

SAFELY PURSUING CHILD SUPPORT

A Caseworker Desk Card

Economic instability is a major reason that victims stay in or return to abusive relationships. Child support programs have a unique opportunity to help victims safely establish financial independence.

Domestic Violence in the Child Support Caseload

More than 90 percent of women with current or former abusive partners want to pursue child support if they can do so safely. The majority of families participating in the child support program are current or former cash assistance recipients and research from the late 1990s indicates that 20-30 percent of women receiving cash assistance were in an abusive relationship. Research also shows that the birth of a child and the separation of a couple can trigger a violent response even if the past abuse was not physical. The establishment of an order at the time of the child's birth, as well as support activities, can increase the risk of violence unless safety risks are addressed.

Defining Domestic Violence

Domestic violence is a pattern of abusive and coercive behaviors, including physical, sexual, and psychological abuse as well as economic coercion, used against an intimate partner. Abusers often use a combination of tactics aimed at establishing control of their partner or ex-partner. Abuse often continues or increases after a victim separates from the abuser.

Understanding Victims

Victims may have reasonable fears about participating in child support proceedings. Just as victims of domestic violence have experienced different forms of abuse, their responses can vary widely. Each victim's circumstances, risks, and resources are different, and may change. Remember that leaving an abusive relationship can be both challenging and dangerous for many victims.

What makes disclosing domestic violence difficult for some victims?

- They may be fearful of retaliation or further abuse against themselves or their children.
- They may have disclosed to someone who did not believe them.
- They may not feel safe in the child support office because there are no private areas to talk or someone the abuser knows works there.
- They may not understand why telling you about the abuse is important.

Promising Practices for Safely Pursuing Child Support

Victims of domestic violence need accurate, timely, and complete information about the child support process in order to do good safety planning.

- Universally explain all child support program requirements, the availability of waivers and other safeguards, and the full range of enforcement strategies.
- Display posters and other literature in the office that reflect an awareness of domestic violence, encourage disclosures, and provide resources and referrals for victims.
- Provide clear and accurate information about child support services and the status of a child support case when domestic violence is identified. Walk through the typical "life of a case" and detail enforcement actions that can be taken when child support is not paid, including if, when and how they will be notified prior to enforcement actions.
- Provide adequate time for a parent to make decisions about proceeding with child support service and leave decision-making regarding child support services up to the parent. Provide information about the services of local domestic violence agencies.
- Identify enforcement options whenever possible. Enforcement does not need to be all or nothing.
- Pay attention to victim safety during office visits, hearings, and other proceedings by minimizing contact between the parents and arranging for security or sheriffs to be available when requested, including to escort a survivor to and from her transportation.

REMEMBER - Domestic violence and safety issues can come up at any point in the child support process.

Crisis Response

- Provide a safe space to allow a client to call the local domestic violence hotline for emergency services at _____.
- If no local hotline is available, refer to the National Domestic Violence Hotline at 800-799-SAFE (7233) or www.thehotline.org. All calls are confidential and interpreters are available in 140 languages.
- Assist the client in making arrangements related to emergency shelter, transportation, childcare, and work.

Confidentiality, Safeguarding Information, and Communication

- For many victims of domestic violence, keeping their address, phone number, and workplace confidential is essential to their safety. Explain in detail what steps the child support program can take to protect a parent's address, and what steps are up to the parent to take. Explain who will have access to disclosed information.
- Offer victims of domestic violence the option of using an alternative mailing address if possible.
- Never contact the abusive partner for verification of any claims of violence or abuse. Do not attempt to mediate on behalf of a parent who has disclosed safety concerns.
- Even if there is no disclosure of domestic violence, keep the lines of communication open. Information about ongoing child support services is the most important resource for parents with safety concerns.

The Good Cause Waiver and Waiving Program Requirements

- Most domestic violence victims decide to pursue child support. However, sometimes domestic violence issues may make it too dangerous for a victim to comply with TANF requirements to establish paternity or cooperate with child support enforcement, and these may be waived with good cause. The best predictor of risk is whether the father threatened to harm the children. Additional factors include whether the father threatened to harm the mother; tried to isolate her; hit or beat her up; monitored her telephone calls; prevented her from working; abused her within the past six months; or caused her to call the police.
- Providing verification of domestic violence may be difficult for victims requesting a good cause exemption – they may have had to leave their homes quickly, their abuser may have destroyed documents, or it may not be safe to obtain verification. Don't take a chance – defer to the victim's assessment and require the minimal amount of verification possible.
- A client may claim good cause for a waiver of a TANF, Medicaid, or cash assistance program requirement when the program requirements make it difficult to escape domestic violence, unfairly penalize an individual for being abused, or put the individual or other family members at risk of further domestic violence.
- A good cause determination should halt the child support process.

The Family Violence Indicator

- A Family Violence Indicator (FVI) can be placed on the victim and child to protect addresses and other confidential information. The FVI should not be set on the perpetrator of family violence or on the entire case.
- The FVI prevents any information from being released from the FPLS (Federal Parent Locator Service).
- The FVI should function to automatically block a victim's address from appearing on pleadings and correspondence and alert child support workers to risk.
- Remember: Just because there is no FVI does not mean that safety concerns are not present.

Additional Resources

- **OCSE** - For additional training resources, including a "We Care About Your Safety" Outreach Card (English and Spanish), and other training resources: www.acf.hhs.gov/programs/cse/
- **National Resource Center on Domestic Violence** – For a special online collection of research, policy and practice information, and other materials related to domestic violence and child support issues: www.vawnet.org/special-collections/ChildSupport.php
- **National Domestic Violence Hotline** – for direct assistance for victims and outreach/public education resources: www.thehotline.org/resources/

Most domestic violence victims want to pursue child support if they can do so safely. Building partnerships with domestic violence organizations can help you respond to the safety issues of your clients.