

STATE SUMMARIES & MATERIALS ON THE FAMILY VIOLENCE INDICATOR

This section of the *State Practice Guide* presents detailed information about the decisions States have made about the Family Violence (FV) Indicator. The first edition of this book included information current as of the end of 1999. This edition provides State summaries pages updated in the Winter of 2001. In addition, many States have supplied draft and/or final materials in connection with their FV Indicator decisions and/or processes, and those samples are included here as well. Again, note that States are constantly reevaluating their decisions in this area. Accordingly, the information presented here, as in this *Guide* as a whole, is truly a work in progress.

In this section, States are set out in alphabetical order. The information on each State begins with a summary page. That summary outlines the following information:

- ❑ **INDICATOR NAME** -- This section sets out the name given to the family violence data element by the particular State.
- ❑ **SETTING CRITERIA** -- This portion of the summary notes the standard, or standards, that the State has decided to use in setting an FV Indicator. Some States have adopted different standards for IV-D and non IV-D situations; where distinct standards apply, this information is set out here as well. The summaries also indicate States with criteria that have changed since their initial loads or early submissions to the Federal Case Registry of Child Support Orders (FCR), as well as States which expect to implement new or different criteria in the future.
- ❑ **ELIGIBLE PEOPLE** -- This section includes notes about the types of people on whom a State will set the FV Indicator. This section of the summary sheet may consist of two components:

Line 1: People Directly Protected -- The first line of this section explains the type of person who is eligible to receive an FV Indicator in a particular State because of a direct threat to him or her -- the person with the primary FV Indicator.

- **Victim** -- The State will set an FV Indicator on any person, who is involved in a child support case or order within the State and is identified as an actual or potential victim pursuant to the State's setting criteria.
- **Adult Victim** -- The State will apply the State's FV Indicator criteria only to adults, who are involved in child support cases or orders within the State and are identified as victims pursuant to the State's setting criteria.
- **Custodial Parent and Child Victims** -- The State will apply FV Indicator standards only to custodial parents and children, who are involved in child support cases or orders within the State and are identified as actual or potential victims.

- **Case-Level Indicator** -- At this point, in a few States, the family violence data element is a case-level indicator rather than a participant-level indicator. That is, FV Indicators are set on the victim and on *every other person* involved in any child support case or order that involves both the victim and the alleged perpetrator. (It is important to note that, under this approach, the alleged perpetrator also not only receives an FV Indicator but also the protection afforded by Federal and/or State authorities.) States falling into this category typically report that they are working to develop participant-level indicators.

Line 2: Others Protected -- To maximize protection to the protected person, many States also set FV Indicators on the State Case Registry (SCR) records of certain related people. Thus, some State summaries include a section on *Others Protected*. This portion of the summary describes the people who receive FV Indicators by the State simply because of their connection with an identified victim. To the extent that it has been reported, this section also explains whether these indicators are applied manually by IV-D or court staff, or whether the SCR sets them automatically. The most common types of associated FV Indicators are:

- **All Household Members Involved in the Victim's [State] Child Support Cases or Orders with the Abuser** -- These States will protect others in the victim's household who are a part of any child support case or order in that State with both the victim and perpetrator. This approach applies whether the primary FV Indicator is set on a custodial parent, a child, or a noncustodial parent; the victim's role in the case or order does not matter. The goal is to prevent the alleged perpetrator from learning the victim's location simply by obtaining information about an unprotected person in the household and who also happens to be a part of the case or order.
- **Victim/Abuser Offspring in the Victim's Household** -- Some States set the initial FV Indicator only for adult victims or primarily for custodial parent victims. In these instances, a number of States also protect the children of the victim and perpetrator, but not the victim's children from another relationship. The goal here is to prevent the alleged perpetrator from learning the location of the victim through the disclosure of information about a child who is the offspring of that person and the victim.
- **All Household Members Involved in the Victim's [State] Child Support Cases or Orders** -- Several States will set FV Indicators on any member of the victim's household, who is involved in the victim's child support cases or orders in the State. These relatives are protected whether the victim is a custodial parent, a child, or a noncustodial parent; the person's role in the case or order does not matter. This approach is designed to seal off access to the victim by sealing off access to all household members who are a part of the victim's cases or orders, irrespective of their relationship to the alleged perpetrator.
- **Children in the CP Victim's Household and [State] Child Support Cases or Orders** -- These States have decided to protect all of a custodial parent victim's children, who are a part of any child support case or order in the State. Such States do not limit protection to children in child support cases or orders with the alleged perpetrator. Instead, they seek to control

access to the victim by extending safeguards to each of the victim's children with a child support matter in the State.

- ❑ **IMPACT** -- This section explains what an FV Indicator does for a protected person in the particular State. In other words, the section describes the specific activity each State will undertake after it sets the family violence data element on a person's State Case Registry (SCR) record. Some States have adopted different outcomes for IV-D and non IV-D situations; where distinct results exist, a notation to this effect is set out here.
- ❑ **DURATION** -- This segment of the summary page sets out the length of time that an FV Indicator remains active on a protected person's SCR record.
- ❑ **REMOVAL CRITERIA** -- The summary sheet here describes the standard or standards that the State uses to determine whether it is appropriate to deactivate or remove an FV Indicator from a person's SCR record. Where States have reported an actual removal process, that information is included here as well.
- ❑ **OVERRIDE** -- As stated previously, the process to override an FV Indicator, which permits an authorized person to request FPLS data for a protected person, involves activity at both the State and Federal levels. The *OVERRIDE* portion of the summary sheet sets out the particular State's status in developing the State-specific components of the FV Indicator override process. To the extent that the State has shared materials regarding its processes, a notation to that effect is included here as well.

