

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



August 30, 1994

ALL-COUNTY LETTER NO. 94-71

TO: ALL COUNTY WELFARE DIRECTORS

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: WELCH v. ANDERSON COURT ORDER IMPLEMENTATION

REFERENCES: ACL 94-58, 94-60, 94-68

On August 30, 1994, the Superior Court ruled that the California Department of Social Services (CDSS) did not have a stay of its preliminary injunction of August 19, 1994. The Court specifically ordered that counties are to rescind the September 1994 2.3 percent reduction in the AFDC Maximum Aid Payment (MAP), which was enacted by a two-thirds vote of the California State Legislature and which is included in the Assistance Payments Demonstration Project, an approved Federal Demonstration Project.

The Court also mandates us to instruct you to pay back any portion of the 2.3 percent already imposed. The court has ordered counties that make two payments to clients in one month to pay back benefits by September 15, 1994. Counties that pay only once a month are to pay back benefits by October 1, 1994. Counties are instructed to take all necessary steps to ensure that these requirements are met.

CDSS has appealed the preliminary injunction to the California Supreme Court.

This letter transmits the TEMP 2076, a poster required by the court as part of the Welch v. Anderson court case. The court case requires that Temp 2076 be posted in county welfare offices from September 1, 1994 through September 30, 1994. Counties are to make enough copies to post one in each county welfare office.

You may modify the poster to meet county specific needs. Without prior approval, you may designate a county contact and/or eliminate the paragraph regarding supplemental check issuance that is not county appropriate.

If you have any questions, please contact:
Mr. Vince Toolan at (916) 654-1808 or CALNET 464-1808 or
Ms. Elizabeth Allred at (916) 657-3350 or CALNET 464-3350.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael C. Genest". The signature is written in dark ink and is positioned above the typed name.

MICHAEL C. GENEST
Deputy Director
Welfare Programs Division

Attachment

WELFARE MAY OWE YOU MONEY

On September 1, 1994, a change in state law lowered your cash aid. A court said that the county cannot lower your cash aid now.

If your county sends out checks once a month, you will get another check by October 1, 1994, for the money we kept in September.

If your county sends out two checks a month, you will get a check by September 15, 1994, for the money we kept in September.

IMPORTANT

In the future, the court may say the county was right to lower your cash aid. If the court does, you may have to pay the county back.

ES POSIBLE QUE EL DEPARTAMENTO DE BIENESTAR LE DEBA DINERO

El 1º de septiembre de 1994, un cambio en la ley estatal redujo su asistencia monetaria. Una corte indicó que el condado no puede reducir su asistencia monetaria ahora.

Si su condado envía los cheques una vez al mes, usted recibirá otro cheque a más tardar el 1º de octubre de 1994, para reembolsarle el dinero que no le dimos en septiembre.

Si su condado envía dos cheques al mes, usted recibirá un cheque a más tardar el 15 de septiembre de 1994, para reembolsarle el dinero que no le dimos en septiembre.

IMPORTANTE

En el futuro, es posible que la corte indique que el condado tenía la razón al reducir su asistencia monetaria. Si es así, es posible que usted tenga que devolverle el dinero al condado.