



# NEWS RELEASE

California Department of Social Services

FOR IMMEDIATE RELEASE  
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Contact: Michael Weston  
(916) 657-2268

## ***CalWORKS Overpayment Policy Change Will Protect Children From the Debts of Former Caregivers***

SACRAMENTO- The Department of Social Services (CDSS) today announced changes in CalWORKs overpayment collections from children. As outlined in an agreement to settle *Hartley V. Lightbourne*, CDSS Director Will Lightbourne issued a directive to counties to discontinue overpayment collections from children who have moved into new families.

“Implementing this change will ensure that debt doesn’t follow a child from one family to another. The debt will stay with the adult who received the overpayment,” said Director Lightbourne.

The litigation filed in November of last year challenged the validity of regulations which authorized the collection of an overpayment from a minor who changed from one assistance unit to another. Under federal law, those overpayment collections were previously required, but are now discretionary.

CDSS has directed counties to immediately discontinue all current collection actions against these children via grant reduction, or other collection methods, and to forego pursuit of repayment from minors who were receiving cash aid in a previous assistance unit when an overpayment occurred.

State overpayment collection efforts will focus on the parent or caregiver who received the overpayment. CDSS will also amend the applicable regulations to be consistent with the change in policy.

This action follows an action taken January 6, 2012 by CDSS to halt the collection of CalWORKS overpayments from children who were minors at the time the overpayment occurred, but are now adults no longer associated with the overpaid assistance unit.

A copy of the latest all county letter can be viewed on the CDSS website at the following link. [All County Letter 12-23](#)

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