

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



April 2, 1987

ALL COUNTY LETTER NO. 87-49

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: BALDERAS v. McMAHON

REFERENCES: ACL NO. 81-8, ACL NO. 81-31
MPP Section 40-181.18, MPP Section 40-181.2

On January 5, 1987, the Superior Court of the State of California for the County of Los Angeles issued the Final Judgment in the Balderas v. McMahon Court Case (copy attached). The Balderas Order sets forth procedures (in paragraphs 1.a. through 1.h.) to be followed when a complete CA 7 is not received by the 11th of the month. Many of the provisions in this Order are already contained in MPP Sections 40-181.18 and 40-181.2 and the All County Letters (ACL) referenced above, which remain in effect (copies of ACL 81-8 and ACL 81-31 are attached for your convenience). Highlighted in this ACL are new provisions which must be implemented immediately.

1. Recipient Contact - CA 7 Not Submitted

- a. Prior to the final Balderas Order, when a recipient did not submit a complete CA 7 after the appropriate Notice of Action had been sent, the CWD was required to attempt a telephone call to remind the recipient that the CA 7 must be submitted. If the recipient couldn't be reached by telephone, a written reminder notice was required, to be mailed no later than six days prior to the end of the month, and not to be mailed in the same envelope as the Notice of Action. This reminder requirement was also satisfied if the same information was transmitted to the recipient during the course of a home visit or in a face-to-face meeting at the welfare office. The CWD was required to document in the case file how and when the reminder contact was made.
- b. Section 1.c. of the Balderas Order requires that the reminder notice be mailed no later than five days (rather than six), prior to the end of the month.

2. Good Cause Determination

- a. Prior to the final Balderas Order, regulations required that when a recipient who was discontinued for failure to submit a complete CA 7 reapplied for AFDC after the first working day of the payment month, the CWD must, upon request by the recipient, make a good cause determination pursuant to MPP Section 40-181.233. If the recipient was found to have good cause for failure to submit a complete CA 7, the CWD was required to rescind the termination and restore aid, upon submission of the complete CA 7 without a loss of benefits, except as required by information supplied on the CA 7.

- b. Section 1.f. of the Balderas Order now requires that CWDs make a good cause determination pursuant to MPP Section 40-181.233 in every case where a recipient who has been discontinued for failure to submit a complete CA 7 reapplies for AFDC during the payment month but after the first working day. A notation shall be made in the case file where it is found that no good cause exists.

3. CWD Notification of Late CA 7 Filing to Other Governmental Entities

- a. Prior to the final Balderas Order, ACL 81-31 required that CWDs delay notifying the District Attorney's (DA) Child Support Unit and the Employment Development Department (EDD) of the recipient's CA 7-related discontinuance until after the first calendar day of the payment month.
- b. Section 1.h. of the Balderas Order requires that CWDs delay notifying the DA Child Support Unit and any employment or training program, where participation is contingent on AFDC eligibility, of the recipient's CA 7-related discontinuance until after the first working day of the payment month.

4. Mandatory Reminder Notice

The Balderas Order mandates use of the attached NA 960X, NA 960Y, and reminder notice. Therefore, instructions for their use are attached.

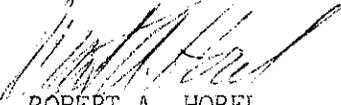
5. Statistical Survey

CWDs should note that the Balderas Order requires the Department of Social Services to conduct a statistical survey (see Section 1.j.). This study will be initiated between January and June 1988. CWDs will be notified when their involvement in the aforementioned statistical survey is required.

6. Regulations

As a result of the Balderas settlement, it will be necessary to amend existing regulations. Those amendments are currently being drafted and will be made through the normal regulatory adoption process.

If you have any questions about this policy or the use of the attached materials, please contact Kay Poletti of the AFDC and Food Stamp Policy Implementation Bureau at (916) 324-2725.


ROBERT A. HOREL
Deputy Director

Attachments

cc: CWDA

ATTACHMENTS

1. Balderas Judgement Pursuant to Stipulation, Granting Peremptory Writ of Mandate
2. All County Letter No. 81-8
3. All County Letter No. 81-31
4. Instructions
5. Forms
 - a. NA 960X (1/85)
 - b. NA 960X (5/87)
 - c. NA 960Y (1/84)
 - d. NA 960Y (5/87)
 - e. Reminder Notice

1 BYRON J. GROSS
2 LEGAL AID FOUNDATION OF LOS ANGELES
3 1636 West Eighth Street, Suite 313
4 Los Angeles, California 90017
5 Telephone: (213) 389-3581

6 MARK H. GREENBERG
7 WESTERN CENTER ON LAW & POVERTY, INC.
8 3535 West Sixth Street
9 Los Angeles, California 90020
10 Telephone: (213) 487-7211

11 Attorneys for Petitioners

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 FOR THE COUNTY OF LOS ANGELES

14 RUBY BALDERAS, et al,) Case No. CA 000627
15)
16) Petitioners,) JUDGMENT, PURSUANT TO
17)) STIPULATION, GRANTING
18 vs.) PEREMPTORY WRIT OF
19)) MANDATE
20 LINDA MCMAHON, et al,)
21)
22) Respondents.)
23)
24)

25 INTRODUCTION

26 This lawsuit was commenced on July 18, 1980 as a class
27 action complaint for injunctive and declaratory relief, and
28 petition for writ of mandate, alleging that respondents'
regulations pertaining to the termination of benefits for
failure to comply with monthly reporting regulations in the
Aid to Families With Dependent Children (AFDC) Program
violated state and federal law.

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JAN 5 1987

COUNTY CLERK

1 On December 1, 1980, a class was certified consisting
2 of:

3 All California AFDC recipients otherwise
4 eligible for AFDC whose AFDC grants and/or
5 food stamp allotments are or will be
6 delayed or discontinued as a result of
7 respondent's regulation stated in EAS Manual
8 Section 40-181.22, which authorizes county
9 welfare departments to discontinue the
10 grants of AFDC recipients whose monthly
11 eligibility reports (CA7) are not completed
12 and returned by the 5th of the month.

13 On December 22, 1980, a Preliminary Injunction was
14 ordered, which was modified by a Supplemental Order Re
15 Preliminary Injunction entered on April 14, 1981.
16 Procedures established by this Supplemental Order remain in
17 effect as of the date of this judgment. These procedures
18 require, in part, that county Welfare Offices make a
19 reminder contact prior to terminating recipients for failure
20 to submit a complete monthly report (form CA7), that a
21 complete report submitted on the first calendar day of the
22 month after the month when due shall effect a rescission of
23 any termination, and that recipients who must reapply for
24 assistance after being terminated for a monthly reporting
25 violation shall not be required to produce duplicate
26 documentation if it is already included in their files.

27
28 //

1 In accordance with the Stipulation for Entry of
2 Judgment (hereafter "Stipulation") submitted by the parties
3 hereto,

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

5 1. That a peremptory writ of mandate issue under the
6 seal of this Court in accordance with the following terms:

7 a. When a recipient has not submitted his/her CA7 to
8 the county welfare department (hereafter, CWD) by the day of
9 the month when the report is due (which day is presently the
10 11th), the CWD will send a notice of action informing the
11 recipient that his/her AFDC benefits will be terminated
12 effective the end of the month, unless he/she submits a
13 complete CA7 by the first working day of the following
14 month. The notice shall include the information on the NA
15 960X which pertains to the subject matter of this case, as
16 shown on Exhibit A or Exhibit B, attached hereto. This
17 judgment does not affect the respondents' right to modify
18 language on the NA 960X, (a) in respects which do not
19 pertain to the subject matter of this case or (b) in
20 accordance with agreement of the parties or order of the
21 court in Turner v. McMahon, CV No. C81 4457 TEH, U.S.
22 District Ct., N.D.Cal., concerning the adequacy of
23 Department of Social Services Notices of Action.

24 The question of the due date for the CA7, as
25 opposed to procedures for treatment of late CA7s, is beyond
26 the scope of petitioners' complaint. Therefore, this
27 judgment does not establish or reflect an agreement or
28

1 concession by the parties hereto, or a finding by the court,
2 that the 11th constitutes a fair and equitable date for
3 receipt of reports, or that any other date would or would
4 not be fair and equitable. However, the court finds that
5 the specific procedures set forth in this stipulated
6 judgment are fair and equitable in the context of a system
7 where report forms are due on the 11th of the month; such
8 finding does not mean that those procedures may or may not
9 be fair and equitable in the context of any other report due
10 date. Respondents shall, for a four year period, beginning
11 with the date of entry of this judgment, provide written
12 notice to petitioners' counsel, of not less than 60 days,
13 before changing the due date for receipt of CA7s to any date
14 earlier than the 11th of the month.

15 b. When a recipient submits a CA7 to the CWD but said
16 CA7 is not complete as required by Manual of Policies and
17 Procedures (MPP) Sec. 40-181.24, the CWD will send a notice
18 of action informing the recipient that his/her AFDC benefits
19 will be terminated effective the end of the month, unless
20 he/she completes the CA7 and submits it by the first working
21 day of the following month. The notice shall include the
22 information on the NA 960Y which pertains to the subject
23 matter of this case, as shown on Exhibit C or Exhibit D,
24 attached hereto. This judgment does not affect the
25 respondents' right to modify language on the NA 960Y, (a) in
26 respects which do not pertain to the subject matter of this
27 case or (b) in accordance with agreement of the parties or
28 order of the court in Turner v. McMahon, supra.

1 c. When a recipient has still not submitted a complete
2 CA7 after the appropriate notice of action has been sent,
3 the CWD shall attempt to reach the recipient by telephone to
4 remind him/her that the CA7 must be submitted. If the
5 recipient cannot be reached by telephone, a written reminder
6 notice must be mailed to the recipient. The reminder notice
7 must contain the language set forth in Exhibit E hereto.
8 The reminder notice must be mailed no later than 5 days
9 prior to the end of the month, and must not be mailed in the
10 same envelope as the notice of action. This requirement of
11 a reminder telephone call or letter is also satisfied if the
12 same information is transmitted to the recipient during the
13 course of a home visit or in a face-to-face meeting at the
14 welfare office. The CWD must document in the case file how
15 and when the reminder contact was made.

16 d. Complete CA7s which are submitted to the counties
17 as late as the first working day of the month following the
18 month when due (i.e., the payment month) will trigger a
19 rescission of any termination action which has been taken.
20 There will be no loss of benefits to the recipient, except
21 as required by information supplied on the CA7, provided
22 that notice is given in accordance with applicable state and
23 federal law. This provision does not affect the imposition
24 of the penalties for late reporting referred to in Manual of
25 Policies and Procedures section 40-181.221, insofar as the
26 issue of the legality of said penalties has previously been
27 held to be beyond the scope of this case by order of the
28 court dated March 16, 1982.

1 e. The CWD must inform recipients who contact it on
2 the first of the payment month and state that they have not
3 received their check whether they have been terminated for
4 failure to submit a complete CA7 and, if so, that they can
5 submit a complete CA7 by the end of the day to prevent the
6 termination action from taking effect.

7 f. When a recipient who has been discontinued for
8 failure to submit a complete CA7 reapplies for AFDC during
9 the payment month but after the first working day, the CWD
10 shall make a good cause determination pursuant to MPP
11 Section 40-181.233. If the recipient is found to have good
12 cause for failure to submit a complete CA7, the termination
13 shall be rescinded and the recipient shall be restored to
14 eligibility upon submission of the missing CA7 in complete
15 form. The recipient shall be restored to eligibility
16 without a loss of benefits, except as required by
17 information supplied on the CA 7, provided that notice is
18 given in accordance with applicable state and federal law.
19 This provision does not affect the imposition of the
20 penalties for late reporting referred to in Manual of
21 Policies and Procedures section 40-181.221, insofar as the
22 issue of the legality of said penalties has previously been
23 held to be beyond the scope of this case by order of the
24 court dated March 16, 1982. If the recipient is found not
25 to have good cause for failure to submit a complete CA7,
26 this shall be noted in the file and the recipient shall be
27 required to reapply.
28

1 g. When a recipient who has been discontinued for
2 failure to submit a complete CA7 reappplies for AFDC at any
3 time during the payment month, the CWD may not require the
4 recipient to furnish any documentation previously provided
5 to the county, unless such documentation is absent from the
6 existing file or new circumstances indicate the need for
7 additional documentation.

8 h. The CWD shall delay notifying the District
9 Attorney's Child Support Unit and any employment or training
10 program where participation is contingent on AFDC
11 eligibility of the recipient's CA7-related discontinuance
12 until after the first working day of the payment month, thus
13 eliminating the need for recipients whose discontinuance has
14 been rescinded to be referred again to the DA or to
15 experience an interruption in their employment or training
16 program.

17 i. Respondents will provide petitioners' counsel with
18 copies of the ABCD 253 reports for a period of two years
19 commencing with the entry of the judgment herein.

20 j. Commencing at least one year, but not longer than
21 eighteen months, from the entry of the judgment herein,
22 respondents will conduct a statistically significant survey
23 regarding the effects of the procedures set forth in this
24 judgment. At least ninety days prior to conducting this
25 survey, respondents shall inform petitioners' counsel in
26 detail of the methodology to be used for the survey. If
27 petitioners are not satisfied with respondents' proposal for
28 the conduct of the survey, the parties shall attempt to

1 reach agreement as to their areas of disagreement. If the
2 parties cannot reach agreement, then respondents shall
3 conduct a survey identical in methodology to the survey
4 conducted during the months of May and June, 1981, pursuant
5 to the Supplemental Order Re Preliminary Injunction in this
6 case, and, at least 30 days prior to conducting the survey,
7 shall inform petitioners' counsel in detail of the
8 methodology to be used. Once the survey has been completed,
9 respondents shall promptly furnish the results of said
10 survey to petitioners' counsel. Data, calculated on a
11 statewide basis, shall include:

12 (1) The number of cases in which notices of
13 action for failure to submit a CA7 were sent each
14 month, broken down by notices sent for non-receipt of
15 CA7s and notices sent for incomplete CA7s.

16 (2) The number of cases in which reminder
17 contacts were made, broken down by telephone call,
18 personal contact, or written notice.

19 (3) The number of cases in which complete CA7s
20 were submitted on the first working day of the payment
21 month.

22 (4) The number of cases which were actually
23 terminated for failure to submit a complete CA7.

24 (5) For each day of the payment month, the number
25 of cases terminated at the end of the prior month for
26 failure to submit a complete CA7, in which
27
28

1 reapplication for AFDC was made and in which the
2 assistance unit was found to have good cause for
3 failure to report.

4 (6) For each day of the payment month, the number
5 of cases terminated at the end of the prior month for
6 failure to submit a complete CA7, in which
7 reapplication for AFDC was made and in which the
8 assistance unit was found not to have good cause for
9 failure to report, but was found to still be eligible.

10 (7) For the cases in item (6), the average number
11 of days between reapplications and the approval of the
12 reapplications.

13 (8) For the cases in item (6), the average number
14 of days between reapplications and the issuance of
15 checks for the month of reapplication.

16 (9) For the cases in item (6), the reasons why
17 complete CA7s were not submitted on time.

18 k. Respondents shall provide retroactive benefits to
19 the petitioners in the amount of the AFDC benefits which
20 they would have received for the days after they were
21 terminated from AFDC due to their alleged failure to submit
22 a complete CA7 and prior to the commencement of their grants
23 upon re-application, for the months referred to in the First
24 Amended Complaint herein. Said retroactive payments shall
25 be made within 90 days of the date when said petitioners
26 submit a request to respondents.
27
28

1 1. Within 90 days of the date when the judgment herein
2 is entered, respondents shall issue an All County Letter
3 informing the counties that a permanent writ of mandate has
4 been agreed to in this case and informing the counties of
5 all procedures which must be followed in accordance with
6 this judgment. At least 20 days prior to the issuance of
7 this All County Letter, respondents shall provide
8 petitioners' counsel with a draft copy for their review. If
9 the parties are unable to agree on mutually satisfactory
10 language for the All County Letter, petitioners may seek
11 relief from the Court, which may determine whether the All
12 County Letter complies with the terms of this judgment.

13 2. That the procedures and policies established
14 pursuant to this Judgment are prospective only, effective
15 upon entry of judgment, except to the extent that such
16 policies and procedures were required by the preliminary
17 injunction herein. Nothing herein, or by virtue of such
18 judgment, is intended or should be construed as a concession
19 by respondents or an adjudication by the court that any acts
20 or failures to act by respondents are or have been unlawful
21 or unfair in any regard.

22 3. That all causes of action against respondents
23 George Deukmejian, as Governor of California and the State
24 of California, a political entity are hereby dismissed.

25 4. That all allegations concerning the plaintiff class
26 and all causes of action for declaratory relief and for
27 permanent injunctive relief pursuant to Code of Civil
28 Procedure Sections 526 and 527 are hereby dismissed.

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



February 3, 1981

ALL-COUNTY LETTER NO. 81-8

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: BALDERAS V. WOODS

REFERENCE:

On December 22, 1980, a preliminary injunction was issued in the case of Balderas v. Woods (Los Angeles Superior Court, CA 000627), a copy of which is attached. The department and county welfare departments have been enjoined from "terminating benefits of AFDC recipients solely because their monthly CA-7 reporting form is not received or is received in a form considered incomplete and from suspending benefits without attempting to make personal contact with the recipients." You shall comply with this preliminary injunction beginning with the February report month.

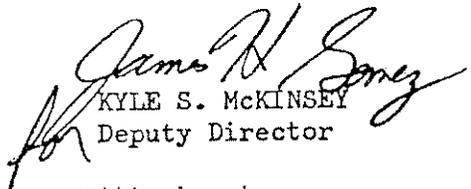
Counties must attempt to make a ~~telephone call~~ to all recipients who have failed to return their complete CA-7. Since all recipients might not be reachable by telephone because they do not have a telephone, there is no answer, or the person responsible for submitting the CA-7 is not at home, such recipients must be mailed a written notice (suggested language attached). The personal contact (i.e. telephone call or letter) should inform the recipient to submit the complete CA-7 and specify the date by which this information/documentation must be received. The personal contact requirement is also satisfied if the same information is transmitted to the recipient during the course of a home visit or a face-to-face meeting at the welfare office. Counties must document in the case file how and when personal contact was made.

All current CA-7 notification requirements remain in effect. The personal contact procedures described above must allow the recipient at least five days to respond before the effective date of the discontinuance.

The Department plans to develop proposed regulations to address requirements under Balderas v. Woods as well as federal regulatory requirements on monthly reporting. We will keep you informed of any further developments requiring action by the county.

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

Sincerely,


KYLE S. MCKINSEY
Deputy Director

Attachment

cc: CWDA

3-11-80
Pud
12/30/80

1 BYRON J. GROSS, ESQ.
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Los Angeles, California 90003
3 Telephone: (213) 971-4102

4 JOHN E. McDERMOTT, ESQ.
MARILYN KATZ, ESQ.
5 WESTERN CENTER ON LAW & POVERTY
3535 West Sixth Street
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Telephone: (213) 487-7211

7 Attorneys for Plaintiffs/Petitioners
8

ORIGINAL FILED
DEC 30
COUNTY CLERK

DEC 29 1980

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF LOS ANGELES

11
12 RUBY BALDERAS, MARY FISHER, JULIA)
PALMER, WELFARE RIGHTS ORGANIZATION,)
13 on behalf of themselves and all)
others similarly situated,)
14 Plaintiffs/Petitioners,)

CLASS ACTION

CA 000627

PRELIMINARY INJUNCTION

15 vs.

16 MARION J. WOODS, Director of the State)
Department of Social Services;)
17 DEPARTMENT OF SOCIAL SERVICES, an)
agency of the State of California;)
18 EDMUND G. BROWN, JR., as Governor of)
California; STATE OF CALIFORNIA, a)
19 political entity,)
20 Defendants/Respondents.)
21

22 The above matter came on for hearing on December 22,
23 1980, pursuant to an order to show cause re preliminary injunc-
24 tion issued by the Court on December 8, 1980. Byron Gross and
25 Marilyn Katz appeared as counsel for plaintiffs and James E.
26 Ryan appeared as counsel for defendants.

27 On proof being made to the satisfaction of the Court,
28 the Court finds that Welfare and Institutions Code § 11265 is

1 mandatory. Therefore, a preliminary injunction is granted
2 preventing defendants from denying benefits of members of
3 the plaintiff class without personal contact with the
4 recipient.

5 IT IS HEREBY ORDERED that during the pendency of this
6 action, or until the final determination thereof, or until the
7 Court shall otherwise order, the Defendants, their successors
8 in office, agents, assigns, employees, and all persons acting
9 in concert with them or subject to their control and supervision,
10 shall be, and hereby are, enjoined and restrained from terminat-
11 ing benefits of AFDC recipients solely because their monthly
12 CA-7 reporting form is not received or is received in a form
13 considered incomplete and from suspending benefits without ^{at least}
14 ^{to} making personal contact with the recipients.

15 Bond is waived.

16
17 DATED: _____

DEC 22 1980

18
19 _____
20 Judge of the Superior Court

ATTENTION: YOUR MONTHLY ELIGIBILITY REPORT IS OVERDUE

Case Name:
Case Number:
Worker:
Phone:
Date:

I have not received your completed monthly eligibility report (CA-7) which was due on the 5th of this month. Because I could not reach you by telephone, I am sending you this reminder. You may either mail the completed CA-7 or bring it to the County Welfare Department office. If I do not receive your completed CA-7 by the last day of this month, you will not receive a cash grant next month.

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



March 27, 1981

ALL-COUNTY LETTER NO. 81-31

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: BALDERAS v. WOODS

REFERENCE: ALL COUNTY LETTER 81-8

On February 3, 1981, we issued All County Letter No. 81-8 which explained certain county activities required by the December 22, 1980 preliminary injunction in the case of Balderas v. Woods. The Department instructed counties to implement the court order by requiring a telephone call, written notice or face-to-face meeting to or with recipients.

In a contempt hearing held on February 25, 1981, the Superior Court agreed with plaintiffs' argument that the procedures outlined in ACL 81-8 did not fully meet the terms of the preliminary injunction. Although the court stated that the Department had acted in good faith in implementing the preliminary injunction and did not find the Director in contempt, the court ordered that additional steps be taken. These procedures and practices must be in effect no later than April 1, 1981. Therefore, except as specified in procedure 7, the procedures described below apply to all cases in which a notice of discontinuance effective March 31, 1981 has been issued due to failure to return the February 1981 CA 7 report. All procedures are to remain in effect until further notice:

1. Complete CA 7's which are received by the counties as late as the first calendar day of the month following the month when due shall result in a rescission of the CA 7-related discontinuance, provided that the recipient continues to be eligible based on CA 7 information. This, in effect, extends the maximum period for receipt of a complete CA 7 by one day. For example, if a complete CA 7 for March is received by the first calendar day of the payment month (by May 1, the month following the month when due), the discontinuance must be rescinded. If it is received on or after May 2, the discontinuance stands.

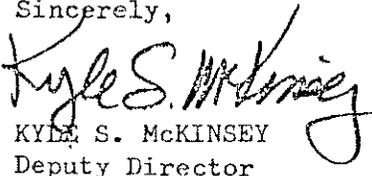
2. When recipients who were discontinued request a restoration at any time during the payment month (in the example above, May), counties may not require the recipient to furnish any documentation previously provided to the county, unless such documentation is absent from the existing file or new circumstances indicate the need for additional documentation.
3. The personal contacts described in ACL 81-8 continue to be required. The court has additionally required, however, that when a reminder notice is sent, it shall be mailed in a separate envelope from the Notice of Action.
4. Counties shall delay notifying the District Attorney's (DA) Child Support Unit and the Employment Development Department (EDD) of the recipient's CA 7-related discontinuance until after the first calendar day of the payment month, thus eliminating the need for recipients whose discontinuance has been rescinded to be referred again to the DA or EDD.
5. When recipients call on the first calendar day of the payment month to report nonreceipt of their warrant, counties shall determine whether a discontinuance has occurred for failure to return a complete CA 7. If that is the case, counties shall inform recipients that in order to prevent the discontinuance from taking effect, they must submit a complete CA 7 by the end of the day.
6. Counties must add the following statement to Notices of Action discontinuing cash grants because a complete CA 7 has not been received - Forms ABCD 239.10X and 10Y:

"You can avoid this termination, if you are otherwise eligible, by making sure that the county gets your completed monthly eligibility report (CA 7) by the first calendar day of next month."
7. The Department must estimate the fiscal impact of suspending, rather than terminating, aid during the payment month when CA 7-discontinued recipients request a restoration within the payment month. To obtain the necessary data, a survey is being prepared by the Department's Statistical Services Branch. It includes a representative number of counties rather than all 58 counties. The survey will include two months of data. Selected counties are being contacted under separate cover.

The above court-ordered provisions will not increase assistance costs. Extending the CA 7 deadline by one day has the same effect as the current practice of restoring these cases effective the first calendar day of the month. In either event assistance is paid for a full month.

If you have any questions regarding the survey, please call Shirley Opie, Statistical Services Branch at (916) 322-5462. Any other questions should be directed to your AFDC Program Management Consultant at (916) 445-4458.

Sincerely,


KYLE S. MCKINSEY
Deputy Director

cc: CWDA

INSTRUCTIONS
BALDERAS CONTACTS

NA 960X

Use this notice of action, when a recipient has not submitted the CA 7 by the 11th day of the month the report is due. This notice informs the recipient that his/her AFDC benefits will be terminated effective the end of the month, unless he/she submits a complete CA 7 by the first working day of the following month.

The language on Exhibit A, NA 960X (1/84), may be used until April 30, 1987. Effective May 1, 1987, pursuant to the Turner Implementation Standards, the language on Exhibit B, NA 960X (5/87), must be used. Counties may use the new language prior to May 1, 1987.

NA 960Y

Use this notice of action to inform the recipient, who submits a CA 7 that is not complete, that his/her AFDC benefits will be terminated effective the end of the month, unless he/she completes the CA 7 and re-submits it by the first working day of the following month.

The language on Exhibit C, NA 960Y (1/84), may be used until April 30, 1987. Effective May 1, 1987, pursuant to the Turner Implementation Standards, the language on Exhibit D, NA 960Y (5/87), must be used. Counties may use the new language prior to May 1, 1987.

Balderas Reminder Notice (CA 1027 (2/87))

Use this reminder notice when a recipient has still not submitted a complete CA 7 after the appropriate notice of action has been sent.

If a recipient cannot be reached by telephone, this reminder notice or a notice containing the language set forth in this notice must be mailed to the recipient no later than 5 days prior to the end of the month. The reminder notice must be mailed in a separate envelope.

The attached reminder notice may be used until April 30, 1987 as is, or counties may print only the circumstance that applies (i.e., the first box or the second box). However, the message language cannot be changed.

Effective May 1, 1987, pursuant to the Turner Implementation Standards, this reminder notice must be displayed using the Turner Notice of Action format. That is, replace the heading NOTICE OF ACTION with REMINDER NOTICE, retain the address and case information, retain the "Question? Ask your worker" and remove the state hearing information. The Turner Handbook updates will follow under separate cover and will be numbered M40-181C.

Exhibit A

Notice of Action

If you have questions or want more information about this action, please contact your worker.

Case Name :
Case Number :
Worker :
Phone :
Date of Notice :

We have not received your monthly report (CA 7) due this month.

Your Food Stamps Cash Aid will stop effective _____. To stop this action, provide your complete CA 7 so that we receive it by the first working day of next month.

If we get your complete CA 7 by _____, we will send you your benefits on time.

Even if you stop this action by getting your CA 7 in, your benefits will be up to 10 days late next month.

Penalty For Families With Earned Income (Cash Aid Only). Even if you stop this action by getting your CA 7 in, you will not get credit for your work expense disregards because you failed to report or verify all earned income on time. Work expense disregards are the standard work expense, dependent care expense, and the \$30 and 1/3 earnings disregards. If you had a good reason for being late, this penalty will not be applied. You must tell your worker the reason.

Medi-Cal. If your Medi-Cal eligibility changes, we will tell you before we make the change.

Regulations. This action is required by the following State regulations which are available for your review at the County Welfare Department.

Manual of Policies and Procedures: 40-105.1, 40-181.22, 44-113.2 (Cash Aid); 63-504.27, 63-504.3 (Food Stamps).

Child Support. The District Attorney's Office can help you locate an absent parent, legally establish your child's paternity, and collect child support. To obtain or continue these services, you must ask the District Attorney's Office.

Family Planning Services. Information is available from the County Welfare Department on request.

State Hearing. If you are dissatisfied with this action, your benefits may continue unchanged if you ask for a State Hearing before the effective date of this action. Read the back for important information about your right to appeal this action.

NOTICE OF ACTION

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
Case Name : _____
Number : _____
Worker Name : _____
Number : _____
Telephone : _____
Address : _____

(ADDRESSEE)



Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

The county has not received your monthly report (CA 7) due this month.

Your Food Stamps Cash Aid will stop as of _____

To stop this action, you must send or bring in your complete CA 7. The county must receive it no later than the first working day of next month.

Cash Aid Penalty for Families with Earned Income.
You have not met the deadline for reporting or verifying all your earned income (the 11th of the month). You will not get credit for your earned income disregards unless you had a good reason for being late. Tell your worker the reason.

You will get another notice about your Medi-Cal.

Rules: These rules apply. You may review them at your welfare office: MPP 40-105.1, 40-181.22, 44-113.2 (Cash Aid); 63-504.27, 63-504.3 (Food Stamps).

Notice of Action

If you have questions or want more information about this action, please contact your worker.

Case Name :
Case Number :
Worker :
Phone :
Date of Notice :

The monthly report (CA 7) you sent us this month is not complete.

Your Food Stamps Cash Aid will stop effective _____. To stop this action, provide your complete CA 7 so that we receive it by the first working day of next month. You must:

- Complete the circled items on the enclosed CA 7, and send or bring it to this office.
- Send or bring to this office the following information:

- If we get your complete CA 7 by _____, we will send you your benefits on time.
- Even if you stop this action by getting your CA 7 in, your benefits will be up to 10 days late next month.

Additional Information Requested (Food Stamps Only). In addition to doing the above, you must give us the following information so that we can figure out the amount of your food stamps. You must get this information to us by the first working day of next month. If we ask for proof of an expense and you do not give it, the expense will not be allowed. Also, if you do not give other information we ask for, your food stamps may be decreased or stopped.

Penalty (Cash Aid Only). Even if you stop this action by getting your CA 7 in, you will not get credit for your work expense disregards because you failed to report or verify all earned income on time. Work expense disregards are the standard work expense, dependant care expense, and the \$30 and 1/3 earnings disregards. If you had a good reason for being late, this penalty will not be applied. You must tell your worker the reason.

Medi-Cal. If your Medi-Cal eligibility changes, we will tell you before we make the change.

Regulations. This action is required by the following State regulations which are available for your review at the County Welfare Department.

Manual of Policies and Procedures: 40-105.1, 40-181.22, 40-181.24, 44-113.2 (Cash Aid); 63-504.27, 63-504.3 (Food Stamps).

Child Support. The District Attorney's Office can help you locate an absent parent, legally establish your child's paternity, and collect child support. To obtain or continue these services, you must ask the District Attorney's Office.

Family Planning Services. Information is available from the County Welfare Department on request.

State Hearing. If you are dissatisfied with this action, your benefits may continue unchanged if you ask for a State Hearing before the effective date of this action. Read the back for important information about your right to appeal this action.

Exhibit D

NOTICE OF ACTION

COUNTY OF _____

STATE OF CALIFORNIA
HEALTH AND WELFARE AGENCY
DEPARTMENT OF SOCIAL SERVICES

Notice Date : _____
 Case Name : _____
 Number Worker Name : _____
 Number : _____
 Telephone : _____
 Address : _____

(ADDRESSEE)



Questions? Ask your Worker.

State Hearing: If you think this action is wrong, you can ask for a hearing. The back of this page tells how. Your benefits may not be changed if you ask for a hearing before this action takes place.

The monthly report (CA 7) you sent in this month is not complete.

Your Food Stamps Cash Aid will stop as of _____

To stop this action, you must send or bring in a complete CA 7. The county must receive it no later than the first working day of next month. You must:

- Complete the circled items on the enclosed CA 7, and send or bring it to your worker.
- Send or bring to your worker the following information:

Food Stamps - Additional Information Needed.
 In addition, you must give the county the following information so the amount of your food stamps can be figured. You must get this information to the county by the first working day of next month. If you were asked for proof of an expense and you do not give it, the expense will not be allowed. Also, if you do not give the County other information asked for, your food stamps may be decreased or stopped.

Cash Aid Penalty for Families with Earned Income.
 You have not met the deadline for reporting or verifying all your earned income (the 11th of the month). You will not get credit for your earned income disregards unless you had a good reason for being late. Tell your worker the reason.

You will get another notice about your Medi-Cal.

Rules: These rules apply. You may review them at your welfare office: MPP 40-105.1, 40-181.22, 40-181.24, 44-113.2 (Cash Aid); 63-504.27, 63-504.3 (Food Stamps).

REMINDER NOTICE

CASE NAME:
CASE NUMBER:
WORKER:
PHONE:
DATE:

YOUR MONTHLY ELIGIBILITY REPORT (CA 7) IS OVERDUE.

Your CA 7 was due on the fifth of this month.

I did not get it.

I got it but it was not complete.

I could not reach you by telephone, so I am sending you this reminder.
You may either mail your completed CA 7 or bring it into your County Welfare Office.

If I do not get your completed CA 7 by the first working day of next month, you will not get a cash grant next month.