



the U.S. Constitution requires the state to comply with the applicable federal regulations. *Townsend v. Swank*, 404 U.S. 282 (1971); *Calif. Dept. of Human Resources Development v. Java*, 402 U.S. 121 (1971); *Rosado v. Wyman*, 397 U.S. 397 (1970); *King v. Smith*, 392 U.S. 309 (1968); *In re Marriage of Gilbert*, 88 Wash. App. 362 (1997); *In re Matter of Rose on Behalf of Clancy v. Moody*, 83 N.Y.2d 65 (1993), *cert. denied* 511 U.S. 1084 (1994). Adversely affected individuals have been given the right to challenge state non-compliance with federal funding mandates. *Id.* Furthermore, the Supremacy Clause requires this Court to invalidate the guidelines if they violate the federal mandate. *Id.* Finally, the U.S. Supreme Court has held that a reviewing court is not bound by a federal agency finding of state compliance and must undertake an independent review when state compliance is challenged by an individual claimant. *Townsend v. Swank*, 404 U.S. at 286.”

**SO ORDERED this \_\_\_\_\_ day of February, 2003.**

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Sidney L. Nation, Sr., Chief Judge  
Rockdale Superior Court  
Rockdale Judicial Circuit