

Child Support

When You're Afraid
of the Other Parent



STAY SAFE
KNOW YOUR OPTIONS
GET SUPPORT

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NATIONAL COUNCIL OF
JUVENILE AND FAMILY COURT JUDGES

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Do you want child support but are afraid of how your current or former partner/spouse/boyfriend/girlfriend may react to a child support case?

Are you unsure about getting child support and want to know what protections are available from your local child support agency?

If you do NOT want child support because of your concerns, do you want to know how to keep a case from being opened or close a case that is already opened?

You are not alone.

Lots of parents want or need child support but worry about getting child support safely. This card explains the process, describes options, and offers questions to ask agency workers to help you stay safe.

If You Don't Want Child Support, Know Your Options

What is a "good cause" exemption from child support collection?

For some people, getting child support may be dangerous. There are options available to protect you. Violence or your fear of violence may be good cause to allow you to get public benefits you need without going through the child support process.



How can you get a good cause exemption?

Ask your benefits caseworker or call the agency when applying online for benefits.

- *Does applying for benefits mean a child support case will be opened?*

- *How can I stop a child support case from opening if it's not safe to get support?*
- *If a child support case is already open, how can I close the case or get a good cause exemption?*

Staying Safe

Is this domestic violence?

When most people hear the words “domestic violence” they think of physical or sexual violence. Some abusers never physically attack their victims. Abusive people find ways to control without physical violence, using threats, shame, insults, and isolation. Abusers also use resources to control by denying access to money, a car, telephone, or legal documents—making it hard to leave or stay away. Abusers can also use threats about kids, custody, or child support as a way to maintain control.

Is there a protection order issued against your current or former partner?

If so, show it to agency workers **EVERY TIME** you visit a public assistance, child support, or other public benefits office.

You don't have to have a protection order for public agencies to provide safety options for their services. Tell agency workers about **ANY** safety concerns you have. Agency workers should keep your information confidential, with some exceptions for information about child abuse or if you tell them you are in immediate danger. Ask how they will keep any information you share confidential.



Getting Child Support

What will happen in the child support process?



When it comes to child support every state is different, but below are some key questions to ask.

What may happen

Questions to ask to help you stay safe

Child support and notice to the other parent.

The other parent will receive a notice when a case is opened that may contain your contact and other information.

- When and how will the other parent be contacted?*
- How do I flag my case for family violence so my contact information is not included in the notice and will not be shared?*

What may happen

Questions to ask to help you stay safe

Child support and paternity testing (DNA).

A DNA or paternity test may be required to determine legal fatherhood (paternity).

- How can I arrange a different testing time or location from the other parent?*

Child support and your address. Your address might be on forms sent to the other parent or to the court.

- How do I flag my case for family violence so my address isn't shared with the other parent, included in the national child support database, or included on court documents?*

Child support and in-office meetings.

You may be asked to meet with the other parent in the child support office.

- Can I participate in meetings by phone or video-conference?*

What may happen

Questions to ask to help you stay safe

Child support and in-office meetings (cont.).

- Can I schedule my meeting on a different day than the other parent?*
- Can we meet in court instead?*

Child support and the courts. You may have to go to court to work out the details of the child support order.

- What are the safety options for getting into and out of the courthouse?*
- Are there waiting areas where I won't have to see the other parent?*
- Will security be notified about my safety concerns?*
- Can I attend by phone or video-conference?*
- Can I bring an advocate from a domestic violence program or a friend for support?*

What may happen

Questions to ask to help you stay safe

Child support and visitation (sometimes called parenting time or custody).

- Will the child support order include visitation?*
- Does the amount of time the children spend with each parent affect how much support must be paid?*
- What happens if I don't agree with the other parent on visitation?*

Child support orders and collection.

- How will child support be collected?*
- What happens if the other parent refuses to pay?*
- How will I be notified before collection actions are taken?*

Why do child support workers ask questions about domestic violence?

- *To keep families safe and explain what they can do to make getting child support safer*
- *To help survivors take care of their children and gain financial independence with child support payments*
- *To work with other community services that help survivors with housing, transportation, employment, and other support*

Remember:

You can update information about safety at any time. Even if you've already told agency staff that you didn't have safety concerns, things change and we want to help you stay safe.

Provide information about your safety concerns **EVERY TIME** you contact an agency.

and

If you need to talk to someone immediately about safety when getting public assistance or child support, or if your agency worker is unable to help you, call the **National Domestic Violence Hotline at 800-799-7233** or the **StrongHearts Native Helpline at 844-7NATIVE**. Highly trained advocates are available 24/7/365 to talk confidentially with anyone experiencing domestic violence, seeking resources or information, or questioning unhealthy aspects of their relationship.

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