Jile

To: The Chief Justice
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall
Mr. Justice Blackmun
Mr. Justice Powell
Mr. Justice Rehnquist

From: Mr. Justice Stevens

Circulated: APR 27 1978

1st DRAFT

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## SUPREME COURT OF THE UNITED STATES

No. 75-1914

Jane Monell et al., Petitioners,
v.

Department of Social Services of the City of New York et al.

On Writ of Certiorari to the United States Court of Appeals for the Second Circuit.

[May -, 1978]

Mr. Justice Stevens, concurring in part.

Since Parts II and IV of the opinion of the Court are merely advisory and are not necessary to explain the Court's decision, I join only Parts I, III, and V.