

Welfare rule still not implemented

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More than three months after the state Supreme Court told the Deukmejian administration to liberalize a welfare rule, no action has been taken, officials confirmed Monday.

A welfare-rights advocate accused the administration of "flagrantly and willfully disobeying" the April 6 order. But a state Social Services Department official said state law has prevented compliance.

"We've done everything we can to implement the order," said Jerold Prod, the department's chief lawyer and deputy director.

He said that since last year, the state had been carrying out a 1981 federal law that changed eligibility standards for Aid to Families with Dependent Children, the state's main welfare program.

People are not eligible for welfare if they have more than \$1,000 in assets. Prod said the federal law defined those assets to include all property to which a person is legally entitled — for example, a separated spouse's 50 percent share of community property.

But the Coalition of California Welfare Rights Organizations said the state misread federal law and that only the property that is "actually available" to an applicant should be counted against the \$1,000 limit.

The coalition said the state's position has led to situations in which a woman who had been beaten by her husband would take their children and leave the house, only to be declared ineligible for welfare because half the value of the house was legally hers.

In response to a class-action suit by a welfare applicant in Humboldt County, the state high court on April 6 told the Social Services Department the Deukmejian administration of "flagrantly and willfully disobeying" the Supreme Court order.

Aslanian said welfare applicants "just can't understand how a governor who prides himself as being an advocate for law and order will disobey a Supreme Court order like a common criminal."

But Prod said the appeals court refused a request from the welfare-rights plaintiffs for contempt rulings against state Social Services Director Linda McMahon and Finance Director Michael Franchetti.

The request has been renewed, Prod said, since passage of a new state budget, which was delayed three weeks by a partisan dispute. The new budget does not contain the earlier language about "final" court orders, he said.

The coordinator of the welfare-rights coalition, Kevin Aslanian, issued a statement Monday accusing