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Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.000](#)

Section 22.000: General Information About Public Disclosure

This section contains general information about public disclosure.


Contents


Laws	RCW 42.17.250 - 340 State Public Records Disclosure Act. RCW 26.23.120 DCS disclosure law. WAC 388-14A-2105 through -2160 DCS disclosure rules
Policy	<p>Do not pressure or require a party to approve disclosure.</p> <p>Access and disclose only information allowed by law and in the pursuit of assigned duties for IV-D purposes.</p> <p>Staff may verify the identity of a person who requests information on a DCS case.</p> <p>Each District Manager shall appoint a Public Disclosure Coordinator (PDC) for each field office who makes decisions regarding public disclosure.</p> <p>All disclosure policies and procedures shall apply to records stored in any format or records received from any source through any means.</p> <p>Only the PDC shall tell a person that the information is non-disclosable or deny a request for disclosure.</p> <p>Do not disclose any confidential information to anyone, including members of legislative bodies or their representatives, without a written and signed public disclosure release.</p>
Procedure	When you receive a request for information, follow local office procedure for releasing information and/or referring the request to the PDC.
Visual Aids	Public Disclosure Coordinators
Automated Actions	
SEMS Screens	BC , CC , IA
Forms Used	17-041 , 17-063, 18-176b
Hearing and Conference Board Rights	Administrative Hearing for CP on 18-176b
Personal Notes [Add a note]	You have not added any notes to this handbook section.

See Also

[Establishment of a Support Obligation](#)

[Hearing and Conference Board Rights](#)

[Limitations to Collection](#)

[Locate](#)

WAC 388-320 DSHS disclosure rules.

[Top 5 Questions Regarding Social Security Number Collection for Child](#)

[Support Enforcement](#) - (Nat'l Conference of State Legislatures)

Review

Procedures

1. What is it?

- o DCS records are confidential. At the same time, they are public records and DCS must disclose them under certain, limited circumstances. DCS takes care in disclosure issues because the safety of the parties and children are sometimes at risk.

2. How does it affect me as an SEO?

1. You will receive requests for information about DCS cases and the people on them. These requests may come from the people on the case or from other sources.
2. The process for disclosing an address is different than that for releasing other information. Refer to local office procedure for who can release addresses, either the SEO or the Public Disclosure Coordinator (PDC). [Section 22.015](#) covers address disclosure.
3. The next sections discuss types of information you can give and to whom.

3. Why do I need to know what information is disclosable?

1. The NCP, CP, or child may have personal safety concerns. A CP or NCP may have a court order that limits or prohibits contact, or a good cause determination.
2. The NCP, CP, or child may be harmed if you give out an address or other information without following disclosure processes.
3. One of the people in the support order may be in the Secretary of State's Address Confidentiality Program (ACP). This program lets victims of domestic violence conceal their address when dealing with state and local agencies. Use the Secretary of State's Office for service of process. [See section 22.015 A #1](#) for how to disclose an address for someone in the ACP.
4. Privacy and confidentiality laws may not allow you to release certain information.
5. An SEO can disclose some information. The local Public Disclosure Coordinator (PDC) must always disclose other information. See [section 22.010 Chart](#).
6. Only a PDC can deny a request for disclosure, or tell someone information is non-disclosable. See [section 22.010](#) for when to refer a request to the PDC.

Revised April 2, 2004

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Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.005](#)

Section 22.005: Receiving & Reviewing a Request for Information Other Than an Address
 This section describes what to look for when you receive and review a request for information.

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CN - 250

Laws	RCW 26.23.120 WAC 388-14A-2105 through -2160 specific DCS rules
Policy	Release information without a referral to the PDC if the request meets all of the following: <ol style="list-style-type: none"> 1. The request is from a party to a current or potential court or administrative support order or an authorized representative to one of the parties. 2. The request is specific about what information the party is seeking. 3. The request is specific about the time periods that are at issue. 4. The request states that it is seeking information for the establishment, enforcement, or modification of a support order. <p>Provide access to all DCS or DOR tax information to an AAG, Prosecuting Attorney, or IV-D agency assisting in a IV-D action.</p>
Procedure	Review any request for information to see if it meets the requirements for disclosure.
Visual Aids	
Automated Actions	
SEMS Screens	CC , BC , IA
Forms Used	17-041 (instructions) , 17-063
Hearing and Conference Board Rights	
Personal Notes [Add a note]	You have not added any notes to this handbook section.
See Also	Case Closure Hearing and Conference Board Rights Limitations to Collection

Procedures

• What do I do when I receive a request for information?

1. Every field office has a Public Disclosure procedure. Follow local office guidelines to either respond directly to the request or refer it to the PDC.
2. Review the request. If local office procedure allows, you may respond directly if the information wanted is in the [chart in 22.010](#) **and** if the request meets all of the following. The request must:
 1. Be from a party (or an authorized representative for the party) to a current or potential court or administrative support order. **And**
 2. Ask for specific information. **And**
 3. Refer to specific time periods.
3. Make sure you can disclose the information by checking the [chart in section 22.010](#) Information an SEO Can Disclose.
4. Review the case. Refer the request to your PDC if any of the following apply:
 1. The CP claims good cause or the CSO has approved the CP for any level of good cause
 2. There is any reason to believe that release of any information might prove harmful to any party.
 3. The request does not meet the [requirements in #2 above](#).
5. If the request is from a law enforcement agency for purposes other than child support enforcement, the request must be in writing, **And**:
 1. Be presented by a law enforcement officer asking for the location of a person named in a felony arrest warrant. **Or**
 2. Be presented by a U.S. Immigration official for the location of a person named in an illegal-alien warrant. **Or**
 3. Be for the purpose of investigating a complaint of child abuse or neglect.
6. [Section 22.015](#) covers the process to disclose an address.

Revised April 2, 2004

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Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.010](#)

Section 22.010: Responding to a Request for Information Other Than an Address

This section describes how to respond when you get a request for information on a case.

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CN - 250

Laws	<p>RCW 82.32.330 RCW 74.94.969 RCW 26.23.120</p> <p>Releasing IRS,DOR, & DCS information RCW 26.23.120 WAC 388-01-170</p> <p>Access information for support enforcement purposes RCW 42.17.250 - 340</p> <p>Disclosure rules WAC 388-01-080 Copy fee</p>
Policy	<p>Release disclosable information to the requester or to a third party with the requester's written authorization.</p> <p>Disclose information to other government bodies for enforcement of child support or investigation of child abuse or neglect.</p> <p>DCS provides the first ten pages without charge. You may charge copy fees for additional pages. The PDC may choose to waive fees.</p> <p>When sending disclosable information, block out any nondisclosable information.</p> <p>Refer all requests for IRS and DOR information to the PDC.</p>
Procedure	<p>After reviewing the request, decide whether you can respond directly or refer it to the PDC.</p>

Visual Aids	Chart - Information an SEO May Disclose
Automated Actions	
SEMS Screens	CC , IA , BC , OR
Forms Used	17-041 , 17-063
Hearing and Conference Board Rights	Conference board
See Also	Case Closure Hearing and Conference Board Rights Limitations to Collection Locate

Preview

PROCEDURES

1. What information can I give out?

1. If the request meets the requirements in [section 22.005](#), and local office procedure allows, an SEO may give information per the [chart below](#), Information an SEO May Disclose.
2. The NCP or CP may give written permission to allow DCS to provide information to anyone.
3. A public disclosure request does not need to be in writing unless it is for disclosure of address information (use the **Address Disclosure Request 18-176A**). If a CP, NCP or other person wishes to make an oral public disclosure request, do not refuse to accept the request. Instead, take the request orally, commit it to writing on a **Request for Disclosure of DSHS Records 17-041** and indicate that this was an oral request. Handle the request as if it had been submitted in writing. If the Public Disclosure Coordinator needs clarification of the request, the PDC should contact the requestor within five days.

2. What about requests that the chart does not cover?

1. Tell people who want DOR information to call the DOR Public Records Officer at 360-786-6136. If the person refuses to contact DOR, and insists on getting the information from DCS, refer them to the PDC.
2. You may give information on an IRS intercept amount to the NCP, CP, or an authorized representative. Refer requests for other IRS information to the PDC.
 - OR and IRS information that DCS has verified (such as an **Employer Inquiry, DSHS 18-002** sent to and returned from an employer) becomes DCS information. This information becomes disclosable under DCS guidelines.
3. You can release wage/income information for establishment, enforcement, or modification. Be sure to block out any reference to the parties' address, employer name, or employer address.
4. A parent who wants a child's address:
 - a. If the child is in foster care: within 5 days of request, notify the parent in writing to contact the local Children & Family Services Office (DCFS) or Community Services Office (CSO). Forward the request to the appropriate office, "Attn: PDC"
 - b. Notify your PDC of the request.
5. You may disclose information to other government agencies and tribes, as long as they are enforcing child support or investigating child abuse or neglect. Otherwise refer the request to your PDC.
6. If you get a request for certified payment information, you may certify the [CH](#) screen or a [PC debt calc](#) and use that as the response.
7. A CP can request that DCS report to a credit file that someone owes a debt to the CP.

- a. Get a written release from the CP to report the information.
 - b. Report only to the credit file of the requester.
 - c. Tell the credit bureau that the information relates only to the requester and they may use it only to update the file.
8. A credit grantor may ask for confirmation of information showing on a credit report.
- a. Notify the grantor that we automatically update the credit bureau report updated every two months.
 - b. If the grantor still wants information, tell them you need specific authorization from the party to release the information. They will need either a **Request for Disclosure of DSHS Records, DSHS 17-041** or a signed statement from the party.
 - c. When you receive specific authorization, refer the case to the PDC.
9. In most cases, refer to your PDC anything that the SEO [disclosure chart on the next page](#) that does not address. Refer to local office procedure and your PDC if you have questions.

3. What are the penalties for wrongful disclosure?

- o Penalties for wrongful disclosure may include:
 - a. Fines.
 - b. Dismissal from state service.
 - c. Time in jail or prison.
 - d. Civil liability.

4. Do I charge for making copies?

1. There is no fee to anyone for copies relevant to a hearing.
2. There is no fee for the first 10 pages of material copied. Charge 15 cents for each additional page, plus postage.
3. Charge for printed material, such as handbooks, at actual printing costs. Contact [State Office Administrative Operations](#) for these costs.
4. Only the PDC can waive the copying fee. Refer the case to the PDC if the requester asks you not to charge.
5. Send the check or money order for copying fees to state office marked: "For Public Disclosure Copies".

5. What if the information is not disclosable?

- o Only the PDC can deny a request. Refer the case to the PDC.

[Chart - Information an SEO May Disclose](#)

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Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.015](#)

Section 22.015: Disclosing an Address

This section describes how to respond to a request for the address of the NCP, CP, or child.

Contents



Laws	<p>PRWORA RCW 26.23.120 Information and Records WAC 388-14A-2150 to 2155 Basic Confidentiality Rules</p>
Policy	<p>Follow the notice & hearing procedures of WAC 388-14A-2114 to 2155 for requests for whereabouts information concerning the CP, NCP, or the children.</p> <p>Whereabouts information includes home, residence, employer, school, or daycare information.</p> <p>Provide parents & physical custodians with a chance to authorize release of their address information to the other parent. Such authorization must be in writing and notarized. See DSHS 18-176D.</p> <p>When release of an address is denied, DCS advises the party whose address was requested of the denial and who requested disclosure. See DSHS 18-176B</p> <p>DCS does not provide notice to the NCP before disclosing his or her whereabouts information unless NCP has requested prior notice.</p> <p>Even if the NCP has not requested prior notice, refer the request to the PDC if the DV indicator is set to 01 for any party or child on the case, or if there is any other indication in the case record that release of the information may endanger a party or child on the case.</p> <p>All public disclosure denials, including whereabouts information, must be done in writing by the PDC.</p> <p>Refer requests for the address of a child in foster care to the PDC who will (1) respond to the requester and (2) refer the request to the PDC at the CSO or DCFS office within 5 days.</p>

	DCS does not release phone numbers.
Procedure	<p>Review the request to see if it meets necessary requirements: generally, in writing with a verified signature and for specific purposes. Send DSHS 18-176 AND 18-176A as appropriate.</p> <p>Release whereabouts information of CP or child only after notice to the CP.</p> <p>Release whereabouts information of the NCP without notice only if prior notice has not been requested and there is no other indication in the case record that the release of the information may endanger a party or child on the case.</p> <p>All denials of disclosure should be referred to the PDC. Only the PDC may deny disclosure.</p> <p>Refer requests for the address of a child in foster care to the PDC who will (1) respond to the requester and (2) refer the request to the PDC at the CSO or DCFS office within 5 days.</p> <p>DCS does not release phone numbers.</p>
Visual Aids	
Automated Actions	
SEMS Screens	CC , IA , BI
Forms Used	18-176 , 18-176A , 18-176B , 18-176C , 18-176D
Hearing and Conference Board Rights	Administrative hearing on 18-176B Person aggrieved by denial of disclosure request can request review by AGO under WAC 388-01-130(2)
Personal Notes [Add a note]	You have not added any notes to this handbook section.
See Also	Hearing and Conference Board Rights Limitations to Collection Locate

Procedures

1. Review the case. If any of the following circumstances apply, refer the case to your PDC.

1. The requested address is in the ACP and the request is for any other information or former addresses.
2. The CP ever had an approved [good cause claim](#) (Level A or B).
3. DCS has information that releasing the address may endanger the NCP, CP, or child.
4. The order upon which the request is based restricts or limits the NCP's rights to contact or visit the CP or child.
5. The requester wants to visit the child, and there is no order that allows visitation.
6. The request is for purposes other than establishing, enforcing, or modifying a support order.
7. The requester is neither the NCP, the CP, nor an entity with whom DCS shares information.
8. The request is for purposes other than establishing, enforcing, or modifying a parenting plan when there is an existing support order.
9. The requester specifically asks for the other party's employer or employer address.
Note: There is no statutory requirement for this information to begin the establishment or modification of a support order.
10. The requester reasonably expects that notification may cause the other person to flee. The PDC will ask the requester to show all of the following:
 - The children were taken or enticed from the physical custody of the requester without the requester's consent.
 - The requester has not subsequently consented to being deprived of physical custody of the children.
 - The requester has exerted and continues to exert reasonable efforts to regain physical custody of the children.

2. What if the CP has reported domestic violence?

1. Before releasing whereabouts information, check the DV indicators on the case for all parties and children on the case. Review all cases associated with the person at risk. See [Section 5.020](#)
2. If a DV indicator is set for the person whose whereabouts information is requested, do not release the whereabouts information. Refer the request to the PDC for denial.

3. The address disclosure process.

1. All requests for whereabouts information must:
 1. Be in writing; **And**
 2. State the purpose of the request; **And**
 3. If the request is related to custody or visitation, include a copy of the order for custody or parenting time (visitation) that is the basis of the request. You may waive the requirement to include a copy of the order if there is a copy of the most recent order on file. **And**
 4. The requester must have the signature notarized if he or she mails the request to DCS. The

requester does not have to have the signature notarized if the party submits the request in person with proof of identity, or if the party's attorney makes the request.

2. Send an **Address Release Information Letter**, [DSHS 18-176](#) and **Address Disclosure Request**, [DSHS 18-176A](#) to the requester if you get a verbal request for an address or the written request does not meet the requirements in [C #1 above](#).
3. Once the written request meets the requirements in C #1 above:
 1. When CP/child information is requested, mail a **Notice of Address Disclosure Request**, DSHS 18-176B to the last known address of the CP.
 2. When NCP information is requested, provide the information using the DSHS 18-176C, unless the NCP has requested notice prior to release, or if there is any other information in the case records (including all related cases for the parties/children) indicating that release of the information may injure the NCP or the child. In these instances, refer the request to the PDC.
4. In response to the 18-176B, the person whose whereabouts information has been requested may:
 1. Get a court or tribal order preventing release of the address. **Or**
 2. Request a hearing. **Or**
 3. Contact the CSO caseworker to pursue a good cause claim if the CP or the children receive public assistance.
5. Do not release the address of any party until:
 1. We complete any action(s) that we started in order to prevent disclosure, and
 2. All appeal rights are exhausted.

Note: If someone requests a hearing, the order will not be final within the actual 21-day appeal period. There is an additional 30-day untimely appeal period following the initial decision; this makes a 51-day appeal period.
6. Respond to the request within 5 days after any appeal period expires.
 1. If you can disclose the address, send a **Response to Address Disclosure Request**, [DSHS 18-176C](#) to the requester.
 2. The PDC must send any denial of a request.
 3. The PDC must notify the non-requesting party when we deny a request for the address outright.

Revised March 22, 2005

Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.020](#)

Section 22.020: Guidelines for the Public Disclosure Coordinator

This section lists some guidelines for the PDC.

Contents

CN - 250

Laws	WAC 388-01 : Disclosure of Public Records
Policy	<p>Only the PDC shall disclose copies of the CC screen.</p> <p>Do not release the whereabouts of one party to another party when the court entered a protective order against one party with respect to the other party.</p> <p>Do not release the whereabouts of a person when DCS has reason to believe that releasing the information may result in physical or emotional harm to that person.</p> <p>Do not disclose information from sealed records, except to parties of the action.</p>
Procedure	<p>Review any request to disclose information for referral to the PDC.</p> <p>Use specific procedures for disclosure requests for Internal Revenue Service (IRS) or Department of Revenue (DOR) information contained in DCS records.</p>
Visual Aids	
Automated Actions	
SEMS Screens	CC , BC , IA
Forms Used	17-041 , 17-062, 17-063
Hearing and Conference Board Rights	Administrative hearing on 18-176b.
Personal Notes [Add a note]	You have not added any notes to this handbook section.
See Also	Case Closure Establishment of a Support Obligation Hearing and Conference Board Rights Limitations to Collection Locate

Procedures

1. Disclosure process

1. When you receive an oral request for information complete a **Request for Disclosure of DSHS Records**, [DSHS 17-041](#).
2. Respond within 5 working days of receipt of the request.
 - If you cannot grant approval or denial within 5 days, notify the requester of the delay within that same 5-day period.
3. Send a **Public Disclosure Response Letter** to the requester if you receive an incomplete request.
4. Send a letter to the requester to let them know what fees you required for copies before sending any copies. You may waive fees if you feel it is appropriate.

2. Disclosing DOR, IRS information

1. Disclosing Tax Information from DOR:
 1. Deny any request for information when the reasons are not related to IV-D program purposes.
 2. Release information only when the state is a party to administrative or civil actions to establish, modify, or enforce child support.
 3. Refer all other requests for DOR information to:

Madelon Barton
Taxpayer Assistance
P.O. Box 47478
Olympia WA 98504-7478
2. You cannot disclose information received from the IRS. If the SEO has verified IRS information, it then becomes DCS information and is subject to DCS disclosure rules.
3. You may refer requests for discovery made in anticipation of an adjudicative proceeding to OAH.

3. Giving access to DCS files

- If a requester wants to look at the DCS file:
 1. Remove nondisclosable material from the file.
 2. Photocopy partially disclosable documents and delete the nondisclosable material from the copies that the requester will inspect.
 3. Record omitted material and the reasons for omission.
 4. Complete a **Denial of Disclosure of Public Records**, DSHS 17-062 indicating the type of information we are not disclosing and the legal basis for denial.
 5. Explain to the requester why we are not disclosing some material.
 6. If the requester does not inspect the file within 90 days, you may destroy any copies prepared for public disclosure.

4. Denying a request for information

1. Use the 17-062 to deny a request for public disclosure; it informs the requester of the right to petition for review. You may also deny by letter, but your denial must give the basis for denial. The address for public disclosure appeals is:

*DCS Public Disclosure Appeals
PO Box 9162
Olympia 98507-9162*

2. The requester may send a petition for review to the Public Records Officer (PRO).
 1. The PRO has 2 days to respond in writing to the request.
 2. You may receive a call from the DSHS PRO to discuss your denial.

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Chapter 22: Public Disclosure

This Section has been replaced by [CN-250: Chapter 22 - Public Disclosure and Confidentiality, Section 22.025](#)

Section 22.025: Voluntary Requests for Credit Reporting

This section describes what to do when a party asks you to report their own information to the credit bureaus.

Contents

CN - 250

Laws	45 CFR 302.70(a)(7) requires credit bureau reporting WAC 388-14A-2160
Policy	Respond to voluntary requests for reporting the requester's own support amount.
Procedure	Review any request to report information for specific authorization.
Visual Aids	
Automated Actions	SEMS automatically reports a case to the credit bureaus if the case has been open over 60 days, there is an SSN and address for the NCP, and the arrears are over \$1000.
SEMS Screens	CC , IA , CF
Forms Used	17-063
Hearing and Conference Board Rights	Conference Board
Personal Notes [Add a note]	You have not added any notes to this handbook section.
See Also	Case Closure Debt Calculation Hearing and Conference Board Rights Limitations to Collection

Procedures

1. What is a voluntary request to report?

1. The NCP or CP can ask you to report their own specific support debt to a creditor or credit bureau.
 - One party cannot request that the other party's information be reported.

2. How do I do this?

- Send the requester an **Authorization to Release Information**, DSHS 17-063. When you receive the completed form, it must detail what specific information you may disclose and to whom.

3. How do I report this information?

- Send a letter directly to the authorized person or agency and a copy to the requester.
 1. Specify the requester.
 2. State that the information is only for the requester's file.
 3. Do not include case numbers or identification of other parties.

4. What if the requester wants me to report undisclosable information?

1. Follow public disclosure rules.
2. Refer the request to your PDC.

Revised April 2, 2004

Preview

