

AFDC 'Absent Parent Rule' Subject of Suit

A group of low income families filed suit in Federal District Court in Anchorage on the 26th day of March challenging the constitutionality of the "absent parent" rule under the Alaska Aid to Families with Dependent Children (AFDC) Program.

The "absent parent" rule has received its name since a low income family becomes eligible for AFDC assistance only if one parent is absent from the home in some fashion.

Thus, the current Alaska AFDC program provides an economic incentive to split up low income families.

The class action is prosecuted by four families from the Fort Yukon area and seeks to require the State of Alaska to participate, on the basis of equal protection of the laws, in the unemployed parent (UP) sub-program if it participates in the entire AFDC program.

By this action, the families demand that they be given AFDC assistance as other needy families who are currently receiving such assistance.

The AFDC program is described in the Commissioner's Office in Douglas on May 7, 1970.

signed to provide public assistance to needy families and maintain and strengthen family life.

However, the present version of the program in Alaska limits eligibility of families who are without adequate financial resources due only to the needy because of the involuntary unemployment of an able-bodied father living in the home, even though that family is acknowledged to be needy, they are ineligible for AFDC assistance.

In their complaint, the parties state that they have been actively seeking employment but that they are involuntarily unemployed since "unemployment is an impossibility nine months of each year for many Alaskans living in remote villages."

The named defendants in the action, filed through Alaska Legal Services Corporation, are J.W. Betie, Commissioner of the Alaska Department of Health and Welfare and Stanley P. Harris, Director of the Division of Public Welfare.

If the State of Alaska provided coverage for the class of people represented by the four families, it could receive Federal matching funds to help defray the State responsibility.