

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814
(916) 445-6907



November 14, 1983

ALL-COUNTY LETTER NO. 83-116

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: UPDATE ON SALDIVAR v. McMAHON

REFERENCE: ALL-COUNTY LETTER NO. 83-110, DATED OCTOBER 21, 1983

This letter supplements the information provided in the referenced All-County Letter concerning the implementation of Monthly Reporting/Retrospective Budgeting (MR/RB) in the Food Stamp Program and corresponding changes in the AFDC Program.

The October 28, 1983 hearing in the case Saldivar v. McMahon has been postponed until December 2, 1983, and the nature of the proposed action has been changed from a preliminary injunction to a final decision. The court has also advised SDSS that a ruling will be made by December 9, 1983. Because the hearing was postponed, we remain under the Temporary Restraining Order, and the printing of notices of action required for the implementation of MR/RB must proceed in accordance with that order. The following information is provided for the affected forms:

1. State supplies of the DFA 377.1, DFA 377.2 and the DFA 377.4, all with the NA Back 3, will be available in the DSS Warehouse December 15, 1983. To ensure that orders can be filled as soon as the supplies are received, counties should submit orders, limited to a two-month supply, during the week of December 12, 1983.
2. Counties which use continuous paperstock with blank front sides and a single Notice of Action Back for automated notices (e.g. NA 990), must continue to use paperstock with the NA Back 3 and with the current message on the front concerning hearing rights.
3. Counties which print individual notices of action must proceed with the printing of the DFA 377.1, DFA 377.2 and DFA 377.4, using the NA Back 3.

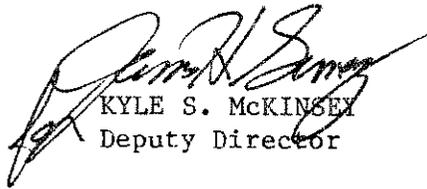
The master copies required to print these forms were provided with All County Letter 83-110. Regardless of the outcome of the December 2, 1983 hearing these forms will be usable. Counties will be advised of the court's decision and will be provided any additional instructions resulting from the decision by the week of December 12, 1983.

Another aspect of Saldivar v. McMahon is the possible prohibition from implementing the provisions for delayed benefits. As a result, the attached form instructions for the NA 960X and NA 960Y direct counties to disregard the portions of the forms dealing with delayed benefits. Until advised otherwise, neither box concerning the timing of issuing benefits is to be checked.

Other Forms

Attached for use by counties printing their own forms are masters of the Spanish translations for the DFA 285-A2, DFA 377.5, NA 960X and NA 960Y which were not included in ACL 83-110.

Should you have any questions, please contact your Food Stamp Program Corrective Action Consultant at (916) 322-5475, or the AFDC Policy Implementation Bureau at (916) 322-5330.



KYLE S. MCKINSEY
Deputy Director

cc: CWDA

Attachment