

WELFARE LAW---RETROACTIVE SOCIAL SECURITY BENEFITS NOT IMMUNE
FROM ATTACHMENT BY WELFARE BOARD

Essex County Welfare Board v. Philpott
(Supreme Court, Docket No. A-42, De-
cided July 12, 1971, Reported at 59
N.J. 75) by George C. Bruno and
Richard N. Tilton, Newark Legal Services.

This is a decision by the New Jersey Supreme Court that a Welfare Board which has provided disability assistance to a recipient may recoup the amount of that assistance out of a retroactive lump sum Social Security payment which provides duplicate benefits to the recipient. The Supreme Court thereby reversed an Appellate Division holding that Social Security benefits are immune from attachment, execution and levy under 42 U.S.C. Sec. 407 [see 16 State Clearing House Report 13 (March, 1970)].

Opinion.