



Florida

INDICATOR NAME:	Family Violence Indicator
SETTING CRITERIA:	<p><u>IV-D & Non IV-D (Short-term Indicator) --</u> Self-report (Oral)</p> <p><u>IV-D & Non IV-D (Long-term Indicator) --</u> Self-report (Written; supporting documents required)</p>
ELIGIBLE PEOPLE:	<p><u>People Directly Protected --</u> Victims</p> <p><u>Others Protected --</u> Victim/abuser offspring in the victim's household (Automatic)</p>
IMPACT:	<p>Sends FV Indicator to the FCR</p> <p>Notifies staff to take greater care with case processing</p> <p>May result in system enhancements (Future)</p>
DURATION:	<p><u>Short-term Indicator --</u> 45 days</p> <p><u>Long-term Indicator --</u> Indefinite</p>
REMOVAL CRITERIA:	<p><u>Short-term Indicator --</u> Failure to complete written, sworn statement</p> <p><u>Long-term Indicator --</u> Court order</p>
OVERRIDE:	In development/draft not yet available

Below is 1998 Florida legislation setting out the requirements for the State Case Registry. Subsection (2)(d) provides for the Family Violence Indicator. (This legislation was recently amended; however, the revised text was not available for this printing.)

Florida Statutes (1998)

61.1825. State Case Registry

(1) The Department of Revenue or its agent shall operate and maintain a State Case Registry as provided by 42 U.S.C. s. 654A. The State Case Registry must contain records for:

- (a) Each case in which services are being provided by the department as the state's Title IV-D agency; and
- (b) By October 1, 1998, each support order established or modified in the state on or after October 1, 1998, in which services are not being provided by the Title IV-D agency.

The department shall maintain that part of the State Case Registry that includes support order information for Title IV-D cases on the department's child support enforcement automated system.

(2) By October 1, 1998, for each support order established or modified by a court of this state on or after October 1, 1998, the depository for the court that enters the support order in a non-Title IV-D case shall provide, in an electronic format prescribed by the department, the following information to that component of the State Case Registry that receives, maintains, and transmits support order information for non-Title IV-D cases:

- (a) The names of the obligor, obligee, and child or children;
- (b) The social security numbers of the obligor, obligee, and child or children;
- (c) The dates of birth of the obligor, obligee, and child or children;
- (d) Whether a family violence indicator is present or if a court order has been entered against a party in a domestic violence or protective action;
- (e) The date the support order was established or modified;
- (f) The case identification number, which is the two-digit numeric county code followed by the civil circuit case number;
- (g) The federal information processing system numeric designation for the county and state where the support order was established or modified; and
- (h) Any other data as may be required by the United States Secretary of Health and Human Services.

(3) The depository, using standardized data elements, shall provide the support order information required by subsection (2) to the entity that maintains the non-Title IV-D support order information for the State Case Registry at a frequency and in a format prescribed by the department.

(4) The entity that maintains State Case Registry information for non-Title IV-D cases shall make the information available to the department in a readable and searchable electronic format that is compatible with the department's automated child support enforcement system.

(5) State Case Registry information must be transmitted electronically to the Federal Case Registry of Child Support Orders by the department in a manner and frequency prescribed by the United States Secretary of Health and Human Services.

Materials

Below is a sample Florida "Case Summary" screen. Codes related to possible family violence appear in the participants' "special notes" fields. (Those fields are noted in bold below. Note that Florida has separate codes for potential victims and potential abusers. Thus, codes may appear for more than one person.)

Following the screen sample is a 1998 State Action Transmittal outlining a preliminary set of policies about setting the Family Violence (FV) Indicator. (Note: This policy statement is provided for format only. Currently, it appears that self-reporting is the sole basis for setting an FV Indicator in the State.)

IICS	CASE SUMMARY	xx/xx/xxxx	xx:xx
	xxxx I WORKER		
	PA NO: xxxxxxxxxxx		
NCP NAME: DOE, JOHN		CP NAME: DOE, JANE	
SSN: xxxxxxxx	DOB: xx/xx/xxxx	SSN: xxxxxxxx	DOB: xx/xx/xxxx
SPCL NOTES: VO_	ASSOC. CASES: Y	SPCL NOTES: FE_	ASSOC. CASES: N
DEPENDENTS	SSN	DOB	
DOE, MICHAEL	xxxxxxx	xx/xx/xxxx	
ADDITIONAL DEPENDENTS? N REFERRED TO VENDOR? N COOPERATION STATUS			

DIST/CNTY/SITE: xx xx xxx	PENDING: N	COMMENTS: N	LOCATION:
ANALYST: xxxxxx	LOC WRKR: _____	TICKLER DATE: ____	ESTBLSHMNT: REQUIRED
CASE TYPE: 06 NA INTRASTATE		TYPE DATE: xxxxxxxx	ENFORCEMNT:
CASE STATUS: 2 ACTIVE	RSN: _____	STATUS DATE: xxxxxxxx	LST CHK DATE:
ATTORNEY REF. BEGIN	END	COURT DATE: _____	OBL. REV DTE:
_____	_____	ROOM: _____	PURGE OVRDRD IND: _____
_____	_____	TIME: _____	DRD FIPS: _____
LOCAL OFFICE FIPS: _____	DOCKET #: _____		IV-D COUNTY: _____
NEXT TRAN: _____	PARMS: _____		

CM-98-16-AT Subject: State Case Registry and Family Violence Indicators October 23, 1998

Approved: /s/ Patricia A. Piller 10/23/98 Patricia A. Piller, Director Child Support Enforcement Program, Department of Revenue	ACTION REQUIRED 4 For Immediate Action
Superseded Documents: None	Effective Date: October 23, 1998
Scope: The following procedures shall be followed by all CSE staff, contract staff and legal service providers.	

I. OVERVIEW

Section 311 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) requires that each state establish a centralized State Case Registry (SCR) that automatically transmits key information data elements to a centralized Federal Case Registry (FCR). This action transmittal establishes procedures to ensure that Title IV-D records sent to the FCR by the SCR (the FLORIDA System) are properly annotated to provide safeguards in cases where there is a potential for family violence. Section 303 of PRWORA requires all IV-D (CSE) agencies to establish procedures to protect the safety of the parties and children. These procedures are to prevent the unauthorized use or disclosure of information relating to the whereabouts of either [a] party or child if a physical or emotional threat exists.

Please note that this action transmittal is limited to meet the immediate requirements associated with the upload of information from the SCR to the FCR. More comprehensive procedures and information on confidentiality, safeguarding information, public records, the State Case Registry and how recipients of IV-D services will be made aware of procedures for nondisclosure will be published separately.

II. STATE CASE REGISTRY SAFEGUARDS

When a custodial parent, caretaker relative, child or non-custodial parent presents evidence of an order of protection against another party involved in a case or CSE is advised that a threat of physical or emotional harm exists for any of the parties, special measures must be taken to flag these cases prior to them being sent from the SCR to the FCR. All case types are affected by this policy (PA, NA, former PA, interstate) and the procedures must be uniformly applied for all cases. Although PA cases may be eligible for good cause exemptions, the custodial parent may choose to not seek a good cause exemption from child support services and will need the additional protection this policy provides. In some cases the NCP may be the party threatened by information disclosures and the NCP must also be protected pursuant to s. 409.2579(3) and (4), Fla. Stat. (1998).

III. Coding Procedures.

This section addresses the flagging of records for cases with existing orders of protection and/or cases where there is a known threat of potential physical or emotional harm to one or more of the parties or children. These codes will be used by the FLORIDA System to place a Family Violence indicator on the appropriate records forwarded to the FCR. The Family Violence indicator will inform the FCR that there is a concern of family violence and the dissemination of location information should be restricted. States performing inquiries on any of these protected cases will receive a notice from the FCR that a nondisclosure finding is in place. Procedures on how and under what circumstances the Federal Case Registry will release this restricted information will be forthcoming.

A. **Manually Entered Indicator Codes.** If it is the CP requesting protection[,] the following codes must be entered in the Special Notes fields of the case summary screen (IICS) and Child Information Screen (IICH) to provide additional protection in cases where family violence is a consideration. If the NCP is requesting protection[,] the codes are only entered on the IICS screen. These codes will enable the Revenue Specialist to tell at a glance the reason for special protection and decrease dependence on using the IICM screen. The following series of codes must be placed in the special notes field of the person(s) requiring protection. These codes can be found on the TRFL (Red Flags) Screen. Revenue Specialists must not overwrite one of these family violence indicators in favor of another indicator not related to violence. This will ensure that cases/individuals are properly flagged to restrict the release of information by the Federal Case Registry.

∪ **F1 -- Pending Return of Request for Nondisclosure.** This code is used when an individual makes CSE aware that they are in fear of potential violence but has not yet provided a copy of a current injunction or returned the statement provided to them. The Revenue Specialist should place a 30 day "tickler" on the case. At the end of the 30 day period the Revenue Specialist should contact the individual to determine why the statement was not returned. If a valid reason is not given, the F1 code should be removed from the special notes field. The form to be used is the Request for Nondisclosure, form number CS-II13. (attached)

∪ **F2 -- Request for Nondisclosure Received.** Indicates that the individual has signed and returned the Request for Nondisclosure attesting to the fact that they fear violence against themselves and/or their children by the individual named in the statement.

∪ **F3 -- Order of Protection Provided.** Code used when the individual requesting the restriction of location information provides a copy of a current order of protection or an injunction.

∪ **F4 -- Data Match with FDLE.** The Florida Department of Law Enforcement (FDLE) maintains a Domestic and Repeat Violence Injunction Statewide Verification System database. A data match will be periodically conducted between this database and the FLORIDA System and a report generated. The F4 code is to be placed in the special notes field of anyone in the FDLE database who matches up with a CSE case. (This will be the perpetrator.) This code will be placed on all persons and children associated with the individual.

∪ **F5 --** (reserved for any other data match/exchange agreements that might be made with another entity)

∪ **F6 -- Non Disclosure Finding Received from Another State.** The F6 indicator should be placed in the special notes field of the individual(s) for whom the other state is requesting special protection on the UIFSA CSE Transmittal Form.

∪ **F7 -- Good Cause Claim Pending.** This code is similar to F1 but is used for PA clients who are claiming good cause not to cooperate with CSE.

∪ **F8 --** (reserved for future use)

∪ **F9 --** (reserved for future use)

∪ **F0 --** (reserved for future use)

B. Other Manually Entered Violence Indicators

∪ **VO -- Violent Offender.** In addition to placing an "F" code in the special notes field of the person requiring protection, the Revenue Specialist must place the "VO" (violent offender) code in the special notes field of the person exhibiting/threatening violent behavior towards the CP.

∪ **VI -- Violent.** In the past, the use of the VI indicator has varied from office to office. The VI indicator should only be placed in the special notes field when a person makes threats against DOR or its employees, has a history of violence, or acts in a threatening manner towards the Department or a staff member. The VI indicator is placed in the notes field of the person exhibiting/threatening violent behavior.

C. Initial Conversion Family Violence Indicators. When the initial data load occurs between the SCR and FCR, the FLORIDA system will automatically place certain codes in the special notes fields of the IICS, and if applicable, the IICH screens indicating the potential for family violence.

1. The "FV" (Family Violence) indicator will automatically be placed during initial conversion on the individuals that meet the following criteria:

- ⊆ The CP and children in cases that have a good cause determination pending;
OR
- ⊆ The parties opposite an individual with a "VI" indicator and, if appropriate, the children. This will affect all cases in which the individual with a "VI" indicator is a party.

2. The Florida Department of Law Enforcement (FDLE) maintains a Domestic and Repeat Violence Injunction Statewide Verification System database. A data match was conducted between this database and the FLORIDA System. The following codes will be automatically inserted by the system as a result of the data match on either the CP or NCP during initial conversion.

⊆ **FE -- FDLE Exact Match.** This indicator will be placed in the special notes field of the person(s) associated with the case requiring protection. This occurs if an exact data match is obtained on an individual between the FLORIDA System and the FDLE. The system will also insert a "VO" indicator in the special notes fields on the individual listed in the FDLE database as the perpetrator.

⊆ **FF -- FDLE Potential Match.** If an exact match is not received but there is a possibility that the person on the two databases is the same (such as name and sex, but date of birth different by less than [sic] 365 days) then the system will place a "FF" (FDLE Potential) indicator in the special notes field of the person(s) requiring protection. The system also inserts a "VO" indicator in the special notes field on the individual listed in the FDLE database as the perpetrator. Procedures will be published separately on how to process cases that have a "FF" indicator in special notes.

3. Conversion Overwrite of Special Notes Fields. If both fields of the special notes are being used on an individual, the initial conversion process will overwrite them with a Family Violence indicator (except it will not overwrite a violent (VI) indicator. An exceptions report will be available detailing the codes that were overwritten. This will ensure that cases/individuals are properly flagged to restrict the release of information by the Federal Case Registry.

Please forward any comments regarding this issue via e-mail to FLCSEHQ.

Materials

Currently, Florida attaches the FV Indicator through self-reporting. Below is a draft of the statement an individual must complete to receive this type of protection.



L. H. Fuchs
Executive Director

STATE OF FLORIDA
DEPARTMENT OF REVENUE
TALLAHASSEE, FLORIDA 32399-0100

General Tax Administration
Child Support Enforcement
Property Tax Administration
Administrative Services
Information Services

STATE/FEDERAL CASE REGISTRY
REQUEST FOR NONDISCLOSURE

CP NAME: _____ NCP NAME: _____
CP SSN: _____ NCP SSN: _____

1. I, _____, state that the disclosure of my address or other information identifying my location to _____ could be harmful to myself or my children for the following reason(s):

[] I have a current court order that precludes release of my address or other location information or a Court Order sealing my court file. (Attach a copy)

[] I have a current Order of Protection or Injunction (temporary or permanent) against the other party. (Attach a copy)

[] I have reason to fear physical abuse, mental abuse, harassment and/or stalking.

(Explain) _____

[] I have reason to fear parental kidnapping. (Explain) _____

[] Other. (Explain in detail) _____

2. I understand that I must sign and return this affidavit within 30 days or no later than _____ to _____ in order to have a nondisclosure statement added to my CSE case record.

3. I understand that this request does not prohibit a court of competent jurisdiction from obtaining information regarding my whereabouts if it establishes that the release of the information would not be harmful to myself or child. I understand that this statement does not constitute an Order of Protection or an Order sealing court records. This form is used only to limit the release of my location information by the Federal Case Registry to another state.

Date _____ Signature _____

CS-II13 10/98