	SSA Intranet
Quilla, Beverly v. Anderson	Number: 100-G4
Approved:	Date: 7/24/00
	CW 00-11; ACL 00-24

On November 29, 1999, the Court of Appeals concluded that there is a mandatory duty under Government Code Section 29853.5 to issue a replacement warrant within five working days after a recipient files a proper affidavit attesting that the warrant has been lost, stolen or destroyed regardless of any investigation a county might choose to do during that period. This decision is prospective only and no retroactive adjustments are required. The state informed the county welfare departments of this order in All County Letter 00-24 dated March 31, 2000.

COURT ORDER

Quilla, Beverly v. Anderson court order requires the counties to issue replacement warrants within five working days after a recipient has signed an affidavit (F063-15-90) requesting replacement, even if the county has determined that the warrant was not lost, stolen or destroyed, **Attachment 1.**

WARRANTS AFFECTED

Warrants affected include payments for:
- CalWORKs.
- Supportive Services (child care, transportation, ancillary).
- Cal Learn Bonus.
- Kin-GAP.
- Special Circumstances.
- Foster Care.
- Refugee Cash Assistance (RCA).

EFFECTIVE DATE

The change was staffed in the April 2000 Family Self-Sufficiency Program Summary for immediate action.

FIVE-WORKING-DAY PERIOD

The 5-working-day count begins the day after the date the affidavit is signed.
Example:
The affidavit is signed 4/14/00. The 5-working-day period is from 4/17 through 4/21. Authorizing action must be taken to issue the replacement check no later than 4/21.
The worker must take action to issue a replacement warrant by the 5th working day regardless of the outcome of the DAWF investigation.
Exception: A replacement warrant is not issued if the client withdraws his/her request for a replacement check as a result of the investigation.

CASE ACTION NEEDED

If the warrant has been cashed, the worker is to follow the current warrant replacement procedure, but is to instruct the client to take the original affidavit to Warrant Control **and** the District Attorney Welfare Fraud (DAWF) locations within five working days.
Warrant Control location is :
888 N. Main St., First Floor
Santa Ana
DAWF location is:
401 Civic Center Dr. West
Santa Ana
DAWF walk-through investigations are available Monday, Wednesday and Friday, 8-11 AM and 1-3 PM.
DAWF is to complete their investigation within the 5-working-day period, and inform the worker via fax of the results.
The worker shall take authorizing action to issue a replacement warrant by the 5th working day regardless of the outcome of the DAWF investigation, unless the client withdraws his/her request for a replacement check.
Reference: Replacement Checks Policy 44-300.

OVERPAYMENT/POTENTIAL INTENTIONAL PROGRAM VIOLATION (IPV)

If the original warrant and the replacement warrant are both cashed and it is suspected that the client cashed both warrants, a fraud referral is to be initiated for a potential Intentional Program Violation (IPV). Process the overpayment and begin recoupment, if appropriate.
References: Continuing Fraud Investigation Referrals Policy 20-003
Intentional Program Violation(IPV) Policy 100-H1.

CCSSA

ATTACHMENT Attachment 1 F063-15-90 Affidavit

OCSSA