

## Law sought to block recipients' hearings on statewide welfare cuts

SACRAMENTO (AP) — The Brown administration will ask the Legislature Monday to prevent thousands of welfare recipients from requiring hearings on the impending statewide reduction in benefits, a Social Services Department spokesman said Friday.

Welfare benefits are scheduled to drop by 2.5 percent, or \$10 a month for a mother and two children, on Jan. 1, 1981, because of budget restrictions imposed by the Legislature in July, in response to Republican attempts to repeal automatic cost-of-living welfare grant increases.

Recipients are allowed, under current law, to appeal the reduction and seek a hearing, even though they would appear to have no chance of winning unless their individual grant was mistakenly calculated.

But there is considerable disagreement on how many of the 2.1 million welfare recipients will ask for a hearing.

Social Services Department spokesman Shawn Ortiz said the department expects 50,000 requests for hearings, based on the usual percentage of appeals when benefits are reduced. Hearings cost an average of \$1,400 each.

He said that number of appeals could take five years to process, though the department now handles 36,000 appeals a year. Another state law allows recipients who appeal a reduction to draw aid at the higher

level at least until their hearing.

But Dan Brunner of the Western Center on Law and Poverty, which lobbies on welfare issues, said Friday he expects few recipients to appeal the statewide cutback, and added that his organization wouldn't argue the cases of those who appeal.

Mistakes in determining the new grants probably will increase the number of appeals by 2 percent to 5 percent, Brunner said.

Gene Livingston, director of the Office of Administrative Law, which rejected the Social Service Department's proposed regulation to abolish the right of hearing in such cases, also said he didn't expect a flood of hearing requests.

"People accept those decisions," said Livingston, recalling similar fears that proved unfounded on an unemployment benefits issue when he was with the Employment Development Department.

But Ortiz said welfare rights groups "are prepared to notify their members that they can jam up the system" with hearings.

Johnnie Tillmon, coordinator of the Los Angeles County Welfare Rights Organization, denied any intention to "jam up the system," but said her group will recommend that its members appeal the cutbacks.

"We don't understand why prices are going up and our in-

come is going down," she said.

Kevin Aslanian of Santa Clara, president of a group called the Welfare Recipients' League, said his group hasn't decided on any action, but added, "If we have people file for fair hearings, it would be solely to demonstrate hardships on family members."

The Legislature convenes Monday for a brief session to choose leaders and introduce bills. Ortiz said his department will request an emergency bill to abolish the recipient's right to a hearing when benefits are reduced uniformly statewide. The bill would have to pass next week to affect the current situation.

Ortiz could not explain why the department didn't ask for such a bill this summer after the benefit reduction was approved.

"The Legislature acted probably without full knowledge of what action they were taking," Ortiz said. "We weren't allowed to tell them." He didn't elaborate.

Instead of a bill, the department proposed an emergency regulation in October, after the Legislature had adjourned, repealing the right to a hearing for statewide welfare reductions.

That regulation was rejected by Livingston's office, which was established this year to decide whether proposed regulations were authorized by law.