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*Revised December 20, 2004*

## Chapter 5: Cooperation & Good Cause

### Section 5.000: Determining When a CP Must Cooperate with DCS

This section describes cooperation and noncooperation

#### Contents

Laws	<p><a href="#">42 USC 654</a> TANF CP must cooperate in good faith</p> <p><a href="#">42 CFR 433.147</a> MAO CP cooperation</p> <p><a href="#">RCW 74.20.320</a> CP must remit direct payments</p> <p><a href="#">WAC 388-14A-2040</a> defines cooperation</p>
Policy	<p>A CP must cooperate by helping to locate NCP and NCP's assets, establish paternity, and establish and enforce support as a condition of eligibility for public assistance.</p> <p>Do not require cooperation if it would be dangerous for the CP or child in the CP's care.</p> <p>When an MAO CP is pregnant, the CP does not have to assign rights for child support for the unborn child until sixty (60) days after the child's birth. No cooperation is required for the unborn child. This exemption does not apply to other children in the CP's home.</p> <p>The CSO can grant the CP good cause not to cooperate with DCS.</p>
Procedure	<p>Review the case for good cause.</p> <p>Use CC code <b>11</b> when making entries regarding good cause.</p> <p>Review an MAO case. If the CP is pregnant and receives medical assistance for the unborn child but does not receive medical assistance for any other children, reset the RC <b>13</b> for the month following the sixtieth (60th) day after the child's expected birth.</p>
Visual Aids	
Automated Actions	
SEMS Screens	<a href="#">BC</a> , <a href="#">CC</a> , <a href="#">RC</a> , <a href="#">4A</a>
Forms Used	<a href="#">18-444A</a>
Hearing and Conference Board Rights	There is no DCS or CSO hearing right on a noncooperation finding. The CP may ask the CSO for a hearing on the sanction.
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<p><a href="#">2.046</a> Case set-up for unborn child</p> <p><a href="#">5.020</a> Family Violence</p> <p><a href="#">6.180</a> Establishing retained support debt</p> <p><a href="#">9.045</a> Medical support limitations</p> <p><a href="#">13.005</a> Tribal Enforcement</p> <p><a href="#">16.020</a> Noncooperation during modification process</p> <p><a href="#">Closing other types of cases</a></p>

## Procedures

### 1. When does a CP who receives a temporary assistance for needy families (TANF) grant have to cooperate with DCS?

1. Federal and state law requires the custodial parent (CP) to cooperate with Division of Child Support (DCS) in the establishment of paternity or a support order, and with efforts to locate the noncustodial parent (NCP) or the NCP's assets. This is a condition of eligibility for public assistance.
2. The CP does not have to cooperate with DCS if the CP has a pending [good cause](#) claim or the Community Services Offices (CSO) granted the CP good cause. See Section [5.010](#).
3. A pregnant medical assistance only (MAO) CP does not have to cooperate with DCS for the unborn child.

### 2. When does a pregnant MAO CP have to cooperate with DCS?

1. A medical assistance only (MAO) CP does not have to cooperate with Division of Child Support (DCS) while she is pregnant and for the first sixty (60) days after the birth of the child.
  1. This type of assistance does not require an assignment of child support and medical support rights. See [WAC 388-462-0015 \(9\)](#).
  2. Medical lasts until the last day of the month that included the sixtieth (60th) day after the child's birth. See [WAC 388-416-0015 \(3\)](#).
  3. During this sixty (60) day period, if you send something to the CP, do not consider a lack of response as noncooperation.
  4. This cooperation exemption status does not apply to other children in the CP's home, only the unborn child.
2. If the pregnant MAO CP has other children living in the home who receive temporary assistance for needy families (TANF) or medical assistance, the CP must cooperate regarding those children.
3. After the pregnancy Medicaid period ends, you may require cooperation from the CP regarding all children in the household.

### 3. When does a nonassistance CP have to cooperate with DCS?

1. The nonassistance (NA) custodial parent (CP) must cooperate with Division of Child Support (DCS) in the establishment of paternity or a support order, and with efforts to locate the noncustodial parent (NCP) or the NCP's assets.
2. If DCS cannot take the next step in the case without the CP's cooperation, DCS may close the case. However, a failure to respond is not always sufficient for case closure. See Section [5.005 A and C](#), and Section [18.000 C.5](#).
3. An NA CP who has concerns about domestic violence can request case closure. See Sections [5.020 B](#) family violence and [18.000](#) case closure.

### 4. May DCS close a public assistance good cause level B case for noncooperation?

1. DCS keeps the CP informed on the establishment process but does not require the CP to respond to

notices or participate in hearings.

2. If DCS can not take the next step in the case without the CP's cooperation, such as to establish paternity, DCS may close the case.
3. Do not close the case if there are enforcement or establishment remedies available. See Section [18.005](#).

## 5. **What if the CP receives temporary assistance for needy families (TANF) from an Indian tribe?**

- o Consult your [regional tribal liaison](#). Cooperation and noncooperation procedures vary between tribes based on rules set in the tribe's TANF program and any negotiated State/Tribal cooperation agreement. See Section [13.005](#).

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*Revised August 22, 2006*

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## Chapter 5: Cooperation & Good Cause

### Section 5.005: Determining When to Send a Noncooperation Notice

This section describes exceptions to cooperation.

### Contents

Laws	<p><a href="#">45 CFR 302.31 (3)(b)(C)</a> stop locate or establishment of paternity if the CP claims good cause</p> <p><a href="#">WAC 388-14A-2040</a> CPcooperation</p> <p><a href="#">WAC 388-14A-2041</a>, <a href="#">2075</a> what happens if CP does not cooperate</p> <p><a href="#">WAC 388-422-0010</a> sanction for noncooperation</p>
Policy	<p>Do not require cooperation if the TANF/MAO CP is afraid the NCP may harm the child or the CP, or when there is a good cause claim pending or granted.</p> <p>Do not send a <b>Notice of Noncooperation</b>, DSHS 01-115:</p> <ol style="list-style-type: none"> <li>1. If the NA CP tells DCS that the NCP may harm the child or CP. Explain the CP's options, which include closing the case.</li> <li>2. If the CSO has granted good cause.</li> <li>3. If the MAO CP is pregnant or has given birth within the last sixty (60) days (regarding the unborn/newborn child).</li> <li>4. If the CP retains direct payments during TANF periods.</li> </ol>
Procedure	<p>When a TANF or MAO CP fails to cooperate with DCS send a <b>Notice of Noncooperation</b>, DSHS 01-115.</p> <p>When the TANF or MAO CP cooperates after DCS sent the DSHS 01-115, send a <b>Notice of Cooperation</b>, DSHS 01-115A to the CSO.</p> <p>If DCS cannot take the next step on a nonassistance case without the CP's cooperation, consider case closure.</p> <p>Use CC code <b>11</b> when making entries regarding good cause.</p>
Visual Aids	
Automated Actions	<p>FG 01-115 sets BC Good Cause/Coop field to <b>3</b> (Ref Non-Coop)</p> <p>FG 01-115A sets BC Good Cause/Coop field to <b>0</b> (blank)</p>
SEMS Screens	<p><a href="#">BC</a>, <a href="#">FG</a>, <a href="#">FT</a>, <a href="#">BI</a>, <a href="#">WB</a></p>
Forms Used	<p><a href="#">18-444A</a>, <a href="#">01-115</a>, <a href="#">01-115A</a></p>
Hearing and Conference Board Rights	<p>There is no DCS hearing right on a noncooperation finding.</p> <p>The CP may ask the CSO for a hearing on the sanction.</p>
Personal Notes <a href="#">[Add a note]</a>	<p>You have not added any notes to this handbook section.</p>

See Also

[4.015](#) Foster Care

[5.010](#) Good cause

[6.185](#) Establishing a retained support debt

[18.000](#) Identifying a case for closure

## Procedures

### 1. What do I do if a CP won't cooperate with the DCS or the Prosecutor/AAG??

1. If a temporary assistance for needy families (TANF) or medical assistance only (MAO) custodial parent (CP) does not cooperate with DCS or the Prosecutor (Pros) or State Attorney General's Office (AAG), send a **Notice of Noncooperation**, DSHS [01-115](#) to the CP and to the community service office (CSO).
  1. Include detailed reasons why you believe the CP is not cooperating and state what the CP must do for DCS to release the noncooperation notice.
  2. Use FG to send a copy of the 01-115 to the CSO and CP at the same time. This allows SEMS to automatically set the BC to 3.
  3. The 01-115 advises the CP how to claim good cause. The CSO grants or denies good cause. See Section [5.000 A.2](#).
2. If the Prosecutor/AAG has the case for paternity and the CP is not cooperating, let the Prosecutor determine noncooperation.  
**Note:** If the Prosecutor asks you to send the DSHS 01-115 to the CSO, use FG to send the notice. Document the request with a CC code 11.

### 2. What can I do if an MAO CP refuses to cooperate and the medical assistance ends?

1. If the CP refuses to cooperate to establish paternity and the pregnancy Medicaid period ends, you may begin case closure.  
**Note:** You may not start closure if the case is active TANF or MAO. See Section [18.010 C.1](#)
2. Close an MAO case that is in noncooperation status if the father is the NCP and all of the following apply:
  1. The child is the CP on the MAO case or child-only grant;
  2. Paternity needs to be established and you cannot locate the mother, or the child's mother will not cooperate, and,
  3. The medical assistance period ends. See Section [18.010 C.2](#).

### 3. What can I do if a non-MAO nonassistance CP will not cooperate?

1. If DCS cannot take the next step on the case without the CP's cooperation, you may begin case closure.
2. You cannot close the case for noncooperation if there are other enforcement remedies available.
3. Allow the CP thirty (30) days to cooperate before starting the closure process. See Section [18.000 C.5](#).

### 4. What should I do when a CP in noncooperation status cooperates?

1. Cooperation begins when the TANF or MAO CP completes the action that was the basis for the noncooperation.

2. When a CP cooperates, FG a **Notice of Cooperation**, DSHS 1-115A and send it to the CSO and the CP at the same time. This allows SEMS to update the CP Good Cause/Coop field on the BC screen.
3. If noncooperation was because the CP missed an interview, reschedule the interview within seven (7) business days of when the CP contacts DCS or the Prosecutor/AAG to reschedule the interview.  
**Note:** If the CP was considered as noncooperative for missing an interview with the Prosecutor/AAG, refer the CP to Prosecutor/AAG to reschedule the interview.

## 5. When do I not send a noncooperation notice?

1. The Community Services Office (CSO) has granted any level of good cause and the custodial parent (CP) has not withdrawn the claim. See Section [5.000 C](#).
2. The medical assistance only (MAO) CP gave birth within the past sixty (60) days. See Section [5.000 B](#).
3. The CP has returned a **Report of Family Violence**, DSHS [18-569](#) to DCS. See Section [5.020 B](#).
4. The CP declares that the CP has provided all information the CP knows about the NCP or putative father by returning a signed **Declaration of Available Information**, DSHS [09-696](#) to DCS.
5. Paternity testing previously excluded the noncustodial parent (NCP) named in a paternity action.  
**Note:** Ask the CSO for another referral when this happens if there is no other NCP.

## 6. What happens when DCS claims that the CP is not cooperating?

1. The CSO will sanction the CP by reducing the TANF grant by twenty-five (25) percent.
2. If the family receives MAO, the CP will be removed from medical assistance.
3. The CP has a right to request a CSO hearing on the sanction.
4. If the CSO Fair Hearing Coordinator (FHC) contacts you for information relating to the non-cooperation, provide required information. If your FO has a contact person for this purpose, refer the FHC to that person. The FHC may ask you to testify by phone at the hearing on the sanction, or you may be able to assist in getting the CP to cooperate.
5. If the family receives MAO, the CP is removed from the Medicaid grant.

## 7. What if the CP receives a temporary assistance for needy families (TANF) grant through an Indian tribe?

- o Consult your [Regional Tribal Liaison](#). Cooperation and noncooperation procedures vary between tribes based on rules set in the tribe's TANF program and any negotiated State/Tribal cooperation agreement. See [Section 13.005](#).

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Revised December 20, 2004

## Chapter 5: Cooperation & Good Cause

### Section 5.010: Responding to Types of Good Cause

This section explains actions to take on good cause cases.

### Contents

Laws	<p><a href="#">45 CFR 302.31</a> providing services without involving the CP in certain good cause cases</p> <p>WAC <a href="#">388-14A-2060</a> types of good cause</p> <p>WAC <a href="#">388-14A-2065</a> good cause level A</p> <p>WAC <a href="#">388-14A-2070</a> good cause level B</p> <p>WAC <a href="#">388-422-0020</a> IV-A good cause rule</p>
Policy	<p>DCS actions must be in the best interest of the child.</p> <p>DCS keeps Good Cause Level B CPs informed of actions on their cases, but does not require the CP's cooperation.</p> <p>CP must contact the CSO to change good cause status.</p>
Procedure	<p>Review the case for a good cause determination</p> <p>Use <a href="#">CC</a> code <b>11</b> when making entries regarding good cause.</p> <p>Send a <b>Support Establishment and Good Cause Level B</b>, <a href="#">DSHS 09-900</a>, to the CP by regular mail before or at the same time you send a support establishment notice.</p>
Visual Aids	<p>Chart: <a href="#">Case Closure Criteria and Codes</a></p>
Automated Actions	<p>Set Good Cause/Coop field on the <a href="#">BC</a> screen to <b>1</b> (Ref <b>GC</b>) if the CP has requested good cause. This sets enforcement services to <b>10</b> (Good Cause) and prevents <a href="#">EV</a> actions.</p> <p>Set Good Cause/Coop field on the BC screen to <b>7</b> (GC B Granted). This prevents sending locate requests to the CP. <a href="#">EV</a> runs.</p> <p>Set Good Cause/Coop field on the BC screen to <b>2</b> (GC A Granted). This prevents any action on the case. <a href="#">EV</a> does not run.</p> <p>If <a href="#">DV</a> is set to <b>1</b> (at issue) on the <a href="#">BI</a> screen, <a href="#">EV</a> runs.</p>
SEMS Screens	<p><a href="#">BC</a>, <a href="#">CF</a>, <a href="#">BI</a>, <a href="#">WB</a></p>
Forms Used	<p><a href="#">18-444A</a>, <a href="#">18-444</a>, <a href="#">09-900</a>, <a href="#">18-011A</a></p>
Hearing and Conference Board Rights	<p>CP may ask the CSO for a hearing on the CSO good cause decision.</p>
Personal Notes <a href="#">[Add a note]</a>	<p>You have not added any notes to this handbook section.</p>

See Also

[2.030](#) Cross-referencing applications and referrals  
[3.100](#) Good cause in establishing paternity  
[4.015](#) Good cause foster care  
[6.085](#) Tolling the sixty-day rule for good cause  
[9.000](#) Limitations to collections  
[18.015](#) Determining actions to close a case  
IV-A Eligibility A-Z Manual Index [good cause](#)  
Social Services Manual index [good cause](#)

## Procedures

### 1. Who determines good cause?

1. Good cause not to cooperate with Division of Child Support (DCS) is a term Department of Social and Health Services (DSHS) uses when a custodial parent (CP) can show DCS actions relating to the noncustodial parent (NCP) could result in harm to the child or CP. See IV-A Eligibility A-Z Manual Index [good cause](#) and [Social Services Manual](#) index good cause for Community Services Office (CSO) policy.
2. The CSO determines if a claim of good cause is valid and the type of good cause to grant (Level A or B).
3. Once the CSO grants good cause, it continues until the CP withdraws the claim or the CSO denies it. The CSO reviews a good cause claim every six (6) months to determine if it still applies.
4. If the CSO notifies you that a CP has claimed good cause (Proposed DCS Good Cause Decision, DSHS [18-444A](#)):
  1. Set the BC Good Cause/Coop field to **1** (Ref GC)
  2. Provide input to the CSO if you have reason to question a good cause claim or decision.
  3. Respond within ten (10) days to a CSO request for information to help determine good cause findings.
5. The Children's Administration (CA) may also grant certain types of good cause in foster care cases (e. g. reunification, adoption, etc.). CA may reverse a determination at a later time. See Section [4.015 F](#).
6. If you are aware that the foster care (FC) child's former temporary assistance for needy families (TANF) case, or that the TANF child's former FC case was approved for good cause, let the referring office know of the prior claim. A good cause claim in a TANF case automatically carries over to a foster care case.

### 2. What should I do when the CSO grants good cause level A?

1. Good cause level A is based on the premise that any DCS contact with the NCP would be dangerous to the child or CP.
2. Enter code **2** (Good Cause A Granted) in the CP Good Cause/Coop field on the [BC](#) screen and the date approved by the CSO. EV does not run.
3. Do not pursue any establishment or enforcement activity on level A good cause cases.
4. If IRS is certified, make every effort to decertify and refund any money collected to the NCP.  
**Note:** If the NCP has certified arrears on other cases, review for reapplication of IRS intercept funds.
5. Close the case, using closure code 50. See Section [18.000](#).
6. If the NCP pays voluntarily, accept and process the payments. Advise the CSO if the NCP pays support. The CSO may determine that level B good cause is more appropriate than level A. See Section [2.040](#).

### 3. What should I do when the CSO grants good cause level B?

1. Good cause level B allows establishment and collection without the assistance of the CP or children.
2. Enter code **7** (Good Cause B Granted) in the CP Good Cause/Coop field on the [BC](#) screen and the date approved by the CSO. EV will run but not send locate requests to the CP.
3. Review BI for CP and for each child and set the domestic violence indicator to **1** (at issue) if threat of DV is mentioned in the **Proposed Good Cause Decision**, DSHS [18-444A](#).
4. If paternity has not been established by the courts, and no paternity acknowledgement or paternity affidavit exists for the child whose paternity is "at issue", close the case per 45 CFR 303.11(9) good cause closure code 57. See Section [18.000](#) Chart: Case Closure Criteria and Codes.

**Exception:** If a paternity acknowledgement or paternity affidavit exists, establish a support obligation through the administrative order process.

**Note:** Notify the Prosecutor about the good cause B decision if the case has been referred to them for paternity establishment. See Section [3.100](#).

5. Update White Board (WB) with good cause, Domestic Violence (DV) and/or Address Confidentiality Program (ACP) issues. See Sections [5.020](#) (DV) and [5.015](#) (ACP).
6. If the FC child's former TANF case was approved for good cause, send the **Information Update**, DSHS [18-011A](#), to CA informing them of the claim. See Section [4.015 F](#).
7. If the TANF child's former FC case was approved for good cause, send the 18-011A to the CSO informing them of the claim. See Section [4.015 F](#).

#### 4. What should I do if a good cause claim is denied?

1. If good cause is denied, set a review for ninety (90) days after the CSO denial date to allow the CP to appeal the decision. BC Enforcement Services field remains **10** (Good Cause) during the ninety (90) day period.

**Note:** DCS tolls the sixty (60) day rule during this ninety (90) day period. See Section [6.085](#).

2. Check with the CSO after the ninety (90) days to see if CP has appealed the good cause decision.
  1. If the CP appealed, BC enforcement services field remains **10** (Good Cause) until the CSO hearing process is completed. If the good cause denial is overturned, see [5.010 B](#) or [C](#) above.
  2. If the good cause denial is upheld, update BC Enforcement Services field and BC Good Cause/Coop field. Take immediate establishment or enforcement action.
  3. If the CP did not appeal, update BC Enforcement Services field and BC Good Cause/Coop field. Take immediate establishment or enforcement action.

#### 5. What should I do if a good cause claim is withdrawn?

1. If good cause is withdrawn, the CSO sends out the [18-444](#). DCS staff can take immediate establishment or enforcement action. Update BC Enforcement Services field and BC Good Cause/Coop field. See Section [5.010 D](#) above and Section [6.085](#).
2. The CP has a ninety (90) day period to request a CSO hearing on the withdrawal.
3. The CP may claim good cause again at any time. If this happens, follow the same procedures as with the original good cause claim. See [5.010 A](#).

#### 6. What happens to good cause when public assistance terminates?

1. Keep level A case closed unless the CP applies for full collection services.
2. Continue to work a level B case at the same level unless the CP applies for nonassistance services. See Section [5.010 A. 2](#).
3. If assistance terminates while the good cause claim is pending, the CSO will not abandon the good cause claim but will issue a determination so that DCS knows how to proceed with the case.
  1. Ensure Good Cause/Coop field on the BC screen is **1** (Ref GC). This sets the Enforcement Services field to **10** (Good Cause) and EV does not run.
  2. Wait until the determination is received from the CSO before working the case.

## 7. What are some general guidelines for good cause cases?

1. Do not solicit contact with the custodian or children in any good cause case. In good cause level B, DCS keeps the CP informed on the establishment process but does not require the CP to respond to notices or participate in hearings. See **Support Establishment and Good Cause Level B**, DSHS [09-900](#).
2. Refer all address disclosure requests to the field office public disclosure coordinator.

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*Revised November 30, 2005*

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## Chapter 5: Cooperation & Good Cause

### Section 5.015: Secretary of State's Address Confidentiality Program (ACP)

This section explains the Secretary of State's Address Confidentiality Program (ACP).

### Contents

Laws	<a href="#">Chapter 40.24 RCW</a> - defines the Address Confidentiality Program (ACP)
Policy	Use only the ACP address <b>only</b> for all correspondence in ACP cases.
Procedure	Use the ACP address <b>only</b> for ACP CPs. Do not ask the ACP participant to give you their real address for any reason. Use <b>CC</b> code <b>47</b> when making entries regarding ACP
Visual Aids	
Automated Actions	
SEMS Screens	<a href="#">CC</a> , <a href="#">IA</a> , <a href="#">EV</a> , <a href="#">WB</a>
Forms Used	
Hearing and Conference Board Rights	Not a DCS program, so no DCS hearing right.
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<a href="#">Secretary of State Address Confidentiality Program (www.secstate.wa.gov/acp/)</a> <a href="#">5.020</a> Family violence

## Procedures

### 1. What is the Address Confidentiality Program?

1. The Address Confidentiality Program (ACP) assists crime victims (specifically victims of domestic violence, sexual assault and stalking) who have relocated to avoid further abuse. The program allows participants to keep their home, work and/or school address secret by providing a substitute address program.
2. This program is available to anyone who qualifies and is not limited to public assistance recipients.
3. Refer people to the [Secretary of State's Office](#) for more information (1-800-822-1065).

### 2. How do I know if someone is in the program?

1. Verify the status of a person claiming to be in ACP.
  1. An ACP identity card verifies that the party named is in the program.
  2. Call ACP at 1-800-822-1065 to confirm a person's status in the program if they do not have an identity card or they are giving information over the phone.
2. Do not, under any circumstances, request the ACP participant to provide their actual physical address, school or work addresses.

### 3. How do I update ACP participant IA screens?

1. If the ACP confirms that the person is an approved participant, then:
  1. Post the ACP address as a verified 01 address in both mailing and home addresses to keep [EV](#) from replacing the address.
  2. Enter the person's name, ACP participant number, and ACP address on the [IA](#) screen as follows:  
  
Jane Doe, ACP#1234  
PO Box 257  
Olympia, WA 98507-0257
2. Post a [CC](#) code **47** entry noting the address change and the ACP participant number, and also post a White Board comment.
3. Direct all correspondence, including certified mail, to the ACP address.

### 4. What do I do when the ACP CP refuses to cooperate?

1. ACP participation does not excuse a CP from cooperating with DCS. If a CP fails to cooperate, follow [normal noncooperation procedures](#). See Section [5.005](#).
2. If the CP still fails to cooperate, DCS may ask ACP to end the participant's ACP program status and release their address. Contact the Public Disclosure Coordinator in the DCS State Office for help if this becomes necessary.
3. Close a nonassistance case when an ACP participant will not cooperate with DCS. See Section

[18.010.](#)

5. **What do I do about a modification request if the CP is a participant in ACP?**

1. If either party or DCS initiates a modification request, transfer the case on SEMS to the Olympia FO for modification through the Thurston County Prosecutor Office.
2. If the NCP lives out of state, see Sections [16.020](#), [16.025](#) and [15.065](#).

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*Revised December 16, 2004*

## Chapter 5: Cooperation and Good Cause

### Section 5.020: Responding to Family or Domestic Violence Issues

This section describes limitations to collection when there are domestic violence issues on a case.

### Contents

Laws	<p>Federal Wellstone/Murray Family Violence Amendment <a href="#">Violence Against Women Act of 1994</a>  <a href="#">18 USC 2265</a> full faith/credit to protection orders  <a href="#">RCW 26.44.030</a> reporting of domestic violence, child abuse, or neglect  <a href="#">WAC 388-14A-2116</a> NCP notice prior to address release</p>
Policy	<p>On nonassistance cases, at the request of a CP, stop establishment and enforcement actions when family violence is an issue. Per the CP, if the threat of family violence is not related to DCS actions continue establishment and enforcement actions.</p> <p>On assistance cases, refer the CP to the CSO for a good cause determination. Notify the CSO orally and in writing. Suspend all case actions until you get the determination back from CSO.</p> <p>When an NCP's threat of domestic violence is against the CP, set the CP's DV (FV) indicator. If the NCP's threat is against the child, set both the child's and the CP's DV indicators.</p> <p>Do not release address information on any person with a DV indicator set. Refer all such requests to your PDC.</p> <p>When a person on a case expresses concern about family violence, explain any available options.</p> <p>If a person reports domestic violence, or abuse and neglect of a child, whether relating to a party on your case or not, tell the person of options available. Inform the person reporting that the law requires us to report neglect or abuse to the proper authorities.</p> <p>Report all alleged child abuse and neglect to CPS. Mandatory reporting obligation is triggered when you have reasonable cause to believe that a child has suffered abuse or neglect.</p>
Procedure	<p>If a domestic violence issue relates to DCS actions, review the case and suspend all establishment and collection actions.</p> <p>Set a Domestic Violence (DV) Indicator whenever the CP raises a family violence issue relating to the case. From an individual's <b>BI</b> screen, enter <b>1</b> (at issue) in the domestic violence field.</p> <p>Use CC code <b>47</b> when making entries regarding domestic violence.</p>
Visual Aids	<p><a href="#">Brochure - Family Violence and Child Support: Your Options</a></p>

Automated Actions	When DV indicator field is set to <b>1</b> (at issue), CSENeT replaces CP address with field office (FO) address but EV continues to run.  EV will run on cases coded good cause level B but will suppress CP locate forms. EV will not run on good case level A cases.
SEMS Screens	<a href="#">CC</a> , <a href="#">BI</a> , <a href="#">WB</a>
Forms Used	<a href="#">09-859</a> , <a href="#">09-861</a> , <a href="#">18-569</a>
Hearing and Conference Board Rights	Conference Board
Personal Notes <a href="#">[Add a note]</a>	You have not added any notes to this handbook section.
See Also	<a href="#">5.000 Cooperation</a> <a href="#">5.010 Good cause</a> <a href="#">5.015 Address Confidentiality Program</a> <a href="#">Sexual Misconduct Calculator</a> <a href="#">DSSH Domestic Violence Program</a>

## Procedures

### 1. How do I know if DCS actions are related to the threat of family violence?

1. The custodial parent (CP) may tell you.
2. A conference board may determine it.
3. You may find out in the process of working a case.

**Note:** When taking a report of family violence, verify the identity of the reporter. See Abuse Allegation Report, DSHS [09-861](#).

### 2. What do I do when a person brings up family violence in relation to a case?

1. Explain what options the affected person has:
  1. The CP can use the **Report of Family Violence** DSHS [18-569](#), and the allegeder may use the DSHS [09-861](#).
  2. Good cause for temporary assistance for needy families (TANF), foster care, and medical assistance only (MAO) cases. See [DSHS Eligibility A-Z Manual](#) regarding child support.
  3. Enrollment in the Address Confidentiality Program (ACP). See DSHS Eligibility Manual regarding [confidentiality](#) or Secretary of State ACP.
  4. The nonassistance (NA) CP can request case closure. See Section [18.000](#).
  5. Community counseling and support services. See Secretary of State [services for crime victims](#) or [Washington Violence Against Women Network](#) (<http://www.wavawnet.org/index.html>).
  6. DCS Family Violence/Options [brochure](#).
  7. A noncustodial parent (NCP) can request notice prior to address disclosure. See WAC 388-14A-2120 and Section 22.015.
2. Explain what DCS may do.
  1. Notify the CSO, CPS, or law enforcement.
  2. Suspend establishment or enforcement actions.

### 3. What should I do after family violence is reported?

1. Post a CC code **47** entry to document the reporting and any action that you take.
2. Make a White Board posting about the family violence issues report.
3. Set the domestic violence (DV) indicator on the BI screen of the individual who is at risk to **1** (at issue). If the child is at risk, also set the CP's indicator.
4. Notify the responsible support enforcement officer (RSEO) on any other Division of Child Support (DCS) case relating to the affected party.
5. Stop collection or establishment immediately on a nonassistance case if family violence is reported. You may close a non-MAO NA case but send a closure notice. See Section [18.000](#).

6. Suspend collection or establishment on an assistance case, subro (no current support is due and the only debt is owed to the state), or medical assistance only (MAO) case pending a good cause determination.
7. Resume collecting if the Community Services Office (CSO) denies good cause on an assistance case.
8. Resume collecting an assistance subro debt thirty (30) days after the NA CP returns the [18-569](#), unless the CP requests a conference board.
9. Review the person's DV indicator before releasing CP, NCP, or child information to anyone. See Section [22.015](#).
10. Report suspected child abuse or neglect to Child Protective Services (CPS). Send an Abuse Allegation Report, DSHS [09-861](#).

#### 4. How do I determine if NCP or CP qualifies for rape-of-a-child reporting?

1. Visit our [Web site](#) that calculates if a child rape should be reported.
  1. Fill in the top three fields,
  2. click on the "Calculate Now" button.
  3. The program will tell you if a report is appropriate.
2. If the "Required Response" box on the website indicates "Do not report," post a CC code **47** that a review determined that the case does not meet either the definition of rape of a child, or the statute of limitations has expired.
3. If the "Required Response" indicates "Report Violation," then either:
  1. Select the "Send a Sexual Misconduct Report" option. Provide your name, e-mail address, and case number on the referral form. Headquarters staff will review the case and fax the **Sexual Misconduct Report**, DSHS [09-859](#), to the appropriate law enforcement agency. **Or**
  2. You can generate and fax the DSHS 09-859.
    1. Complete the 09-859 in Forms Gen.
    2. Print the 09-859, then fax the 09-859 to the city or county law enforcement agency where the CP presently resides.

**Note:** To get the fax number for the police or county sheriff visit the WASPC website at <http://www.waspc.org/directory.php>

  3. In either case post a CC code **47** entry.

#### 5. How does the Domestic Violence (DV) indicator work?

1. Setting the domestic violence (DV) indicator on an individual's SEMS case, sends the Family Violence indicator (FV) flag to the Federal Case Registry (FCR). If an individual on the FCR is flagged with FV, the FCR will not disclose any information on that individual to any other state.
2. If the child's DV indicator is not set, and the case is registered on the FCR, the FCR will tell another state that the child is on a Washington State IV-D case. This is the only information that a state will get from the FCR on the child. The other state may request information from us via CSENet, but because the CP's DV indicator is set, the address is blocked from release.
3. To prevent someone from finding out that the child is in Washington State or has a Washington State IV-D case, set the child's DV indicator.

4. The DV indicator appears on the NR screen as a family violence (FV) indicator.

**6. What if the CP has a restraining order, no-contact order, or other type of protection order?**

1. Read the terms of the order because some restraining orders deal with financial matters only. Consult your claims officer, if necessary.
2. Give full faith and credit to a valid protection order issued by a court in Washington State or any other jurisdiction, including a tribal court.
3. Set the BI DV indicator to **1** (at issue) on the individuals at risk.
4. Do not require custodial parents to seek a new protection order merely because their valid protection order was issued by another jurisdiction.
5. Recognize a protection order as a threat of family violence, regardless of the age of the order, or even if the order has expired.

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