

- Instead of the in-office negotiation, your case will be automatically routed to court.
- You must be prepared to discuss your safety concerns in front of the judge at court. The other parent will be there and have a chance to respond.
- You may ask the court to keep your contact information confidential, including your home address, by removing it from child support court documents that are available to the public, (and the other parent) unless required by law.

PREPARING for court

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

Before Court

- Notify the OAG about your safety concerns.
- Ask OAG staff about safety precautions that can be taken before, during and after court.
- 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.
- Think about the custody and visitation terms you want to ask for.
- Think about safe places for exchanging the children and safe people who can assist with visitation.
- If you are afraid to go to court, ask about the possibility of a telephonic hearing.

- Watch the “Preparing for Court and the Court Process” video at www.getchilddisputessafely.org.

At Court

- Introduce yourself to the OAG staff and make sure they know about the family violence. 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 for before, during and after court.

After Court

- Ask someone to escort you to your car, if needed.
- Follow your court order. Even if the noncustodial parent does not pay child support, he or she is entitled to any visitation the court orders.
- Continue to reevaluate your safety plan, especially if circumstances change.
- Watch the “Following or Modifying a Child Support Order” video at www.getchilddisputessafely.org.

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 www.getchilddisputessafely.org.

CAN MY order be changed?

If circumstances change substantially, the OAG can help modify the child and medical support portions of your court order. However, the OAG cannot help you modify or enforce visitation, so it is important to ask the court for the safest and most realistic order while considering any short- and long-term safety risks.

QUICK REFERENCE: who to contact

Child Support

Office of the Attorney General (OAG)
Child Support Division
1-800-252-8014
7-1-1 or 1-800-RELAY-TX (1-800-735-2989)
www.texasattorneygeneral.gov

Family Violence and Child Support

Texas Council on Family Violence
www.getchilddisputessafely.org

Safety Planning and Local Referrals

National Domestic Violence Hotline
1-800-799-SAFE (7233)
1-800-787-3224 (TTY)
<http://www.thehotline.org/>

Legal Help

www.texaslawhelp.org

Access & Visitation

Texas Access and Visitation Hotline
1-866-292-4636
Hours: M-F, 1-7 p.m.
Assistance in English and Spanish
www.txaccess.org

Family Violence Legal Hotline

Texas Advocacy Project
1-800-374-HOPE (4673)
www.texasadvocacyproject.org

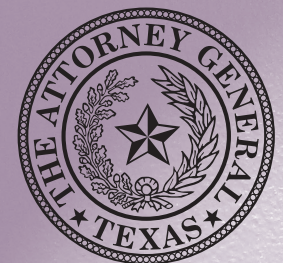
Locate Your Local Benefits Office

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.

GET
CHILD SUPPORT
SAFELY

Information for
Victims and
Survivors of
Family Violence



GET get CHILD SUPPORT child support SAFELY safely

YOUR SAFETY is a priority

Your safety is a priority for the Office of the Attorney General (OAG) – Child Support Division. The OAG wants to make the child support process as safe as possible for you and your children.

DO YOU have safety concerns?

You may have concerns that getting child support will be unsafe. You may have concerns because of:

- Threats of emotional or physical harm from the other parent
- Prior emotional or physical harm

Because of fear, you may not want:

- The other parent to know your home address
- To meet with the other parent to negotiate child support
- The other parent to have unsupervised access to the children
- To have contact with the other parent during exchanges or visitation

If you have safety concerns, contact the OAG about ways to keep you and your child(ren) safe during the child support process.

OPENING a child support case

The court will establish a court order about the relationship between you, your child(ren) and the other parent. The court order may include child support (including retroactive support), paternity (legal fatherhood), medical support, conservatorship (custody) and visitation.

It is very important to think about the short- and long-term effects of your court order. Tell the OAG and the court what to include in the order to help you feel safe. Once the order is in place, the OAG cannot help you change the visitation schedule or custody arrangement.

A family violence advocate can discuss your short- and long-term safety. The OAG does not offer this service, but you may contact the National Domestic Violence Hotline at 1-800-799-7233 (SAFE) or 1-800-787-3224 (TTY) for safety planning and referrals to local resources.

HOW DO I open a child support case?

Apply Online:

The fastest way to open a child support case is to apply for services online from the child support section of the OAG's website at www.texasattorneygeneral.gov. [Safety hint: make sure you use a safe computer and email address that the other parent cannot access.]

Apply by Mail:

You may request a paper application by contacting the OAG's 24-hour toll-free number at 1-800-252-8014 or going to www.texasattorneygeneral.gov. If you are deaf or hard of hearing, call Relay Texas toll free 7-1-1 or 1-800-RELAY-TX (1-800-735-2989).

Tell the OAG about any safety concerns as soon as possible. If the OAG is unaware of your concerns, it will be unable to address the risk.

WHY TELL THE OAG about violence?

The OAG is concerned about your safety and the safety of your children. If the OAG is aware of your safety concerns, measures

can be taken to help protect you and your children throughout the process.

Safety precautions include:

- Going to court to handle legal actions on your case instead of meeting with the other parent in the child support office.
- Taking steps at court to minimize contact between you and the other parent.
- Asking the court to keep your home address confidential.

Discuss your safety concerns with any child support employee at any time throughout the process.

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. Contact your local family violence program to discuss the pros and cons of applying for child support.

PUBLIC BENEFITS and child support

If you receive certain types of public assistance, a child support case may be opened automatically, and you will be required to cooperate with the OAG.

If you are a survivor of family violence and feel that filing for child support will put you or your children at risk, you can ask your benefits caseworker at the Health and Human Services Commission (HHSC) to release you from the requirement to cooperate with child support services. This is called requesting a "good cause" waiver. You may request the waiver when you apply for public benefits or anytime thereafter. If you applied for benefits online or do not know how to reach your benefits caseworker, call 2-1-1 or 7-1-1 to reach your local benefits office.

WHAT IS A good cause waiver?

A good cause waiver releases a person who receives certain types of public assistance from the requirement to cooperate with the OAG Child Support Division.

WHAT WILL good cause do for me?

Good cause allows parents to turn down child support services until they feel safe to do so. If you get a good cause waiver (and child support has not yet been ordered by a court), you will not receive child support. If you have a child support order, a good cause waiver will stop the OAG from taking any enforcement actions on your case, but it will not stop the existing child support obligation.

For more information about the good cause waiver or to locate a family violence program, contact the National Domestic Violence Hotline at 1-800-799-7233 (SAFE) or 1-800-787-3224 (TTY).

HOW DO I GET a good cause waiver?

The first step is to ask your HHSC benefits caseworker. Your caseworker will refer you to the local family violence program. You will meet with a family violence specialist, who will make a recommendation to the HHSC benefits caseworker about granting a good cause waiver. The family violence specialist may sign the good cause waiver. You must return the signed good cause waiver to your benefits caseworker.

If you don't know how to reach your HHSC benefits caseworker, call 2-1-1 or 7-1-1 to contact your local benefits office.

Are you concerned about your safety, but want to open a child support case? There are steps the child support system can take to help keep you safe.

WHAT TO expect from the oag?

Once you talk about your safety concerns with the OAG, you can expect the following:

- The OAG will document your safety concerns to ensure that all OAG staff is aware of your situation throughout the process.
- Your case will not be scheduled for an in-office negotiation conference (also known as the Child Support Review Process – CSRP) with the other parent.