS	06/94-06/96	09/17/02
ORANGE	SCO	07/79-06/88	08/21/02
ORANGE	SCO	07/85-06/88	08/21/02
ORANGE	SCO	09/93 QUARTER	02/22/02
SACRAMENTO DHA	CDSS	10/92 –12/94	08/01/02
SACRAMENTO DHA	CDSS	07/93 –06/94	02/21/02
SACRAMENTO DHHS	CDSS	03/94 QUARTER	10/31/02

---

IV. G EXCEPTIONS APPLIED (CONTINUED)

<u>COUNTY</u>	<u>AUDIT AGENT</u>	<u>AUDIT PERIOD</u>	<u>RECORDS DESTRUCTION DATE</u>
SAN DIEGO	CDSS	01/93 -03/95	10/11/02
SAN DIEGO	CDSS	06/93-12/95	04/03/05
SAN FRANCISCO	CDSS	12/93 QUARTER	10/24/02
SAN JOAQUIN	CDSS	01/93-03/95	05/30/02
SHASTA	SCO	10/77-06/80	10/30/02
SHASTA	SCO	07/80-06/8	7/13/02
SHASTA	SCO	07/85-06/88	7/11/02
SOLANO	CDSS	10/93-12/95	10/11/02
STANISLAUS	CDSS	01/93-03/95	10/11/02
T ULARE	SCO	07/81-06/85	04/13/02
TULARE	SCO	07/85-06/87	04/13/02
TULARE	CDSS	10/91-12/94	06/26/02
TULARE GAIN	CDSS	04/93-06/95	08/11/02
VENTURA	CDSS	04/93-/6/95	06/23/02
VENTURA	CDSS	03/95-06/95	04/28/05
YOLO	CDSS	09/94 QUARTER	02/24/02

---

**IMPORTANT NOTICE !**

**AS OF ACL 96-47, THIS SECTION, ATTACHMENT V - COURT CASES, HAS BEEN REVISED. NEW AND PENDING COURT CASES (FORMERLY SECTION B) WILL NOW BE LISTED IN SECTION A. COURT CASES IN WHICH FINAL JUDGEMENTS HAVE BEEN ISSUED (FORMERLY SECTION A) ARE NOW LISTED IN SECTION B. CLOSED, DISMISSED OR SETTLED COURT CASES WILL CONTINUE TO BE LISTED IN SECTION C. IN MOST INSTANCES, AS COURT CASES PROGRESS, THEY WILL INITIALLY APPEAR IN SECTION A, THEN MOVE TO SECTION B, AND, FINALLY, TO SECTION C. ADDITIONALLY, THE HEADINGS AND DESCRIPTIONS IN SECTIONS A, B AND C HAS BEEN REVISED.**

COURT CASES

A. NEW COURT CASES AND PENDING COURT CASES

The following new court cases and pending court cases require extended public assistance case records retention as indicated.

<u>COURT CASE</u>	<u>REFERENCE ACL#</u>	<u>REFERENCE ACIN#</u>	<u>PROGRAM COVERED</u>	<u>PERIOD OF RECORDS COVERED</u>
<u>Bass v. Anderson</u>	98-33		Foster Care	4/1/92 to 5/15/98
<u>Miller and Community Services for the Disabled</u> v. <u>Woods</u> (and payment to spouses: WRO v. McMahon)	84-58 90-48	I-37-84	IHSS	11/12/78 to Present

<u>COURT CASE</u>	<u>REFERENCE ACL#</u>	<u>REFERENCE ACIN #</u>	<u>PROGRAM COVERED</u>	<u>PERIOD OF RECORDS COVERED</u>
<u>Miller, et.al. v. Carlson</u>	91-89 91-114 92-61 92-201 93-20		GAIN, CalWORKs, NET	6/7/91 to Present
<u>Tyler v. Anderson</u>			IHSS	1/1/78 to Present

**SEE "IMPORTANT NOTICE" AT TOP OF ATTACHMENT V, PAGE 1**

**B. COURT CASES IN WHICH A FINAL JUDGEMENT HAS BEEN ISSUED**

A final judgement has been issued in the following court cases. All public assistance case records previously retained for these court cases may now be destroyed except for those that were used in the determination of eligibility, or ineligibility.

NOTE: Public assistance case records associated with these court cases must be retained only for those recipients who filed a claim and did so within the claming period established by the court. If a claim was not filed within this period the case record need not be retained beyond the general retention requirements for public assistance case records specified in this ACL.

<u>COURT CASE</u>	<u>REFERENCE ACL#</u>	<u>REFERENCE ACIN#</u>	<u>PROGRAM COVERED</u>	<u>PERIOD OF RECORDS COVERED</u>
<u>Andreyeva v. Anderson</u>	00-62		CalWORKs	11/1/96 to 12/31/97
<u>Rush v. Anderson</u>			CalWORKs	4/94 to 5/01
<u>Anderson v. Saenz</u>	00-06		CalWORKs/ FoodStamp	1/1/98 to 12/31/99
<u>Nickols v. Saenz</u>	00-78		CalWORKs	9/97 to 12/01
<u>Dominikas v. Saenz</u>	01-15		CalWORKs	11/97 to 03/01

**SEE "IMPORTANT NOTICE" AT TOP OF ATTACHMENT V, PAGE 1**

**C. CLOSED, DISMISSED OR SETTLED COURT CASES**

The following court cases have been closed, dismissed or settled. **There is no longer a need to retain public assistance case records related to these court cases except in accordance with the general retention requirements for public assistance case records specified in this ACL .**

<u>COURT CASE</u>	<u>REFERENCE ACL#</u>	<u>REFERENCE ACIN#</u>	<u>PROGRAM COVERED</u>	<u>PERIOD OF RECORD COVERED</u>
<u>CCWRO v. McMahon</u>	92-03 94-109		GAIN, AFDC GAIN	7/1/85 to 10/1/90
<u>Crary v. Mc Mahon</u>	90-86 91-42	1-14-91		12/1/86 to 3/31/92
<u>Hang v. McMahon</u>			GAIN	10/29/89 to 2/28/93
<u>Jacobson v. McMahon</u>	90-68 91-56 92-03 93-37	I-47-91 I-67-92	GAIN	5/9/87 to 8/28/93
<u>Lomeli v. Saenz</u>			Food Stamps	3/1/00 to present
<u>Lopez v. Espy</u>	98/99-13		Food Stamps	7/30/93 to 9/1/96
<u>Vang v. Healy</u>			Food Stamps	4/1/89 to 4/30/92
<u>Yslas v. McMahon</u>	90-70 92-03 94-110	1-67-92	GAIN	10/18/87 to 9/30/93

FEDERAL SAMPLE QUALITY CONTROL SANCTION PROCESS NOT COMPLETED 1/

<u>Federal Fiscal Year (FFY)</u>	<u>Programs</u>	<u>Affected Counties*</u>
1995	AFDC	ALL
1996	AFDC	ALL
1997	Food Stamp	ALL
1998	Food Stamp	ALL

1/ Beginning with FFY 1997, there will be no federal fiscal sanctions based on quality control error rates in the AFDC/TANF Program.

\* Counties with federal QC sample error cases should retain these cases until the federal sanction process is completed. Counties will be notified of the resolution dates.