

OFFICE OF CHILD SUPPORT ENFORCEMENT

An Office of the Administration for Children & Families

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Domestic Violence Awareness Month: Focus on Resources, Collaboration and Confidentiality

IM-14-03

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INFORMATION MEMORANDUM

IM-14-03

DATE: October 3, 2014

TO: State and Tribal Agencies Administering Child Support Enforcement Plans under Title IV-D of the Social Security Act and Other Interested Parties

SUBJECT: Domestic Violence Awareness Month: Focus on Resources, Collaboration and Confidentiality

This information memorandum (IM) is released in partnership with the Administration for Children and Families (ACF)'s Family and Youth Services Bureau, Division of Family Violence Prevention and Services. It provides information about domestic violence training, resources, and partners.

October is National Domestic Violence Awareness Month. This gives us an opportunity to enhance our capacity to recognize the impact of domestic violence, respond effectively with trauma-informed strategies, and connect families to domestic violence services safely.

The Role of the Child Support Program in Responding to Domestic Violence

Many parents involved in the child support system have experienced domestic violence. The 2010 National Intimate Partner and Sexual Violence Survey (NIPSVS) reported that more than one third of women in the U.S. have experienced rape, physical violence, or stalking by an intimate partner in their lifetimes. Men also experience violence, and NIPSVS data reveals that over one-quarter of U.S. men experience intimate partner violence in their lifetimes. Supporting families who have experienced domestic violence is essential to a successful child support program.

One of the primary reasons given by victims of domestic violence for staying with or returning to an abusive partner is financial dependence. More than 90 percent of women with current or former abusive partners want to pursue child support if they can do so safely and confidentially. The intersection with the child support program is clear. When received, child support is a primary source of income for custodial families and plays a key role in helping victims leave an abusive relationship.

Because the child support program serves both parents, it plays a unique role in reducing the risk of violence and helping survivors pursue child support safely. Research shows that the birth of a child, the establishment of a child support order, and child support enforcement activities can all be triggers for violence. At the same time, the vast majority of custodial parents who have experienced domestic violence want and need child support.

By identifying and responding effectively to domestic violence; providing safe opportunities to disclose domestic violence; and developing safe and confidential responses to domestic violence, child support programs can put the safety of families and program staff at the forefront of child support work.

This IM highlights an array of resources and tools child support programs can use to help victims safely and confidentially obtain child support. It includes training tools for child support programs, emphasizes the critical role of confidentiality, and describes existing domestic violence resources for parents, child support professionals, and the courts. In addition to existing resources, the IM outlines the importance of and opportunities for collaboration with domestic violence programs and coalitions as a means to improve safe, efficient delivery of child support services.

OCSE Resources

State and local domestic violence organizations and coalitions are an invaluable source of resources for child support programs, including educational and training materials. In addition, OCSE maintains several **domestic violence resources on our website** (<http://www.acf.hhs.gov/programs/css/family-violence>) geared to the child support community.

OCSE also has a **collection of training tools** (<http://www.acf.hhs.gov/programs/css/resource/safely-pursuing-child-support-training-tools>) developed in collaboration with the National Resource Center on Domestic Violence. These materials can help child support offices identify and address domestic violence issues faced by their customers and help them safely pursue child support. The training toolkit includes a training presentation, trainer notes (complete with training tips and talking points), and a training guide to help child support managers conduct this no-cost training with their staff.

Other OCSE resources include a "**bench card** (<https://www.acf.hhs.gov/programs/css/resource/domestic-violence-child-support>)" for use by the judiciary and a caseworker "**desk card** (<http://www.acf.hhs.gov/programs/css/resource/safely-pursuing-child-support-desk-card>)". There is a **fillable brochure** (<http://www.acf.hhs.gov/programs/css/resource/you-have-the-right-to-be-safe>) so child support agencies can provide local child support and domestic violence services contact information to domestic violence victims. This brochure is **also available in Spanish** (<http://www.acf.hhs.gov/programs/css/resource/usted-tiene-el-derecho-a-sentirse-segura-o>).

Additional Resources

ACF's Family and Youth Services Bureau, Division of Family Violence Prevention and Services has funded several free online domestic violence training modules and free online resource collections. "**Domestic Violence: Understanding the Basics** (http://vawnet.org/training-tools/summary.php?doc_id=3443&find_type=web_desc_TT)" is an online, one-hour interactive eLearning module. The self-guided course provides a basic understanding of the complexities of domestic violence in a user-friendly format.

Promising Futures Without Violence (<http://promising.futureswithoutviolence.org/>) is an online resource center that houses evidence-based interventions, program models, and training curriculum and tools focused on best practices for serving children, youth, and parents experiencing domestic violence. **The National Domestic Violence Resource Center** (<http://www.nrcdv.org/>) is a comprehensive source of information for those wanting to educate themselves and help others on the many issues related to domestic violence. And, **Trauma-Informed Domestic Violence Services** (<http://www.vawnet.org/special-collections/DVTraumaInformed-Overview>) provides an overview of trauma-informed approaches to working with survivors and their children and the research that support this approach.

The training materials and information listed above give child support professionals a no-cost way to learn how to help families in their caseload who may be facing domestic violence and raise awareness of issues faced by survivors of domestic violence. OCSE encourages child support programs to become familiar with the resources available through ACF and OCSE.

Collaboration

Collaborating with programs that address domestic violence, fatherhood, and child welfare can simultaneously reduce violence, build economic resources, increase father involvement, and improve child support outcomes. The OCSE **Family Violence Collaboration fact sheet** (http://www.acf.hhs.gov/programs/cse/pubs/factsheets/child_support/family_violence_collaboration.pdf) highlights several successful collaborations between child support programs and domestic violence organizations.

Domestic violence coalitions (<http://www.vawnet.org/links/state-coalitions.php>), local domestic violence shelter programs, tribal domestic violence programs, and culturally specific, community-based organizations are integral partners. State coalitions are connected to more than 2,000 local domestic violence programs. Every coalition provides comprehensive training and technical assistance on social, legal, and economic issues that affect victims' safety and well-being. The **FVPSA State and Territorial Domestic Violence Coalition fact sheet** (http://www.acf.hhs.gov/sites/default/files/fysb/fvpsa_coalitions_20121114.pdf) describes State and Territorial Domestic Violence Coalitions which coordinate state- and territory-wide improvements within local communities, social service systems, and programming regarding the prevention and intervention of domestic violence.

Many successful partnerships and activities may be funded with IV-D funds. For more information, please consult **PIQ-12-02** (<http://www.acf.hhs.gov/programs/css/resource/partnering-with-other-programs-and-activities>), "Partnering with other programs, including outreach, referral, and case management activities," for specific examples of allowable activities. This PIQ expressly addresses domestic violence referrals and outreach stating the following:

"Federal IV-D funds may be used to provide information about family violence and to screen and make effective referrals to emergency shelters and family violence services, including advocacy and counseling services, for families in the child support caseload. Additionally, funds may be used to develop, produce, disseminate, and present outreach, education materials, and curricula about safe access to child support services. Consultation with community-based domestic violence experts is often very useful and we encourage grantees to hold consultations with experts in the field of domestic violence."

Working with domestic violence agencies to accomplish the core mission of the child support program is both encouraged and many activities are reimbursable. Many child support programs have existing collaborations with family violence providers and OCSE encourages the institutionalization and strengthening of these relationships and the development of new partnerships to increase safe access to child support services.

Another key partner is child welfare agencies. Child welfare and child support agencies have a long and rich history of collaboration on behalf of families. More recently, the collaboration has focused on sharing data. For more information, see **IM-12-02** (<http://www.acf.hhs.gov/programs/css/resource/requests-for-locate-services-referrals-and-electronic-interface>), "Requests for Locate Services, Referrals, and Electronic Interface".

Confidentiality

Confidentiality is a key concern for survivors of domestic violence. A survivor must be able to flee from violence without being located. It is vitally important that engagement with a child support program does not inadvertently endanger a family by disclosing information. Carefully considered data sharing protocols and safeguarding are essential.

Family Violence Indicator ("FVI") policies are not a complete approach to protecting the identity of or information about a victim of violence nor are they a complete domestic violence policy. The FVI is just one protection provided victims seeking child support. Under federal law, states are required to have an FVI process (Section 453(b)(2) and 454(26) of the Social Security Act). The law prohibits the release of specific information when evidence of domestic violence or child abuse exists. The FVI prevents any information from being released from the FPLS.

While states have taken great care in crafting policies and practices for the placement and removal of an FVI, such efforts do not ensure total confidentiality. The presence or absence of an FVI is not definitive of whether or not there is a history of domestic violence, particularly as family circumstances (and trust of the child support program) may change over time. Additionally, policies and practices regarding placement and removal of the FVI are only one component of a child support program's domestic violence plan or policies. Apart from the FVI, a comprehensive domestic violence plan should address disclosure, training, confidentiality, referrals, legal practice, and internal procedures for responding to domestic violence.

To further assist with the safety issues raised in seeking child support, child support programs can provide information and assist victims through address confidentiality programs. PIQ 12-02 (link provided on page 3), expressly states that child support programs can "use FFP [Federal Financial Participation] to develop alternative address/confidentiality systems for survivors in the child support program. This may be in partnership with family violence service organizations." Additionally, many states have existing **address confidentiality programs** (<http://www.victimsofcrime.org/our-programs/stalking-resource-center/help-for-victims/address-confidentiality-programs>). Enhanced safeguards and attention to confidentiality are especially necessary in interstate cases and interstate communications. For example, court documents protected in one jurisdiction may be public in another system.

Apart from data sharing where there are safety concerns, child support professionals must be careful not to communicate any information about child support customers unless they are required to by law. Even when child support programs pay careful attention to the safety needs of families, there will always be risks to engaging with the child support system. Therefore, it is important not to promise total safety or confidentiality, particularly given the prevalence of information on the Internet. OCSE recommends ongoing review of existing confidentiality policies.

Moving Forward

OCSE recognizes that working to help survivors of domestic violence safely obtain child support requires an ongoing commitment from federal, state, local, and tribal child support programs. This IM highlights some key resources, recommends collaboration with other agencies and organizations, and emphasizes the need for confidentiality. Going forward, OCSE recommends that state, local, and tribal child support programs review existing domestic violence procedures, policies, and practices. This review process is an ideal opportunity to engage family violence agencies or coalitions as expert resources. We encourage the update or development of comprehensive domestic violence policies and procedures using information gathered by the review.

Agency domestic violence planning goes beyond FVI policies. A domestic violence plan explains the agency's overall approach to responding to domestic violence, expectations for staff training, procedures for responding at various stages of disclosure, and engagement with domestic violence programs. States have great flexibility in determining key components and content in a domestic violence plan. OCSE expects to issue more guidance on this topic, and advises state and local child support programs to consult with their local domestic violence agencies or statewide domestic violence coalitions as they are updating their domestic violence protocols. Providing enhanced support to survivors of domestic violence will benefit families while improving child support compliance.

Additional ACF/ Family and Youth Services Bureau, Division of Family Violence Prevention and Services National Resources

National Hotlines

Sharing national, state and local hotline numbers for local domestic violence intervention programs, either directly or posting in public spaces that are frequented by staff and families, is a key strategy to connect victims to services. Knowing who to call when safety is at issue is an important tool for families. Free and confidential help is available for victims of domestic violence 24 hours a day. These hotlines can help victims of domestic violence and sexual violence find support and assistance in their communities:

- National Domestic Violence Hotline - 1-800-799-7233
- National Dating Abuse Helpline - 1-866-331-9474
- National Sexual Assault Hotline (RAINN) - 1-800-656-4673

National Culturally Specific Resources

The national network of organizations addresses the impact of domestic violence and implements culturally relevant trauma-informed services for ethnic and racially specific communities. These organizations provide training and technical assistance; produce culturally relevant tools for advocates and practitioners; conduct culturally relevant research; and, strengthen partnerships between culturally specific organizations and service providers.

- **Institute on Domestic Violence in the African American Community** (<http://www.idvaac.org/>)
- **Casa de Esperanza: National Latin@ Network of Healthy Families and Communities** (<http://www.casadeesperanza.org/national-latino-network/>)
- **Asian & Pacific Islander Institute on Domestic Violence** (<http://www.apiidv.org/>)
- **Women of Color Network** (<http://womenofcolornetwork.org/>)

National and Special Issue Domestic Violence Resources

There is a national network of organizations that address the impact of domestic violence and dating violence within specific issue areas such as health, mental health, substance abuse, child protection, and legal services. These organizations also provide training and technical assistance; produce tools for advocates and practitioners; conduct research; and partner with agencies to increase their overall capacity to support individuals and families impacted by domestic violence.

- **National Resource Center on Domestic Violence** (<http://www.nrcdv.org>)
- **National Indigenous Women's Resource Center** (<http://www.niwrc.org>)
- **National Center on Domestic Violence, Trauma, and Mental Health** (<http://www.nationalcenterdvtraumamh.org>)
- **National Health Resource Center on Domestic Violence** (<http://www.futureswithoutviolence.org>)
- **Resource Center on Domestic Violence, Child Protection and Custody** (<http://www.ncjfcj.org/dept/fvd>)
- **Battered Women's Justice Project: Criminal and Civil Justice Center** (<http://www.bwjp.org>)

INQUIRIES: Please contact your OCSE Regional Office.

Sincerely,

Vicki Turetsky
Commissioner
Office of Child Support Enforcement
