

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



August 13, 1997

ALL COUNTY LETTER NO. 97-44

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR TRANSMITTAL

- State Law Change
- Federal Law Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by CDSS

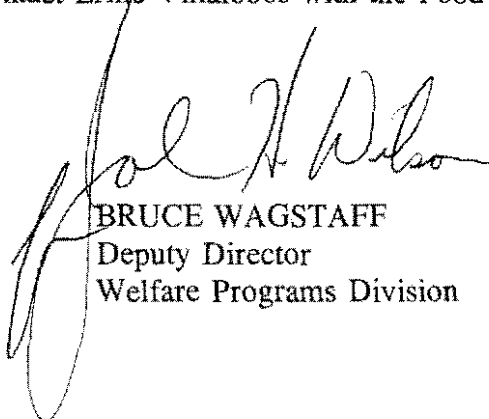
SUBJECT: HIXENBAUGH vs. ANDERSON COURT ORDER

REFERENCE: Food Stamp Program Manual Section (M.S.) 63-502.2(j).

As specified in a California Superior Court Order in the case of Hixenbaugh vs. Anderson, dated June 12, 1997, the California Department of Social Services is required to remind County Welfare Departments (CWDs) of the proper treatment in the Food Stamp Program of child support payments collected by the Family Support Division of the District Attorney's Office (FSD).

In accordance with the court order, CWDs are reminded that child support payments collected by FSD in a month when a household (HH) was not receiving food stamp benefits, and paid to the HH in a subsequent month when the HH was receiving food stamp benefits, are considered a resource in the month received. Pursuant to M.S. 63-502.2(j), such a nonrecurring lump sum is not to be treated as income.

If you have any questions, please contact Ernie Villalobos with the Food Stamp Program Bureau at (916)657-1680.



BRUCE WAGSTAFF
Deputy Director
Welfare Programs Division