



# Good Cause

SAVES All- Grantee Meeting  
December 5th, 2024

# Agenda



Good Cause – Background and Overview



Wyoming Good Cause Process



SAVES Center – Good Cause Policy Work



Roundtable Discussions

# Good Cause – Background and Overview

## 45 CFR § 260.52

(c) Provide waivers, pursuant to a determination of good cause, of normal program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

## 42 U.S. Code § 654 - State plan for child and spousal support

(29) provide that the State agency responsible for administering the State plan—

A) shall make the determination (and redetermination at appropriate intervals) as to whether an individual who has applied for or is receiving assistance under the State program funded under part A, the State program under part E, the State program under subchapter XIX, or the supplemental nutrition assistance program, as defined under section 2012(l) [1] of title 7, is cooperating in good faith with the State in establishing the paternity of, or in establishing, modifying, or enforcing a support order for, any child of the individual by providing the State agency with the name of, and such other information as the State agency may require with respect to, the noncustodial parent of the child, subject to good cause and other exceptions which—

(i) in the case of the State program funded under part A, the State program under part E, or the State program under subchapter XIX shall, at the option of the State, be defined, taking into account the best interests of the child, and applied in each case, by the State agency administering such program; and

(ii) in the case of the supplemental nutrition assistance program, as defined under section 2012(l)<sup>1</sup> of title 7, shall be defined and applied in each case under that program in accordance with section 2015(l)(2) of title 7

## **CLIENT COOPERATION WITH CHILD SUPPORT ENFORCEMENT Use of Good Cause Exceptions**

**HHS Office of the Inspector General Report (2000) Findings:**



**Public Assistance and Child Support Staff Report Few Requests for Good Cause Exceptions and Virtually No Fraudulent Claims**



**A Variety of Reasons and Disincentives Help Explain the Low Number of TANF Client Requests for Good Cause Exceptions**



**Most Local Offices Make Some Efforts to Preserve Client Safety, But These Efforts Are Often Modest and Not Fully Implemented**

## **CLIENT COOPERATION WITH CHILD SUPPORT ENFORCEMENT Use of Good Cause Exceptions**

**HHS Office of the Inspector General Report (2000) Recommendations:**



**Develop Strategies That Allow TANF Clients Who May Be at Risk of Domestic Violence to Safely Pursue Child Support**



**Enhance Local Office Training to Improve Staff Understanding of Good Cause Exceptions and Better Equip Workers to Assist TANF Clients At Risk**



**Evaluate Their Standards and Practices for Protecting TANF Client Confidentiality and Assess the Need for Further Federal Guidelines**

## Implementation of the Family Violence Option 20 Years Later: A Review of State Welfare Rules for Domestic Violence Survivors


Stephanie Holcomb, Laura Johnson, Andrea Hetlinga, Judy L. Postmus, Jordan Steiner, Larry Braasch, and Annette Riordan

- Consistent with previous studies, we found that 42 states, including Washington, DC, have formally adopted the FVO. Seven other states—Connecticut, Idaho, Maine, Michigan, Mississippi, Missouri, and South Dakota—either had policies similar to the FVO, but chose not to make a formal adoption of the Option, or had their own method of accommodating domestic violence survivors. The final two states, Oklahoma and Virginia, did not have similar policies, but did refer survivors to local services. All states had some form of screening and referral process to assist survivors in the TANF process.
- Lindhorst et al. (2008) reviewed 782 transcribed TANF client-worker encounters in Texas, Michigan, Georgia, and New York, and found that only 1.2% of all clients were screened and identified as survivors of domestic violence. Rates of screening significantly differed between states, from a low of 2.9% to a high of 28.8%, due to organizational factors, when screening occurred, and workers' length of employment.




## TANF-ACF-PI-2022-02 (New state TANF certification requirement enacted in the Consolidated Appropriations Act, 2022)

Each state must certify that it has established and is enforcing standards and procedures to ensure that applicants and potential applicants for TANF are notified of assistance made available by the state to victims of sexual harassment and survivors of domestic violence, sexual assault, or stalking.



It must also ensure that case workers and other agency personnel responsible for administering the TANF program are trained in: the nature and dynamics of sexual harassment and domestic violence, sexual assault, and stalking; state standards and procedures relating to the prevention of, and assistance for, individuals who are victims of sexual harassment or survivors of domestic violence, sexual assault, or stalking; and methods of ascertaining and ensuring the confidentiality of personal information and documentation related to applicants for assistance and their children who have provided notice about their experiences of sexual harassment, domestic violence, sexual assault, or stalking.



If the state has adopted the Family Violence Option (optional certification) set forth in section 402(a)(7) to establish and enforce standards and procedures regarding the screening for, and identification of, domestic violence, sexual assault, or stalking, it must provide information about the options available to current and potential beneficiaries and ensure that case workers and other agency personnel are provided with training regarding relevant state standards and procedures

# Wyoming Good Cause Process

# What did we do in Wyoming?

- Redesigned everything about how we deal with family violence
- Encourage disclosure; screen; respond properly
- Train all employees
- New questions on application
- New screening tool
- New FVI requirements/Process
- New Good Cause requirements/Process

# What Our Policies Promise

- We will do our best to:
  - Detect family violence in our caseload
  - Help protect survivors by educating them about the CS process so they can make best decisions to keep themselves and their children safe
  - Refer them to appropriate resources

# Detect It: How to use Screening Tool

- Purpose
  - Identify history of DV/Power and Control issues
  - Gauge level of danger/coercion used on victim
  - Guides you through getting info we need to help keep customers safe
  - Triggers requirement to give/email DV Considerations in CS Cases

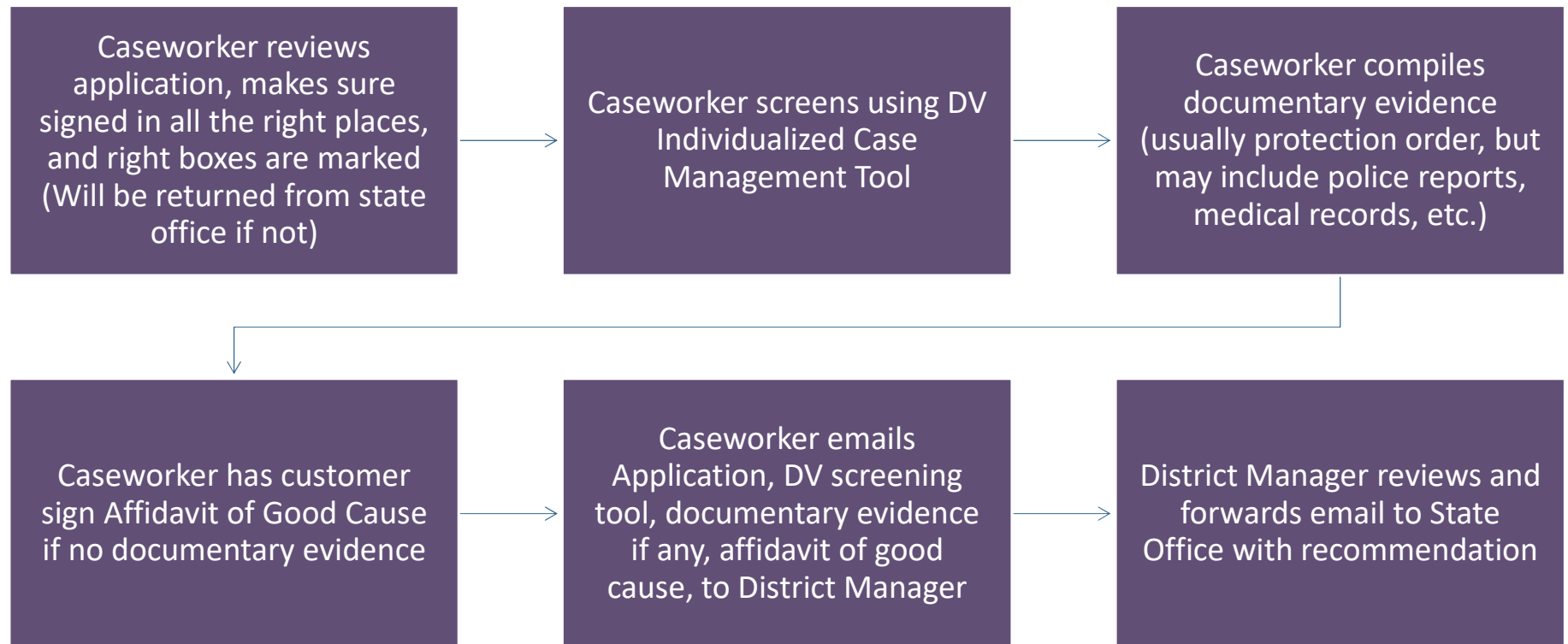
[https://docs.google.com/document/d/1ICc88\\_153phKPI1AyBV86pgTkyaknsdMbl8WTjeuaGU/edit](https://docs.google.com/document/d/1ICc88_153phKPI1AyBV86pgTkyaknsdMbl8WTjeuaGU/edit)

## **THE HEART OF GOOD CAUSE: Child Or Caretaker May Be Physically Or Emotionally Harmed By Establishing Parentage Or Support Order, Or By Enforcing An Order**

### **Evidence Required:**

- If they have a police report, protection order, etc., take it and send it with the request to Cheyenne
- **THEY DO NOT NEED TO HAVE ANY DOCUMENTARY EVIDENCE**
- The screening tool takes the place of documentary evidence
- If they don't have documentary evidence, we have them sign Affidavit in Support of Good Cause

# Process to Request Good Cause



## Special Consideration for Caretaker Relatives:

- A caretaker relative can claim good cause based solely on the fact that they believe that proceeding with a child support case would not be in the best interest of the child.
- The case manager shall offer Good Cause for this reason when a new application is received, when a re-application is received, and may offer any time during the lifetime of the case.
- Video training on Caretaker relative good cause:
  - [https://docs.google.com/presentation/d/1fezw7JC6Tm2j0--bkYF1UI2\\_OTB6T3/edit#slide=id.g2137ff1e592\\_0\\_12](https://docs.google.com/presentation/d/1fezw7JC6Tm2j0--bkYF1UI2_OTB6T3/edit#slide=id.g2137ff1e592_0_12)





# Relative Caretakers who think it's Not in child's best interest to pursue support

01

Do NOT need an affidavit



02

Do NOT need any evidence



03

JUST need to mark the box on the application



# What about Medicaid Good Cause in Wyoming?

- It's still up to Medicaid
- It depends on the person who is in charge of granting good cause there
- They still require something on paper, though it's clearly less than a police report/protection order.
- They will take written statements from relatives/friends and even the victim

# My Recommendations

Have an office “DV expert” you can have talk to survivors/Do most of the intakes/Consult on cases/Understand your DV policies/Handles Good Cause/Connect with other service providers

Get “someone who will always know how to reach you” info into your case management system; usually their mother or sister or best friend

Have your local DV agency come present to you.

Do the same for your local DV agency. They don’t understand child support, and it’s one of the main things their clients need

Learn the legal representation resources in your jurisdiction; which lawyers will help someone in real need?

# Your Questions!



**SAVES Center –  
Good Cause Policy Work**

# Ongoing Policy Activities

- Conducting a scan of practices and policies across the SAVES demonstration sites related to safe access to child support and parenting time services including, but not limited to, cooperation requirements and good cause
- Documenting and compiling promising practices for safe access to child support and parenting time services in state, tribal, and/or local child support agencies and court systems
- Convening a national SAVES Advisory Board to inform and build support for safe access practices and policies
- Continuing peer-to-peer learning and discussion on these topics

# Planned Policy Products

- Briefs summarizing findings and related research
- Ultimately, developing draft regulatory guidance for state and tribal child support agency safety protocols and program operations

**Thank you!**



# Roundtable Discussions