STATE OF CALIFORNIA - HEALTH AND WELFARE AGENCY

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814
(916) 322-5387

September 28, 1983

ALL-COUNTY LETTER NO. 83- 102

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: ZAPATA v. WOODS

REFERENCE: ALL COUNTY LETTER 80-50, DATED AUGUST 21, 1980

This letter is to advise you of the current status of the Zapata v. Woods class action lawsuit and to request that you take certain actions in anticipation of compliance with the court's ruling in this matter. This suit was brought to challenge the validity of the denial of AFDC benefits to caretaker relatives whose only children receive SSI/SSP. (See MPP Section 44-205.23)

On April 18, 1981, the court awarded a judgment to the plaintiffs in this matter. The judgment prohibited further application of MPP Section 44-205.23 and ordered retroactive aid back through January 27, 1975. On November 30, 1982, the Court of Appeal affirmed the trial court's decision and on March 16, 1983, the California State Supreme Court denied this Department's petition for hearing. Although a petition for writ of certiorari has been filed with the United States Supreme Court, it appears that compliance with the trial court's decision will be required.

The portion of this judgment not stayed pending appeal is the requirement that each county preserve and maintain all records of applications for AFDC, notices of action, and fair hearing decisions which contain information with respect to any case which was denied or discontinued as a result of MPP Section 44-205.23. In our All-County Letter (ACL) No. 80-50, dated August 21, 1980, we requested that you preserve all closed case records pertaining to the individuals in question in order that eligibility for benefits could be determined when necessary. You should continue to preserve such closed case records and "flag" any such cases incoming at this time.

In order to assure compliance with the portion of the judgment described above as contained in ACL No. 80-50 and to assist in the development of cost estimates regarding the anticipated implementation of the court's decision, we have developed the attached brief report form (Attachment A). It must be completed and returned to the State Department of Social Services by November 10, 1983.

If you have any questions concerning this matter, please contact Joe Carleton at (916) 322-5387.

Kyle S. McKinsey

KYLE S. McKINSEY
Deputy Director

cc: CWDA

Attachment

State of California
Health and Welfare Agency

Department of Social Services

Attachment A

ZAPATA v. WOODS

Response Form[1]

	Denials	Discontinuances
1. Complete for retained records readily identifiable or indexed as Zapata related.		
a. Number of cases known.		
b. Number of cases retrievable.		
c. Average number of minutes to retrieve each case.		
d. Records retained for period beginning:	/ (Month) (Year)	/ (Month) (Year)
e. Retrieval by EW's or clerical staff?		
f. What identification/indexing system used?[2]		
g. If unretrievable, reason(s) for cases being unretrievable.		
2. Complete for retained AFDC records not identified or indexed as Zapata related, that would require hand-search to identify and retrieve as Zapata related.		
a. Number of case records (count separate volumes) to search.		
b. Average number of minutes to identify case as Zapata related and retrieve it.		
c. Identification and retrieval by EW's or clerical staff?		
d. Records retained for period beginning:	/ (Month) (Year)	/ (Month) (Year)
e. Explain special problem(s) in identifying and/or retrieving a case as Zapata related.		
3. Complete for AFDC records not identified or indexed (described in 2 above) that would require hand search to retrieve in response to individual claims filed by recipients.		
a. Average number of minutes to retrieve each case.		
b. Search by EW or clerical?		
c. Explain any special problems in retrieving a claimant's case.		

1 If estimated, please asterisk items.
2 For example, denial code = Zapata-related.

Return completed form to: AFDC Program Development Bureau
State Department of Social Services
744 P Street, M.S. 16-25
Sacramento, CA 95814

Attention: Joe Carleton

Your Name (PRINT)	Date
Signature	Phone Number
County	