



## MISSISSIPPI

<b>INDICATOR NAME:</b>	Family Violence Indicator
<b>SETTING CRITERIA:</b>	<u>IV-D --</u> Good Cause request (TANF; due to family violence) Self-report (Minimum two supporting affidavits)  <u>Non IV-D</u> Court order regarding family violence
<b>ELIGIBLE PEOPLE:</b>	<u>People Directly Protected --</u> Custodial parent or child victims  <u>Others Protected --</u> All household members involved in the victim's MS child support cases or orders with the abuser (Automatic)
<b>IMPACT:</b>	Sends FV Indicator to the FCR Permits other attorney action, as needed
<b>DURATION:</b>	Indefinite, but reviewed annually
<b>REMOVAL CRITERIA:</b>	Victim request (Written) IV-D knowledge that risk no longer exists
<b>OVERRIDE:</b>	Preliminary procedure in place/draft not available

## Materials

*Below are sections from Mississippi policy regarding family violence, and the indicator, in the context of public assistance cases. Following the policy statement is a form that is prepared in response to a TANF recipient's request for Good Cause status -- one of the bases for setting a Mississippi Domestic Violence Indicator. This form is included because it clearly sets out information about the bases for Good Cause, and the inclusion of such a record in the protected person's case file may be important in the event that the agency needs to provide information at a later date regarding the reason for the person's FV Indicator.*

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### **Good Cause**

#### **Legal Base**

Federal law at 42 U.S.C. 602(a)(26)(B) allows domestic violence victims and others with good cause the opportunity to request a waiver from cooperating with child support requirements if the health or safety of parent or child(ren) would be put at risk by the disclosure of such paternal information.

#### **Definitions**

**Good Cause:** Circumstances under which cooperation may not be "in the best interests of the child."

**Family Violence:** Being the victim (adult or child) of any act or threatened act of violence, which results or threatens to result in physical or mental injury.

#### **Good Cause vs Family Violence**

Although family violence is reason to grant good cause for not cooperating with child support, the custodial parent may wish to cooperate with DCSE in establishing paternity and support or enforcing an existing support order, if she can reasonably expect her whereabouts to remain confidential. When family violence is determined to exist, the FV indicator must be entered on APPD.CASE. If the FV indicator is set on a case, no information will be disclosed to any person unless directed by the court.

All good cause exemptions do not include family violence and METSS should not be coded with the FV indicator except in cases involving family violence. Good cause exemptions not involving family violence should not be coded as family violence cases.

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### Protective Safeguards

The child support worker must place strong emphasis on the custodial parent's obligation to cooperate with DCSE and exactly what is expected so that there is no misunderstanding about the nature of that obligation.

At the time of the custodial parent's first contact/interview with DCSE, the child support worker will provide notice of the good cause exception verbally and by providing MDHS-CSE-616, *Child Support For Your Family's Benefit and Protection*. Since family violence victims may be reluctant to discuss their situation, no mother or other caretaker should be precluded from raising family violence concerns at a later date, if she does not make a claim at the initial interview.

If it appears that there are family violence issues in a case, the worker will explain the child support process to the custodial parent and explain that her privacy can be safeguarded. APPD.CASE will be coded with the family violence indicator and information about the location of the mother and child(ren) will be protected from disclosure to the father and/or anyone, unless disclosure is ordered by a court. APPD.CLNT will be coded for good cause exemption. After these safeguards are explained, the child support worker and the custodial parent should determine whether these protective devices offer sufficient protection to make it feasible to pursue child support.



**Materials**

Below is a sample Mississippi screen that illustrates the family violence data field.  
(That field is set out in bold print.)

```

xx/xx/xx          SUPPORT APPLICATION -- SUB-CASE STATUS (CASE)          METSS
XX:XX              XXXXXXXX
__ SUB-CASE STATUS          __ CLOSURE          MO DA YEAR
TYPE CODE   MO DA YEAR  REASON  CNTY CSEO  LEGAL          AP ACTION:
XX X        XX XX XXXX  ____   XXX XXX  XXX  SUB-CASE ACTION: XX XX XX XXXX
                                LEGAL REF: XX XX XX XXXX
MAO CASE ID  CREATE DATE          APPL REQUEST          APPL SENT          APPL REC'D CASE
OPEN DT
____          XX XX XXXX  _____          _____          XX XX XXXX

FOSTER MS FEE  AFDC SERV          EXPIRATION NO CHK  BYPASS CERTIFICATION          MESC
PLACEMENT CRT PAID  SUSP  RQST  FS  MO DA YEAR  FLAG  IRS  YEAR STATE YEAR SUPP
  _   _   _   _   _   _   _   _   _   _   _   _   _   _   _   _   _   _   X   _   _   _

*****OTHER AGENCY CASE DATA*****
          FIPS CODES          STATE _____ AGENCY NAME _____
CONTACT AGENCY ID: XXXXXXXX          (OFFICE NAME) _____
PAY TO AGENCY ID:  XXXXXXXX          (OFFICE/ENTITY NAME) _____
CASE IDENT:        X          INTERSTATE SERVICE REQUESTED: _____
LAST COURT ACTION: _____          DATE: _____
CONTACT PERSON:    (NAME) _____          PHONE: XXX-XXX-XXXX
COMMENT:

          FAMILY VIOLENCE INVOLVED: _____
USR: XXX          CSEO: XXX          FNX: APPD          MODE: C ID: XXXXXXXXXXXX X DOE, JOHN
PRD: XX XX CO:          CMD: _____          CP: XXXXXXXXXXXX          DOE, JANE
    
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