

## Good Cause for Non-cooperation with Child and/or Medical Support Questions & Answers – November 9, 2010

1. *If I get a good cause request from Division of Child Support (DCS) should I just grant the good cause?*

Good cause on open TANF and medical cases is determined by DHS. DCS will send any verbal or written request they get directly from the client related to good cause without evaluating its appropriateness. Sometimes these requests are sent by DCS just because the client received a form and thought they should sign it. Sometimes there is no safety risk but the client doesn't want the other parent to have contact with the child. In about 27 percent of the cases that went through the good cause e-mail box that were resolved by the DHS worker the worker determined there was no good cause.

2. *When DCS requests good cause be added to an absent parent, why do I have to add the good cause coding to the absent parent that same day?*

You need to add good cause coding to the absent parent the same day because DCS may initiate or be in the middle of a legal action that involves sending information to the absent parent that includes information about your client. If good cause is not coded the same day the good cause request is received, the client's or child's safety may be put at risk.

3. *Do I need a good cause form from the client in order to add good cause coding on the absent parent?*

No, the client can request good cause verbally or in writing. The form was added to the Child Support Safety Packet (DHS 8660) as a way for the client to request good cause, but it isn't required. A conversation with the client about their safety concerns is fine. Please document good cause on TRACS once a determination has been made.

4. *They are many codes you can use to code good cause, which one should I be using?*

Although any code in the good cause box will stop pursuit of child and/or medical support, DCS has requested we use the B code.

5. *Do I need proof of the safety risk to grant good cause?*

Not when the request for good cause is based on a risk of harm to the adult or a child on the case or when the child was conceived as a result of rape or incest. Proof is required if the client is working with an adoption agency to potentially put their child up for adoption.

6. *What type of information do I need from the client in order to grant good cause?*

What we are looking for is what potential harm could result from the pursuit of child or medical support. Asking the client about what they think the absent parent will do if contacted by DCS is the first question to ask. It is also helpful to know whether there has been a past history of behaviors from the absent parent that are potentially harmful or threatening towards the client or the child.

If the client doesn't want to pursue child or medical support because they think the absent parent shouldn't have any rights to the child, because the absent parent has never been in the child's life or because they do not like the absent parent, it would not be a basis for granting good cause.

7. *What is claim of risk and how does it protect the client?*

Child and medical support are important resources for clients and their children. It is important when talking with the client about good cause to also talk about the option of still pursuing support using "non-disclosure based on claim of risk." This option protects personal identifying information being used in court documents. Information such as resident address; where the client is working; school where the child is attending; drivers license number and social security number are protected.

Resources:

- OAR 461-120-0350 – Clients Excused for Good Cause from Compliance with OAR 461-120-0340 and 0345
- Families Services Manual – Child Support Program C – Requirement to Cooperate, Noncooperation Penalties, and Good Cause
- DHS 8660 – Client Safety Packet
- DHS DV Staff tools web page under Child Support Good Cause - <http://www.dhs.state.or.us/caf/dv/tools.htm>