

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



May 30, 1986

• ALL COUNTY LETTER NO. 86-44

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: NOIA v. McMAHON

REFERENCE: All-County Letter (ACL) No. 86-37, Eligibility and Assistance Standards (EAS) 44-111.437, 44-113.13

In ACL No. 86-37, you were informed that on May 6, 1986, the United States District Court for the Eastern District of California issued an order in the case of Noia v. McMahon. The order enjoins the Department from enforcing the above-cited regulations. These regulations require that nongovernmental loans available to meet current needs be treated as income when computing Aid to Families with Dependent Children (AFDC) grants. ACL No. 86-37 instructed counties to begin flagging affected cases effective May 1, 1986.

The purpose of this letter is to provide you with specific instructions and materials necessary to implement the terms of the Noia preliminary injunction. The counties must identify and notify all cases in which aid has been reduced, denied, terminated, granted, or where an overpayment has been assessed, at the reduced amount, due to the effect of the challenged regulations cited above.

In addition to the detailed implementing instructions, the following implementation materials are attached:

1. A reproducible copy of the Informing Notice to affected cases in English (Spanish version to come on approximately June 15, 1986).
2. A reproducible copy of the Notices of Action in English (Spanish version to come on approximately June 15, 1986).
3. Instructions on completing Notices of Action.
4. Compliance Reporting Form.

GEN 654 (2/82)

If you have any questions regarding the Implementing Instructions, Informing Notice or Notices of Action, please contact Jim Mullany of the AFDC/FS Policy Implementation Bureau at (916) 324-2661.

for Robert Horel
for ROBERT A. HOREL
Deputy Director

Attachments

cc: CWDA