



Virginia



INDICATOR NAME: Family Violence Indicator

SETTING CRITERIA: IV-D & Non IV-D--
Protective order
Self-report (Affidavit)

ELIGIBLE PEOPLE: People Directly Protected --
Adult victims

Others Protected --
Children in CP victim's household involved in the victim's VA child support cases or orders (Automatic)

IMPACT: Sends FV Indicator to the FCR

DURATION: Indefinite

REMOVAL CRITERIA: Victim request (Written)
Virginia court order
Foreign court order for removal
Information that FV Indicator originally set in error

OVERRIDE: In development/draft not yet available

Materials

Below are sections from Virginia policy regarding the Family Violence (FV) Indicator. These sections outline specifically when and how to set the FV Indicator within the State.

VIRGINIA DEPARTMENT OF SOCIAL SERVICES DIVISION OF CHILD SUPPORT ENFORCEMENT

CHAPTER 12 CASE INITIATION (12-15-1998)

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Family Violence Indicator (12-15-1998)

B. Family Violence Indicator

1. The State Case Registry, which interfaces with the Federal Case Registry, contains child support information on all IV-D cases as well as . . . non-IV-D child support orders. The case registry participant record includes a data element, known as the family violence (FV) indicator. Codes ND (Affidavit of Nondisclosure and UIFSA Nondisclosure Finding) and PO (Protective Order) are used to indicate the sources by which DCSE is notified of a family violence situation.
 - a) Enter the FV indicator on the participant record when a party (custodial parent, noncustodial parent or putative father) signs and returns the Affidavit of Nondisclosure (ND).
 - b) If a party states at application that a protective order exists but cannot produce the document, ask the party to sign an Affidavit of Nondisclosure and enter the ND code.
 - c) If a protective order is later produced, manually enter the protective order code (PO).
 - d) Only set the FV indicator on adults. APECS will attach the FV indicator to all children associated with the custodial parent, including children on multiple cases.
2. APECS automatically sets the PO indicator using information received in the State Police Protective Order file. The PO indicator overrides an already existing ND indicator.
3. A participant event is generated when the FV indicator is set or at any time thereafter as updates are made to the indicator. The indicator is then transmitted to the Federal Case Registry. No information will be disclosed on that person unless a court determines otherwise. **DO NOT DISCLOSE ANY INFORMATION ON A PERSON ON WHOM THE FV INDICATOR IS SET.**
4. The FV date
 - a) The date corresponds to one of the following:

- 1) the date the Affidavit of Nondisclosure is signed in the district office, or if mailed, the date of receipt in the office, or
 - 2) the date the protective order is issued, or
 - 3) the date a removal code is entered.
- b) If APECS reveals a removal disposition code, the date represents a removal date.
- c) The system defaults to the current date if no date is manually entered.
5. Removal disposition codes
- a) R1 -- at party's request (must be IN WRITING);
 - b) R2 -- due to in-state order;
 - c) R3 -- due to out-of-state order; and
 - d) R4 -- FV set in error.
6. As the FV indicator and date are maintained at the participant level, the indicator follows a participant who has multiple cases or who moves to another case.
7. The FV indicator and children
- a) If a child with an FV indicator becomes a CP/NCP/PF, do not remove the indicator unless requested in writing.
 - b) The children in this case are NOT automatically linked to the FV indicator.
 - c) If an emancipated child wishes to sign an Affidavit of Nondisclosure for himself/herself, enter a new date. The FV indicator automatically sets on any children.
 - d) If an emancipated child does not wish to sign an Affidavit of Nondisclosure, remove the FV code.

**VIRGINIA DEPARTMENT OF SOCIAL SERVICES
DIVISION OF CHILD SUPPORT ENFORCEMENT**

CHAPTER 16 ESTABLISH, REVIEW AND ADJUST ORDERS (12-15-1998)

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C. Administrative Support Order (ASO)

1. Both Administrative Support Orders and orders issued by Virginia courts have the following major provisions:

a. Identifying information including

- 1) name(s) of child(ren) for whom support is being sought;
- 2) each parent's name, home address (and mailing address, if different), and telephone number;
- 3) each parent's social security number or driver's license number (if different); and
- 4) each parent's employer name, address and telephone number.

When a protective order has been issued or the Department otherwise finds reason to believe that a parent is at risk of physical or emotional harm from the other parent, information other than the name of the parent at risk shall not be included in the order. (VA Code 63.1-252.1)

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Materials

Virginia's "Create Participant Entry" screen illustrates the family violence data element. That screen appears below with the field shown in **bold**. The on-line help information on the FV Indicator follows.

xx/xx/xx	xx:xx:xx	CREATE PARTICIPANT ENTRY	
PARTICIPANT NAME	<u>DOE</u>	<u>JANE</u>	
MPI NUMBER		ADC PARTICIPANT NUMBER	
SOCIAL SECURITY NUMBER		DATE REGISTERED	
HOME PHONE #		FCR STATUS	
DATE OF BIRTH	AGE	SEX	F RACE MARITAL
CITY OF BIRTH		EMANCIPATION AGE	
STATE OF BIRTH		DATE OF DEATH	
BOW INDICATOR	AFDC-CC N	EARNED INCOME	/YR
PAT START DATE		UNEARNED INCOME	/YR
PAT END DATE		OTHER RESOURCES	/YR
PAT DISPOSITION	EFT =	FAMILY VIOLENCE	
	STREET1		APT#
MAILING	STREET2		
ADDRESS	CITY	STATE	ZIP CODE
	COUNTRY	INTNL ZIP CODE	
	PHONE	WORK PHONE #	
DATE ADDR VERIFY		URES A FIPS	
MPI LAST UPDATED	xx/xx/xxxx	xx:xx:xx	BY WORKER # NOTES N
PF2--ALIAS NAME	PF5--NOTES PROCESS	PF6--SELECT AGENCY	PF9--ENT/UPD PART.
PF10--ADC SUPPLMNT			

*WINDOW (AFVIND)

FIELD HELP

xx/xx/xx

Family Violence Indicator & Date

Valid codes for Family Violence (FV) Indicator:

ND	=	FV set per Affidavit of Nondisclosure
PO	=	FV set per Protective Order
R1	=	FV removed at person's request
R2	=	FV removed due to in-state court order
R3	=	FV removed due to out-of-state court order
R4	=	FV removed due to having been set in error

If the State determines that it has reasonable evidence of domestic violence or child abuse against a party or a child and that the disclosure of information could be harmful to the parent or child, the State is required to notify the Federal Case Registry (FCR) of this fact.

In APECS the Family Violence (FV) indicator is used to record this information. The FV indicator is set manually by the worker when a person signs and returns the Affidavit of Nondisclosure. It is also set automatically by the system using information received in the State Police Protective Order file. The indicator can be removed manually by the worker.

The Family Violence date is --

- the date the Affidavit of Nondisclosure is signed in the district office, or if mailed, the date of receipt in the office, or
- the date the Protective Order is issued, or
- the date a removal code is entered.

If the date is left blank, the system defaults to the current date. When updating, if the prior disposition code's date is not overtyped or spaced out, it is used as the updated code's date.

PARTICIPANT events are generated --

FVST event	=	FV indicator set to specific code (ND or PO)
FVRM event	=	FV indicator removed with specific removal code (R1, R2, R3, or R4)[.]

The worker is only required to set the FV Indicator on the client (CP). The nightly batch process will, in turn, set the FV Indicator on all children associated with the CP; i.e., all active children on opened cases.

If a child whose FV Indicator is set becomes a CP or NCP on their own case, the indicator remains set until a worker manually removes it. If the now emancipated child wishes to sign an Affidavit for herself/himself, a new FV date should be entered, which will cause the FV indicator to be set on his/her children in nightly batch. If she/he does not wish to sign an Affidavit, the worker is to manually remove the FV code using the removal code R1.

Field Length: FV Indicator is 2 positions.
FV Date is 10 positions.

Materials

The form that follows is Virginia's "Affidavit of Nondisclosure." It is completed by any IV-D case participant, or person involved in a non IV-D order, to alert the State of his/her safety concerns.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
DIVISION OF CHILD SUPPORT ENFORCEMENT

AFFIDAVIT OF NONDISCLOSURE

DCSE Case #:

Custodial Parent:

Noncustodial Parent:

Custodial Parent SSN:

Noncustodial Parent SSN:

I, _____, state that the disclosure of my address or other information identifying my location could be harmful to my child(ren) or myself. I am requesting that my address or other identifying information not be disclosed to the other party in the case referenced above. The request for nondisclosure of information will remain in effect until I notify the Virginia Division of Child Support Enforcement, in writing, that the at-risk situation is no longer valid.

Parent's Signature

Date Signed by Parent

Subscribed and Sworn to me on _____ in _____
the _____ of _____ in the
Commonwealth of Virginia.

My Commission expires _____

Notary

CERTIFICATION OF NONDISCLOSURE

Based on _____ Sworn affidavit, the Director of the Virginia Division of Child Support Enforcement (DCSE) has reason to believe the health, safety or welfare of _____ and/or the child(ren) would be unreasonably put at risk by the disclosure of identifying information.

Pursuant to Virginia Code 63.1-252.1, the address of other identifying information of _____ and/or the child(ren) shall not be disclosed in any documents. This includes any pleading or other document filed under the Uniform Interstate Family Support Act (UIFSA).

If you have questions, contact the authorized DCSE representative listed below.

Authorized DCSE Representative

