

Per Curiam

DANIEL, DIRECTOR, COOK COUNTY DEPARTMENT OF PUBLIC AID, ET AL. v.
GOLIDAY ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

No. 1211. Decided May 25, 1970

District Court should consider bearing of *Goldberg v. Kelly*, 397 U. S. 254, and *Wheeler v. Montgomery*, 397 U. S. 280, on question of entitlement of welfare recipients to notice and hearing before reduction of benefits.

305 F. Supp. 1224, vacated and remanded.

PER CURIAM.

The court below has held that the Due Process Clause of the Fourteenth Amendment requires a State to provide a recipient of public welfare benefits with notice and a hearing prior to "termination, suspension, or reduction" of benefits. This Court's subsequent decisions in *Goldberg v. Kelly*, 397 U. S. 254, and *Wheeler v. Montgomery*, 397 U. S. 280, decided March 23, 1970, dealt only with termination and suspension, not reduction, of benefits. We think that the bearing of those decisions on the treatment of benefit reductions should be determined in the first instance by the District Court on a record developed by the parties with specific attention to that issue. Accordingly, the judgment is vacated and the case is remanded to the District Court for further proceedings in conformity with this opinion.

THE CHIEF JUSTICE, MR. JUSTICE BLACK, and MR. JUSTICE STEWART dissent.