

FAMILY VIOLENCE INDICATOR DURATION AND REMOVAL CRITERIA
MATRIX 5

States have approached the issues of Family Violence (FV) Indicator duration and removal in very different ways. Matrix 5 outlines States' status in three overall areas:

- π ***INDICATOR DURATION*** -- States must decide how long the FV Indicator will remain active on the State Case Registry (SCR) record of the protected person. The issue of duration is important so that States can proceed with State-level protections for an appropriate period of time. (See Matrix 4 for summary information about the State-level impact of the FV Indicator.) States also should consider the issue of duration because they are responsible for informing the U.S. Department of Health and Human Services (HHS) when removal of the FV Indicator from the FCR is warranted.

On the following matrix, the *INDICATOR DURATION* heading is divided into three (3) columns:

- ***Indefinite Duration (INDEF)*** -- Many States keep the family violence data element active on the protected person's SCR record for an indefinite period of time. This decision typically has one of two rationales. Many States want to provide the maximum level of protection possible to at-risk people, and have not attached a specific time frame to the FV Indicator. Other States have chosen an indefinite duration due to staffing considerations. Because these agencies and/or courts currently are unable to dedicate staff to the periodic reassessment of safety concerns in a systematic manner, they have decided to leave the data element in place indefinitely, unless presented with specific information that removal is appropriate. These States are set out in the *INDEF* column on the following matrix.
- ***Time-Specific Indicator (TIMED)*** -- In a few States, the FV Indicator remains active, unless renewed, for a limited time period. Generally, a time-specific FV Indicator is set when a protection order, also time-limited, is the basis for according the person protected status. At least one State has decided that *all* of its FV Indicators will be time-limited, although they are eligible for renewal. Finally, a few States have opted for a two-tiered approach to FV Indicator protection. In those States, a short-term data element is activated when some minimal assertion or showing is made, such as an oral self-report of potential harm. The protected person can secure longer-term protection, typically an indefinite FV Indicator, upon providing more formal proof of the risk, such as a protection order or evidence of participation in the State Address Confidentiality program. States with time-limited FV Indicators appear in the *TIMED* column on the following matrix.
- ***Undecided (UNDEC)*** -- A number of States have not yet made final decisions about the duration of their FV Indicators. These States are shown in the *UNDEC* column on the following matrix.

π **REMOVAL STANDARDS** -- Also presented in Matrix 5 is a summary of the removal methods States have selected to date. In that section of the matrix, there are five columns:

- ***Victim Notice or Request (VICTIM)*** -- Many States will remove an FV Indicator when the protected person provides notice that the risk has ended. States approach this notification in different ways; some permit the at-risk person to communicate that the risk has passed via oral means and others require written notice before removing the FV Indicator. (Note that States which use this method should consider having the protected person request removal in writing. This may prove to be an effective way to minimize potential State liability in the event that harm occurs to the protected person after FV Indicator removal.) States using a victim-based removal standard are set out in the *VICTIM* column on the following matrix.
- ***Expiration of Protection Order (PO END)*** -- As shown in Matrix 2, a number of States set an FV Indicator based on evidence of a protection order. In some of those States, the expiration of the protection order marks the end of FV Indicator protection, unless the protection order is renewed or the person fits another State placement criterion. It is important to note, however, that only a few States in this category have actually developed automated interfaces with protection order registries or have devised other systematic means either to determine protection order end dates and/or to perform the removal function. Thus, while State policy may be to deactivate the family violence data element at the end of the protection order period, the FV Indicator, in reality, may remain indefinitely in many of these States because they have not yet operationalized removal. Nonetheless, States that have decided to link FV Indicator removal to protection order expiration appear in the *PO END* column on the following matrix.
- ***End of Good Cause Status (GC END)*** -- As shown in Matrix 2, a number of States set an FV Indicator based on evidence that a public assistance applicant or recipient has requested or received Good Cause status. In some of those States, the termination of the Good Cause status also signifies the end of FV Indicator protection, unless the person can meet another of the State's placement criteria. As noted above regarding the end of protection orders, not all States in this category have developed automated interfaces with the agency or unit responsible for receiving Good Cause requests or granting Good Cause status. Thus, the removal of the FV Indicator, due to the end of Good Cause status, may be indefinite in actuality because the removal policy has not been operationalized yet. States with removal connected to Good Cause status are set out in the *GC END* column on the following matrix.
- ***Court Order (CT ORD)*** -- Some States reported that they will remove an FV Indicator if ordered to do so by a child support court in the State. Removal based on court order is set out in the *CT ORD* column of the following matrix.

- **Other** -- A few States have developed other bases for removing FV Indicators set in their SCRs. These removal standards are set out in the *OTHER* column on the following matrix.
- π **REMOVAL METHOD** -- This segment of the following matrix identifies the manner in which States will remove the FV Indicator from their SCRs.
- **Automated Removal (AUTO)** -- A few States have developed automated methods of removing the FV Indicator. For instance, an FV Indicator may be removed when an interface with a protection order registry, or child protective service (CPS) registry, discloses that the protected person no longer has an active protection order or CPS case. Also, at least one State has devised its family violence data element to include a field for the protection order expiration date; on this date, the FV Indicator is removed automatically from the SCR and a corresponding change code is sent to the FCR. States with at least partially automated removal procedures are set out in the *AUTO* column on the following matrix.
 - **Manual Removal (MAN)** -- At this point, most States are handling at least some aspect of FV Indicator removal in a manual fashion. That is, IV-D or court staff must enter the SCR and actually deactivate the family violence data element. States utilizing manual removal procedures appear in the *MAN* column of the following matrix.

Note that, as with all of the information presented in this *State Practice Guide*, States are constantly reevaluating their placement criteria. Accordingly, this entire area is a work in progress.