

Portola, CA
(Plumas Co.)
Reporter
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Welfare group sues county over assistance

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Staff Writer

A Portola resident dropped from general assistance by the county social services department has sued Plumas County and the

California director of social services in a welfare rights claim.

The 24-page lawsuit filed in Plumas County Superior Court claims the county's standards for general relief assistance violate

federal and state laws providing for minimal care, including food, shelter and clothing.

Legal Services of Northern California, which filed the suit, also claimed that Plumas County

uses illegal procedures in administering its general assistance program.

Plumas County Deputy County Counsel Janet Hilde is drafting a response to the complaint, and declined to comment on it.

Myrtle Hart, 54, is asking the court to order the county to restore the monthly benefits it discontinued to her and her husband in September, and is seeking an injunction ordering the county to pay all benefits pending a resolution.

The suit, which Hart filed with the California Coalition of Welfare Rights Organization, also claims that general assistance standards, established by Plumas County in 1982, are lower than the minimum necessary for adequate care. It asks the court to issue a cease-and-desist order against Linda McMahon, director of the California Department of Social Services, for failing to ensure that Plumas County maintains standards adequate for minimum care required by both state and federal law.

Named as co-defendants with Plumas County are the five

individual county supervisors, Plumas County Director of Social Services Darleen Lyon, and McMahon.

Hart and her husband, Dennis, who had been receiving general assistance since February, were disqualified from assistance in September. Lyon authorized the action after Dennis Hart failed to report to a workfare assignment.

The Harts appealed the decision, claiming that Dennis Hart was out of the county looking for work at the time of the assignment, and that the county provided no transportation to the work site.

A hearing committee appointed by the Plumas County Board of Supervisors denied the Harts' appeal on October 28.

The action was illegal for several reasons, said Alan Lieberman, attorney with Legal

Unable to afford adequate food, new or used clothing, or medications, the Harts are "without the basic amenities of life, ... and have suffered extreme hardship, embarrassment, anxiety, humiliation and emotional distress," the suit claims.

The lawsuit also attacks the standards which Plumas County has used since 1982 to award general assistance. The county's maximum award of \$217 a month is based on housing and utility costs. The law requires that food, transportation, medical and clothing costs also be included in computing the standards, said Lieberman.

Plumas County does not include food costs because it considers that food stamps are available to general relief recipients, said Lieberman.

The lawsuit is scheduled for a preliminary hearing on December 19 in Plumas County Superior Court before a visiting judge. Judge Stanley Young disqualified himself from hearing the case.

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Services of California. The Harts were not notified in advance of the county's decision, and some consideration should have been given to Dennis Hart, who was looking for a job at the time he failed to appear for his assignment, said Lieberman.

Disqualifying Myrtle Hart was entirely improper since she had not failed to comply with any county regulations, he said, and had done "absolutely nothing wrong."