

GET CHILD SUPPORT SAFELY



**Information for Victims and
Survivors of Family Violence**

getchildsupportsafely.org



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ATTORNEY GENERAL *of* TEXAS

For survivors of family violence, it is important to know your options in the child support process. Financial support can lead to stability for you and your children, but for some, seeking child support may also bring safety risks.



The Office of the Attorney General's Child Support Division aims to provide clear information and help parents make informed choices.

If you have safety concerns, please let us know so that we can fully understand your situation and take steps to make sure you are able to navigate the process safely and confidently.



You can apply online, in person at any child support office, or connect with a live child support representative via chat or by calling **(800) 252-8014** to request that an application be mailed to you. If you have safety concerns or a history of family violence, answer "yes" to the "Important Safety Information" section in the application and provide details about the incidents of family violence to the questions that follow. Your safety is our priority, and this information helps us take the necessary precautions to protect you and your child(ren).

<https://childsupport.oag.texas.gov>



Safety Alert

Technology use can be monitored, and it is impossible to completely clear your browser history. To find out more about technology and other safety considerations, contact the National Domestic Violence Hotline (SAFE) at **(800) 799-SAFE (7233)** -

<https://thehotline.org>



A child support court will establish an order for:

- Child support
- Medical support
- Dental support
- Conservatorship (custody)
- Visitation (parenting time)

DO YOU HAVE CONCERNS THAT GETTING CHILD SUPPORT WILL BE UNSAFE?

You might be concerned about:

- The other parent having access to your physical address and contact information now or in the future.
- Contact with the other parent during an exchange of the child(ren) for visitation.
- Negotiating child support matters with the other parent.

Reporting safety concerns allows the Child Support Division to take steps to protect you and your child(ren). We can ask the court to include specific protections in the court order to help ensure your safety.

Report your safety concerns to the Child Support Division in any of the following ways:

- Complete the "Important Safety Information" section on the child support application.
- Complete and return a Request for Nondisclosure.

- Call or chat with the Child Support Division and inform us of your concerns.
- Tell any Child Support Division staff that you have safety concerns.



FAMILY VIOLENCE INDICATOR

The Family Violence Indicator alerts child support staff that your case requires special handling due to family violence concerns.

- When establishing your child support order, your case will be set for a court hearing instead of a negotiation meeting with the other parent. A judge may need to hear and make a ruling on specific parts of the order concerning family violence.
- You and the other parent will discuss the terms of the child support order separately.
- A request may be made to the judge to determine if your address will be kept out of publicly available court documents.

The Family Violence Indicator does not close your case or mean the court will automatically restrict the release of your contact information. It indicates to the Child Support Division that your case requires extra attention and measures to prioritize your safety.

IS IT SAFE FOR ME TO PURSUE CHILD SUPPORT?

In some cases, it is not safe for survivors of family violence to pursue child support. To understand the benefits and risks, contact your local family violence program. You can also visit this website for more information on how to proceed.

<https://getchildsupportsafely.org>

PUBLIC BENEFITS AND CHILD SUPPORT

When you apply for Temporary Assistance for Needy Families (TANF) or certain types of Medicaid benefits, the Health and Human Services Commission (HHSC) will refer your case to the Child Support Division for services.

If you receive these benefits, you may be required to identify the child's other parent and participate in the process to establish and enforce a child support order.

It is important to know that when you receive certain public assistance, a portion of any child support paid by the other parent may be kept by the state to offset the cost of those benefits.

If you are concerned that this process may put you or your child(ren) at risk, contact your HHSC eligibility worker or call **2-1-1** to discuss your safety concerns and learn about the Good Cause Waiver process.

GOOD CAUSE WAIVER PROCESS

If you have safety concerns, inform HHSC and child support staff. Sometimes the risk of harm may outweigh the benefits of child support. In such cases, communicate your concerns with HHSC, which can determine if a Good Cause Waiver is needed based on your circumstances.



TO CONNECT WITH A LOCAL FAMILY VIOLENCE PROGRAM

Your HHSC eligibility worker or the National Domestic Violence Hotline can provide you with contact information for the nearest family violence program in your area. Contact the National Domestic Violence Hotline (SAFE) at **(800) 799-SAFE (7233)** or visit <https://www.thehotline.org>

TO REQUEST A GOOD CAUSE WAIVER

- Talk to your HHSC eligibility worker or call **2-1-1**. Complete the Good Cause Recommendation and Family Violence Exemption Form (H1706) with help from your local family violence program.
- Submit the completed form to your eligibility worker at <https://www.yourtexasbenefits.com> or via fax at **(877) 447-2839**. Confirm the Good Cause waiver process was successful by speaking with your eligibility worker and the Child Support Division at the Office of the Attorney General.

If a Good Cause waiver is granted, you will not have to continue receiving child support services, and your case will be closed by the Child Support Division.

- If you already have a final child support order, the Child Support Division will no longer actively enforce your existing child support case (child support, medical support, and dental support). The order remains in existence, but the Child Support Division closes the case.
- If you do not have a final child support order, the Child Support Division will close your child support case.



PREPARING FOR COURT

Court can be an overwhelming experience for anyone. Here are some tips to help you prepare.

BEFORE COURT

- Talk to the Child Support Division about your concerns and potential safety precautions that may be available.
- Ask about options to minimize your contact with the other parent.
 - Is a telephonic court or virtual appearance possible or allowed by the judge?
 - Can you be placed "on call" so you can wait to appear before the judge in a separate area away from the other parent?
 - Can court staff arrange for separate entrances/exits?

- Is it possible to have late or early arrivals/ departures for you and the other parent?
- Ask if there will be security guards or bailiffs inside or outside the courtroom.
- Contact your local family violence program to develop a safety plan for before, during and after child support court.
- Ask a family member, friend, or family violence advocate to attend the court hearing with you for support.
- Visit the courthouse or find a map to learn the layout, safe parking options and escape routes.
- Gather important documents and supporting evidence.
- Document any harassment, stalking, inappropriate communication and/or violence by the other parent.
- Write down and practice what you will say to the judge about the violence you experienced.
- Think through possible safe options for parenting time and conservatorship (custody) arrangements.
- Think about safe places for exchanging the children and safe people who can assist with visitation.
- Watch the "Preparing for Court and the Court Process" video at - <https://getchildsupportsafely.org>

If you will be appearing before the court in a virtual hearing, try to make arrangements so that you do not appear on the same device and in the same physical location as the other parent. If this occurs, your hearing may need to be reset.



If you are appearing before the court in a virtual hearing, be prepared to use a blurred or virtual background so that your physical location is not exposed to the other parent.

AT COURT

- Introduce yourself to the Child Support Division staff and make sure they are aware that you have safety concerns. Identify the other parent in the courtroom. If needed, ask about a private waiting area.
- Bring important documents and any evidence to court.
- Revisit your safety plan before, during, and after court.
- When a hearing is held, parents swear to tell the truth when testifying before the judge.
- Be prepared to speak about your wants, needs, and concerns. Writing out your testimony before the hearing and reading it to the judge is okay.
- The judge will make a ruling and determine what to include in the child support order. Be prepared to speak about the issues or concerns you may have already discussed with the Child Support Division staff. The judge's ruling may differ from what was discussed during the negotiation with the Child Support Division staff.

- If you realize during the hearing that you need more time to prepare documentation, prepare testimony, or research safe options, you may ask for a reset or temporary order, any of which could postpone the final determination of your case. The court will determine whether to proceed or grant the request.
- Ask someone to escort you to your car, if needed.
- Continue to reevaluate your safety plan, especially if circumstances change.

AFTER COURT

- After a child support order is finalized, both parents must comply with the court's order. This means that the person ordered to pay child support must pay child support and the person with primary conservatorship (custody) must allow any visitation that is ordered.

WHAT IF I DON'T AGREE WITH THE JUDGE'S ORDER?

You have a limited amount of time to file an appeal of the court's decision.

For more information about this process, visit -

<https://getchildsupportsafely.org>

CAN MY ORDER BE CHANGED?

If circumstances change substantially, the Child Support Division can help modify the child, medical, and dental support portions of your court order.

However, the Child Support Division cannot help you modify or enforce visitation or conservatorship (custody). It is important to ask the court for the safest and most realistic order while considering any short- and long-term safety risks.

Watch the "Following or Modifying a Child Support Order" video at - <https://getchildsupportsafely.org>

**FOR MORE INFORMATION, VISIT OUR
GET CHILD SUPPORT SAFELY WEBSITE**

YOU'LL FIND DETAILS ABOUT

- The court process, including preparation tips.
- The court order, including visitation (parenting time) and conservatorship (custody) issues.
- Information about modifying orders.
- Legal and non-legal resources.

We are here to help you navigate the child support process safely and confidently.

<https://getchildsupportsafely.org>





RESOURCES

CHILD SUPPORT

Office of the Attorney General

Child Support Division

1-800-252-8014

For the Deaf and Hard of Hearing: 7-1-1 or

1-800-RELAY-TX (1-800-735-2989)

Chat with us online at

<https://www.texasattorneygeneral.gov/child-support>

FAMILY VIOLENCE AND CHILD SUPPORT

Texas Council on Family Violence

<https://www.tcfv.org>

GET CHILD SUPPORT SAFELY

<https://getchildsupportsafely.org>

SAFETY PLANNING AND LOCAL REFERRALS

National Domestic Violence Hotline

1-800-799-SAFE (7233)

1-800-787-3224 (TTY)

Text "START" to 88788

<https://www.thehotline.org>

LEGAL HELP

<https://www.texaslawhelp.org>

ACCESS & VISITATION

Texas Access and Visitation Hotline

1-866-292-4636

Hours: Monday through Friday, 1-5 p.m. CT

Assistance in English and Spanish

<https://www.txaccess.org>

TEXAS ADVOCACY PROJECT

1-800-374-HOPE (4673)

<https://www.texasadvocacyproject.org>

LOCATE YOUR LOCAL BENEFITS OFFICE

2-1-1 or 7-1-1



The State of Texas provides child support services through the Office of the Attorney General's Child Support Division. The Office of Attorney General does not represent you or the other parent. The Office of Attorney General represents the best interest of the state.

Learn the Process
getchildsupportsafely.org