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Title 22@ Social Security

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Division 13@ Department of Child Support Services

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Chapter 2@ Case Intake

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Article 6@ Family Violence

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Section 112302@ Activating a Family Violence Indicator

112302 Activating a Family Violence Indicator

(a)

A family violence indicator shall be activated by a local child support agency for a custodial party or noncustodial parent and his/her child(ren) that are part of the same case as the parent against whom the custodial party or noncustodial parent is claiming family violence, if a local child support agency has received a completed form 2142 from either the custodial party or noncustodial parent and one of the following applies: (1) A request for good cause has been granted, as specified in Section 11477.04, Welfare and Institutions Code. (2) A party to the child support case, or custodial party's or noncustodial parent's child(ren), has/have obtained a protective order. (3) A party to the child support case, or custodial party's or noncustodial parent's child(ren), has/have indicated there is an increased risk of harm to self or to the child(ren), if information is released. (4) A local child support agency has reason to believe that the disclosure of information may result in physical or emotional harm to any of the individuals specified in subparagraphs (1) through (3), above.

(1)

A request for good cause has been granted, as specified in Section 11477.04, Welfare and Institutions Code.

(2)

A party to the child support case, or custodial party's or noncustodial parent's

child(ren), has/have obtained a protective order.

(3)

A party to the child support case, or custodial party's or noncustodial parent's child(ren), has/have indicated there is an increased risk of harm to self or to the child(ren), if information is released.

(4)

A local child support agency has reason to believe that the disclosure of information may result in physical or emotional harm to any of the individuals specified in subparagraphs (1) through (3), above.

(b)

A local child support agency shall record in its automated system its determination of the existence of family violence within five business days of receipt of a completed form 2142.

(c)

Within 30 days of the date a local child support agency records its determination of the existence of family violence in its automated system, or 30 days of the date by which a custodial party or noncustodial parent(s) should have returned the completed form 2142, but did not, a local child support agency shall submit child support case information, including whether a family violence indicator has been activated, to the Department for subsequent submission to the Federal Case Registry