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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 112301@ Determining Family Violence

112301 Determining Family Violence

(a)

Each local child support agency shall determine whether there is, or has been, family violence based upon the information on form 2142 provided by a custodial party or a noncustodial parent. When determining family violence, a local child support agency shall consider the following related to the incident(s) of domestic violence and/or child abuse: (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 custodial party or noncustodial parent 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 domestic violence or child abuse.

(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 custodial party or noncustodial parent 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 domestic violence or child abuse.

(b)

If form 2142 is returned with the first box in Section III marked indicating the party is requesting nondisclosure of identifying information, but no detailed family violence information is provided in Section II of the form, a local child support shall mail both of the following to the party that submitted the incomplete form 2142:

(1) A new blank form 2142. (2) A domestic violence cover letter #2, "DVCVR #2," CSS 2144, dated (09/01/01), incorporated by reference herein. Form 2144 shall notify the party that the form 2142 initially submitted did not contain sufficient detail to stop release of information to the federal government and request completion and submission of a new form 2142 to the local child support agency

within 30 days from the date of the letter.

(1)

A new blank form 2142.

(2)

A domestic violence cover letter #2, "DVCVR #2," CSS 2144, dated (09/01/01), incorporated by reference herein. Form 2144 shall notify the party that the form 2142 initially submitted did not contain sufficient detail to stop release of information to the federal government and request completion and submission of a new form 2142 to the local child support agency within 30 days from the date of the letter.