



IN BRIEF

BOB CAMPBELL GOES TO DEPARTMENT OF FINANCE - Long-time CDSS lawyer, Robert Campbell, has taken a job with the State Department of Finance as its Chief Counsel. Representing CDSS's legal interests, Bob was involved in a large part of the welfare litigation filed over the past 25 years.

LOS ANGELES COUNTY DOES NOT REPORT AS REQUIRED BY STATE REGULATIONS - Los Angeles County continues to defy State regulations which requires quarterly reporting for Expedited Services Food Stamps, ABAWDS and Homeless Assistance monthly reports. In early November, CCWRO informed Liza Nunez, Chief Deputy Director of DPSS, that DPSS was not meeting their State-mandated reporting responsibilities. As of this week's bulletin, DPSS continues to ignore it's reporting responsibilities.

UNSPENT TANF MONEY - GAO-03-1094, a report from the United States General Accounting office, reveals that at the end of fiscal year 2002, the U.S. Treasury reported that states failed to spend 8.9 billion TANF dollars.

The same GAO report reveals that 2.3 billion TANF dollars meant for needy families, were transferred to the community development block grants which have no direct benefits in meeting the housing and feeding needs of poor families.

MISSOULA ACTIVIST JOINS BAUCUS STAFF - Kate Kahan, a longtime welfare activist and a former welfare recipient, was hired by Senator Baucus of Montana, vice-chair of the Senate Finance Committee. Ms. Kahan will be working on welfare reform issues.

GAO-03-210 Report- TANF Recipients With Impairments- This report reveals that 44% of TANF recipients reported having at least one impairment, while the non-TANF population reported 15% with impairments.

The report also shows that recipients with impairments are less likely to become self-sufficient, and more likely to end up on other federal programs, such as SSI.

11/03 Unemployment Rate 5.9% - True? or False? - In 2002, there were over 35 million persons in California. A recent Employment Development Department Labor Market Bulletin alleges that the California labor force included 17,503 million persons. This means that 50% of Californian's were not in the labor force. The same report reveals that in November '03, only 16,518 million persons were working, which means 46% of Californian's were working, 54% were not.

Finally, the report concludes that only 5.9% of Californians are unemployed. Something does not add up here. How does 54% unemployed become 5.9%? Maybe children under 18 and all adults over 65 can be excluded, but many of them are working or looking for work.

In This Issue

- IN BRIEF
- Expedited State Hearings Eff. 2/1/04
- Statistical Analysis - the WtW Jobs Story
- CWD Victims of the Week

EXPEDITED STATE HEARINGS EFFECTIVE 2/1/04

On January 19, 2004, DSS released an All County Appeals Letter regarding the subject of Expedited State Hearings (ESH) to be conducted by the CDSS State Hearings Divisions.

Western Center on Law and Poverty attorney, Clare Pastore, presented this issue to Rita Saenz, former DSS Director, at the beginning of the Davis Administration. When Clare left to teach for a year, it was picked up by Kevin Aslanian who worked with the legal services community to achieve ESH in California.

The primary CDSS contact person was Lonnie Carlson, the Presiding Judge of the Sacramento Regional Office, who also worked hard on this issue. Judge Carlson's commitment to a fair hearing is unparalleled, notwithstanding the political problems that the SHD faces daily.

ISSUES THAT CAN BE HEARD AT ESH:

- (1) Expedited Food Stamps,
- (2) CalWORKs Immediate Need,
- (3) CalWORKs Homeless Assistance; and
- (4) other issues of urgency that CDSS-DHS deems necessary.

A hearing for (4) can be filed as ESH, but it would only be granted if CDSS or DHS deems it to be an issue of "urgency".

WHEN WILL THE HEARING BE HELD?

The hearing will be scheduled ten (10) working days from the filing date, unless the hearing can be incorporated into the existing calendar for regularly scheduled cases.

HOW WILL THE ESH HEARING BE CONDUCTED?

The hearing will be conducted in person if it can be incorporated into the existing calendar for regularly scheduled cases. If the hearing cannot be incorporated into the existing calendar for regularly scheduled cases, then the hearing can be conducted telephonically.

NEGOTIATING BEFORE THE HEARING

The ACL urges counties and claimants to attempt to negotiate before the hearing.

POSITION STATEMENTS

The county will be required to have a position statement the day of the hearing if the case has not been settled.

DEADLINE FOR DECISION

"The ALJ will issue a decision in the case within five working days from the date of the record closure."

CONTACT PERSON:

The ACL has designated Rosalie Morefield at 916-229-4155 as the contact person for this matter.

You can also contact Kevin Aslanian at 916-736-0616 or 916-712-0071 for assistance with any aspect of expedited hearings.

This week we look at what taxpayers and

Statistic of the Week

CalWORKs recipients receive for CalWORKs services. This is a budget line item that funds welfare-to-work county bureaucrats. For 2003-2004, the State Legislature appropriated over 993,000 million.

Some of the low performing counties regarding job placement were San Bernardino at .6%; Kern County at 1.1%; Alameda County at 1.2%; Stanislaus at 1.3%; Orange at 1.4% and Los Angeles at 1.6%. We wonder how many employment agencies would keep staff who could not find employment for more than 2% of their caseload in one month. Don't laugh. Governor Schwarzanegger has determined that these are excellent numbers, thereby increasing funding by 3.5%.

Governor Schwarzanegger promised to look at each item carefully before proposing his budget. The result of this careful review was to increase the budget for CalWORKs services to \$1,030,767. This is an additional 37.5 million dollars for the WtW county bureaucrats; a 3.6% increase for 2004-2005. At the same time, he

denies CalWORKs recipients their Ronald Reagan Cost-Of-Living-Adjustment (COLA) and proposes another 5% reduction in benefits that are at the same level they were 15 years ago.

To determine what Governor Schwarzanegger saw to warrant huge increases in service dollars for 2004-2005, we looked at the county reports to see how many of the WtW enrollees obtained employment that resulted in termination of benefits.

What the Governor must have seen is that during the month of November of 2003, out of 211,251 enrollees, a meager 6,269 participants found employment that resulted in termination of CalWORKs benefits, which does not necessarily mean they overcame poverty. He must have also estimated that the monthly cost would be over \$13,000 per participant to find employment that made them ineligible for CalWORKs.

For county-by-county analysis of the percentage of enrollees who obtained employment that resulted in termination of CalWORKs benefits see TABLE 1 below. **SOURCE-DSS WtW 25 and 25A reports.**

TABLE #1- Percentage of WtW Enrollees Obtaining Employment that Results in Termination of CalWORKs Benefits During November, 2003

Statewide	2.97%	Los Angeles	1.64%	Mono	4.17%
Sierra	0.00%	Lassen	1.70%	San Luis Obispo	4.66%
Inyo	0.00%	Tehama	1.71%	Glenn	4.88%
Alpine	0.00%	Yuba	1.81%	Ventura	5.02%
San Bernardino	0.63%	Mariposa	1.89%	Riverside	5.21%
Kings	0.77%	Colusa	2.13%	Calaveras	5.63%
Butte	0.98%	San Benito	2.24%	Yolo	6.29%
Nevada	1.03%	Shasta	2.32%	Plumas	7.14%
Imperial	1.09%	Marin	2.37%	San Diego	7.59%
Kern	1.10%	Fresno	2.43%	Siskiyou	7.74%
Modoc	1.14%	San Joaquin	2.54%	Solano	7.80%
Alameda	1.18%	Tulare	2.75%	Sacramento	8.63%
Amador	1.25%	Lake	2.75%	Placer	8.79%
Humboldt	1.26%	Sutter	2.84%	Sonoma	9.02%
Stanislaus	1.28%	Del Norte	3.01%	Napa	9.89%
Mendocino	1.37%	San Francisco	3.07%	San Mateo	10.31%
Orange	1.42%	Trinity	3.45%	Santa Cruz	14.90%
Madera	1.44%	El Dorado	3.85%	Santa Barbara	18.67%
Tuolumne	1.45%	Contra Costa	4.09%		
Merced	1.45%	Santa Clara	4.15%		
Monterey	1.66%				

County Victims of the Week

San Benito County Victim Report.

Ms. K.F. of San Benito County applied for CalWORKs, Food Stamps and Medi-Cal on 11/12/03. On the SAWS1, she indicated that she was homeless and did not have enough food for three days.

Rather than scheduling an appointment for the **next working day** as required by state law, the County scheduled an appointment on December 3, 2003. This was a willful and blatant violation of the state law.

The County authorized aid for December of 2003 and have now informed Ms. K.F. that her benefits have stopped effective January 31, 2004 because her husband is working over 100 hours a month. The County has no evidence to substantiate this. Ms. K.F.'s benefits were terminated even though she has yet to receive a Notice of Action. She has filed for a fair hearing against the County for failing to schedule an appointment for Immediate Need and for expedited food stamps as required by law.

Ms. K.F. is still homeless and has never been allowed to apply for homeless assistance.

Los Angeles County Victim Report.

Ms. S.W. of Los Angeles County has three children. Two of the children are disabled and are receiving SSI.

On 12/1/03, caseworker Ms. Doyle, requested medical verification of the children's disabilities. Ms. S.W. provided the GAIN contractor with the requested verification and obtained a receipt verifying her documents were received. Within a week she received

a letter alleging that she had a "participation problem" because she failed to provide the County with the requested verification.

The letter instructed her to come to the office on 12/22/03 to provide good cause for not providing the requested verification.

Ms. S.W. called Ms. Doyle and was assured that it was just a bureaucratic mix up. However, a new worker called her and told her that she has been sanctioned. Ms. S.W. explained that she had a receipt showing she had turned in the verification then asked to talk to the caseworker's supervisor, he then hung up on her. She filed for a fair hearing

Another Los Angeles County Victim Report.

Ms. M.M. and her five children applied for CalWORKs on 12/27/04 because her husband was laid off on 1/21/04. They went to the Belvedere District office and applied for CalWORKs, Food Stamps and Medi-Cal. The Belvederes "knowledgable" staff informed Ms. M.M. that she had to wait 28 days from the date that her husband lost his job before she could apply for benefits.

A call was made to District Director, Gustav Serrato, who stated that they indeed have to wait 28 days before they could reapply per MPP 41-440. When he was told that there was nothing in 41-440 that says a person has to wait 28 days to apply, he read the regulation again and agreed that the action was wrong.