

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 22, 1988

ALL-COUNTY LETTER NO. 88-36

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY COUNSELS

SUBJECT: AB 1733 AND HANSEN v. McMAHON

REFERENCE: THIS ALL-COUNTY LETTER (ACL) SUPERSEDES
ACL'S 86-60 AND 86-77

This is to provide you with the latest information regarding the provisions and status of the Hansen v. McMahon lawsuit.

As you know, AB 1733, Chapter 1355, Statutes of 1987 became operative February 1, 1988. AB 1733 provides homeless assistance in the form of a nonrecurring special needs allowance for the costs of temporary shelter to qualifying Aid to Families with Dependent Children (AFDC) applicants and recipients. Refer to ACL 88-04 for implementation regulations.

AB 1733 also amends Welfare and Institutions Code (WIC) Section 16501 to specify that child welfare services emergency shelter care is available only for the purpose of providing shelter for children following removal from their families when these measures are necessary to protect the children from abuse, neglect, or exploitation.

Although the Hansen v. McMahon injunction has not been formally dismissed in court, Counties are no longer obligated to provide shelter for homeless families using child welfare services funds and should not use child welfare services funds for this purpose. Counties should provide benefits to those families who are eligible under AB 1733, however, if a family does not qualify for aid under AB 1733, there is no obligation to provide child welfare services emergency shelter care. Referrals to other public or private agencies for shelter assistance are appropriate.

We will keep you informed as further developments occur. If you have any questions regarding this matter, please contact your County's Adult and Family Services Operations Consultant at (916) 445-0623.

Sincerely,



LOREN D. SUTER
Deputy Director
Adult and Family Services

cc: County Welfare Directors Association