

2016 Annual Child Support Training Conference & Expo



PIECING IT ALL TOGETHER

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CHILD SUPPORT DIRECTORS ASSOCIATION OF CALIFORNIA

**2016 Annual Child Support
Training Conference & Expo**

**DOMESTIC VIOLENCE
WORKING WITH
CUSTOMERS AND CSE**

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SAFELY PURSUING CHILD SUPPORT –
FVI and the Child Support Professional

Mariana Negrete, Empower Yolo

Marlene Brawner, Central Sierra Child Support Agency

Christy Kruger, Yolo County DCSS

Freda Randolph Glenn, City & County of San Francisco

Empower Yolo

Mission Statement:

Promoting safe healthy and resilient communities.

Empower Yolo is Yolo County's primary victim service provider and violence prevention leader.

Empower Yolo: Programs and Services

Safe & Confidential Shelter

- 24-hour emergency shelter for men, women and children escaping domestic violence, human trafficking or sexual abuse. The shelter offers a safe refuge, comprehensive empowerment services and case management.

Empower Yolo

Counseling Programs:

- Adults: Counseling services to adults who have been victimized by domestic violence or sexual assault; include walk-in peer counseling, support groups and individual counseling.
- Children: Counseling services for children who have been victimized by violence, sexual abuse, neglect, school/community violence or who have witnessed violence in their home.

Empower Yolo

Legal Services:

- Daily restraining order clinics
- Domestic Violence Advocates in all law enforcement agencies in Yolo County
- Court and mediation accompaniment
- Assistance with Victims Of Crime application
- Weekly Family Law Legal Clinic
 - Co-located Family Law Legal Clinic with the Yolo County Dept. of Child Support Services

Family Law Legal Clinic

Services offered by volunteer Family Law Attorneys:

- Divorce
- Legal Separation
- Child Custody/ Guardianships
- Legal Consultations

Benefits of Co-Location

- “One stop shop” for survivors of domestic violence and sexual assault.
- Confidential location.
- Familiar and secure location for survivors.
- All staff are trained crisis counselors.
- Attorneys have immediate access to child support staff to ask questions.

Purpose of Collaboration

Provide excellent customer service for persons who are a victim of or in high risk of possible domestic violence, sexual assault, human trafficking, or child abuse in Yolo County. Aid and promote the wellbeing of at risk children by assisting both parents to meet their financial and medical needs.

Co-Location of DCSS at Empower Yolo

- 2/10/2015 DCSS started co-location at Empower Family Law Legal Clinics, every Thursday
- Clients are screened prior to appointments
- New cases opened as a result of appointment are managed by one CSO

Feedback

From volunteer attorney:

“The Yolo County Child Support representatives have provided effective assistance at our clinic more times than I can count.”

- Brian Pakpour, President Pakpour Family Law, PC

Feedback

“Whether it is opening a new case, managing a current case or simply looking up information such as case data or declarations of paternity, the representatives from Child Support Services have been incredibly helpful.”

- Brian Pakpour, President Pakpour Family Law PC

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Domestic Violence: Working with Customers and CSE

Marlene Brawner
Child Support Supervisor

Family Violence – Purpose and Responsibilities

Family Violence standards exist to ensure the safeguarding of case participants through the protection of their individual rights of privacy as well as screening and acting upon findings of family violence.

* Each LCSA must screen all CPs and NCPs for family violence, except intergovernmental responding cases.

Your Responsibilities

A child support professional must check the FV indicator in the following cases:

1. Protective order issued for party or children.
2. Good cause is pending or approved.
3. Party indicates increased risk of harm to themselves or children.
4. LCSA has reason to believe release of information may result in physical or emotional harm to party or children.

FVI indicator remains checked until the protected person **indicates in writing** that there is no longer a risk of harm.

Legal Requirements

Whether or not the FVI has been activated, identifying information must be omitted from court documents if one of the following exists:

1. A protective order has been issued;
2. A good cause claim is pending or approved;
3. A party to the case has indicated there is an increased risk of harm to themselves or their children if information is released;
4. The LCSA has reason to believe the release of the identifying information may be harmful to a party in a child support case.

When an LCSA is prohibited from releasing information for any of the above-listed reasons, the information must be omitted from any pleading or document to be submitted to the court and Family Code §17212 (b)(2) must be cited in the pleading or document.

Determining Family Violence

As a child support professional you must determine if Family Violence exists by reviewing the FV Questionnaire. You need to take the following into consideration:

1. The date(s), time(s) and place(s) of each incident(s).
2. The names of persons who witnessed the incident(s).
3. Police, government agency or court records or files.
4. Documentation from a domestic abuse program.
5. Documentation from legal, clerical, medical, or other professionals from whom the CP or NCP sought assistance in dealing with domestic abuse or child abuse.
6. Physical evidence of abuse.
7. A statement from another individual with knowledge of the circumstances that provide the basis for the claim of abuse.
8. Protective orders issued.
9. Any other evidence that supports the incident(s) of family violence or child abuse.

Conclusion

It is better to use caution and grant family violence in any case than to risk harm to customers. Always follow LCSA and DCSS practices.

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Domestic Violence: Working with Customers and CSE

Christy Kruger
Supervising CSO

FVI Granted – How does that affect our cases?

- A FVI must be activated on all persons living WITH the protected person who is a party to their child support case or order.
- FVI should not be set on the perpetrator of family violence.
- When a new case is opened and the FVI indicator is not set to “No” then the participants are held for up to 5 days from being submitted to the FCR(Family Case Registry) to allow for the return of Family Violence Questionnaire.

FCR/FPLS Locate Background

- FCR (Family Case Registry) is a National Registry of IV-D Cases and Non IV-D Orders – FCR maintains key information for the case or court order and their related participants.
- The FCR is used to receive and pass Federal Parent Locator Service (FPLS) locate requests and responses for our IV-D participants.
- FCR is helping us share data about our people, cases and court orders with other State Child Support Agencies.

FVI and FCR/FPLS

- Once a participant is successfully registered with FCR, the FCR will proactively send locate data for the participant to CSE, unless the participant's FV status in any State, is registered as "Yes".
- FVI flag prevents the automatic release of locate information on the FCR back to CSE.
- This also remains true with any data requests sent through the State Services Portal (SSP).

Take Away Points

- FVI should not be set on the perpetrator of family violence. FVI “Yes” = no locate information received from FCR/FPLS on protected person.
- FVI will remain in effect until the protected person indicates in writing that there is no longer a risk of harm.
- Good practice to periodically review cases to see if an FVI should be set or if it is no longer needed (look for changed circumstances, child protected with FVI may become a NCP).

Resources

- Statewide Policies Manual
- FCR Training PowerPoint
- OCSE Safely Pursuing Child Support PowerPoint
- Locate Quick Reference Guide (QRG)

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Domestic Violence: Working with Customers and CSE

Freda Randolph Glenn
Operations Manager

Project Overview

During SFY09-10, SF DCSS noticed a sharp increase in the number of families on our caseload who indicated that they were victims of domestic violence. FVI increased from 3% to 11% of total caseload:

- SFY09-10 = 569 cases (17,915 total caseload)
- SFY10-11 = 1,721 cases (15,853 total caseload)

Case Management Response

Case Management Strategies

- Dedicated caseworker
- Direct contact

Mindful Enforcement

- No surprises – proactive enforcement
- Encourage appropriate communication between parties and DCSS

Staff Training

- Interactive scenarios and role play
- Resources and referral information

Staff and Community Engagement

- Workshops
- Referral services

Case Assignment Strategy

Monthly CMT reconciliation

- NCP resides in San Francisco

Case Review

Introductory Phone Call

- Case Review
- Next steps (no surprises!)

Appointment Services

Direct Access to Caseworker

Key Partners

- Department on the Status of Women
- Domestic Violence Consortium
- District Attorney Victim Services Division
- Community-Based Domestic Violence Service Providers
- Adult Probation

All Staff Training

- Why is this training relevant and necessary?
- Dynamics of Domestic Violence – “In Her Shoes”
- Role Plays
 - Best practices on screening for DV
 - Responding to disclosures
- Cultural Competence/Humility
 - Awareness of one’s own cultural worldview
 - Attitudes towards cultural differences
 - Knowledge of a wide range of cultural practices and worldviews
 - Practice cross-cultural interaction

"In Her Shoes"

Aggressor/Abuser	Employers
Clergy/Religious Beliefs	Law Enforcement
Family/Friends	School/Day Care Providers
Medical Professionals	Emergency/First Responders
Victim Services/Advocates	Child Support Agency
Court/Judges (Family Law and Criminal)	Counselors/Social Workers
Shelter/Emergency Housing	Attorneys/Legal Service Providers
Public Assistance Agency	Immigration Services

Role Play - Scenario

Nikita has a three year old daughter, Lyla, and a 6 month old son, Lionel. They live in a public housing development. The children's father is Lamar. The parents have never been married and do not have any custody orders. Nikita recently went on CalWORKs and was referred to DCSS. When she comes in for her first in-person appointment with a worker, the caseworker can see from prior court records that Nikita once applied for a restraining order against Lamar, but did not show up for the hearing and the case went off calendar. When the caseworker asks Nikita about any history of domestic violence, she says, "Oh that's not an issue now."

Role Play – Supportive Messages

- I believe you and I am concerned for your safety.
- No one deserves to be abused.
- I will keep this information in the strictest confidence, unless I am legally obligated to share it.
- I'm glad you told me about the abuse. Let's figure out together if you can stay safe if we collect child support.
- It might be helpful to speak with a domestic violence advocate. Here are some referrals.

Role Play – Scenario Cont'd

A month later, when Lamar gets served with the paternity and support papers, he is arrested after he shows up at Nikita's home, screaming outside her door, and threatening to beat her up. The police obtain an Emergency Protective Order for Nikita, but Lamar is not criminally prosecuted. When Nikita calls the caseworker to tell them about this, she also discloses that a year ago, when she and Lamar were still together, Lamar broke the window in her apartment one time when she wouldn't let him in. Another time, he choked her when he thought she was seeing another man.

Safety Assessment – Risk Factors

- Prior use/threats of a weapon against the client
- Threats to kill client or children or suicide threats
- Client's belief that partner might try to kill her/him
- Access to weapons
- Prior choking or attempted choking of client
- Obsessive jealousy and/or control of daily activities
- Separated from partner after living together
- Partner's unemployment
- Client has a child that partner knows is not his/hers
- Stalking – following, spying, threatening messages

Safety Options for Survivors

- Good Cause Waiver of Child Support
- Phone Appearance if Possible
- Getting to and from court safely
 - Bailiff in the courtroom can hold the abusive parent for 15 minutes;
 - Bailiff can ensure that parties are not in elevator together;
 - In serious cases, bailiff can escort abused parent to special exit;
 - Survivor has a right to a support person who can sit at the table with her/him
- Personal information can be redacted from pay stubs
- Safe at Home address confidentiality program

Project Outcomes

- Improved relationships with domestic violence service providers
- Resource hours and referral services with Adult Probation and DA Victim Services Division
- Department-wide implementation of proactive case management practices
- No reports of violence related to child support case management practices

Keep In Mind

- Over 90% of domestic violence victims want to pursue child support if they can do so safely.³
- Domestic violence issues can come up at any point in the child support process.
- In order for survivors to do good safety planning, they need accurate and complete information about the child support process.

(3) Pearson, J. & Thoennes, N. (2000). New directions for child support agencies when domestic violence is an issue. Policy and Practice, 58, 29-36.

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