STATE OF CALIFORNIA - HEALTH AND WELFARE AGENCY

EDMUND G. BROWN JR., GOVERNOR

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

December 31, 1979

ALL-COUNTY LETTER NO. 79-85 (AFDC Coordination Bur)

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ROJAS V. WOODS

REFERENCE:

On November 7, 1979, the Los Angeles Superior Court, in the case of Rojas v. Woods, Civil #C300183, issued a classwide Preliminary Injunction enjoining DSS and all county welfare departments (CWD) from:

> "continuing to penalize the named plaintiff and all other AFDC applicants similarly situated under the provisions of EAS Section 41-440.21 so that they are denied benefits because of the circumstances of job separations occurring prior to application provided the applicants are otherwise eligible for benefits, and subject to future offset in the event it is ultimately determined the named plaintiff and all others similarly situated are not to have been entitled to such benefits."

Pursuant to the court's order, all CWDs must immediately cease imposing any period of ineligibility under MPP Section 41-440.21 upon any FBU because the applicant quit his/her job prior to application. Additionally, any such period of ineligibility which was in effect on or after November 7, 1979 must be rescinded and benefits must be provided as of that date, if otherwise eligible, as though no penalty under MPP Section 41-440.21 had been imposed. Persons receiving benefits as a result of this injunction must be informed that they are subject to future offset should the regulation ultimately be upheld.

The Preliminary Injunction applies only to MPP Section 41-440.21 and is effective during the pendancy of the Rojas case which challenges the validity of that regulation. DSS is appealing this case and will notify the CWDs of any new developments that require CWD action.

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

MARION J. WOODS
Director

cc: CWDA