



## Ohio Administrative Code

### Rule 5101:12-10-20 Family violence indicator.

Effective: May 15, 2008

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(A) This rule and its supplemental rule describe the family violence indicator (FVI). The FVI reflects that there is reasonable evidence that a case participant is subject to family violence or there is reason to believe that the release of information regarding a case participant may result in family violence.

(B) The office of child support (OCS) within the Ohio department of job and family services (ODJFS) is required to:

(1) Identify and maintain information that indicates whether a case participant is subject to family violence or child abuse; and

(2) Send information regarding whether a case participant is subject to family violence as part of a referral to the federal case registry (FCR).

(C) When the child support enforcement agency (CSEA) determines that there is reasonable evidence that a case participant is subject to family violence or has reason to believe that the release of information about a case participant may result in family violence to the case participant, the CSEA shall display an FVI for the case participant in the support enforcement tracking system (SETS). "Reasonable evidence" includes but is not limited to:

(1) A civil protection order under section 3113.31 of the Revised Code or a criminal temporary protection order under section 2919.26 of the Revised Code has been issued to protect the case participant.

(2) Written documentation from a third party that indicates a case participant is being subjected to domestic violence, as defined in rule 5101:12-10-32 of the Administrative Code. A third party includes but is not limited to:



- (a) Police, courts, and other governmental entities;
- (b) Shelters and legal, religious, medical, and other professionals from whom a case participant sought assistance in dealing with domestic violence;
- (c) County departments of job and family services (CDJFS); or
- (d) Other persons with knowledge of the domestic violence.

When the case participant is unable to provide written documentation regarding domestic violence from a third party, the CSEA shall accept a written statement from the case participant, unless the CSEA has an independent, reasonable basis to find the allegation in the case participant's written statement not credible.

(3) Written documentation from a medical professional, law enforcement agency, or vital records agency that indicates that the child was conceived as a result of incest or rape.

(D) The CSEA shall maintain documentation regarding the family violence in the case record.

(E) The FVI should remain effective as long as the circumstances leading to the determination of the existence of family violence continue to exist.

(F) The CSEA shall establish and maintain a confidential caseload in SETS. When a case displays an FVI, the CSEA shall transfer the case to and retain the case in a confidential caseload.

(G) The CSEA shall ensure that a contractor who provides location or collection services does not have responsibility for a case that displays an FVI. The CSEA shall require the contractor to return a case displaying an FVI.

(H) The FCR will not return information regarding a case participant who has an FVI on the SETS case.

(I) SETS will suppress the case participant's address and social security number on forms generated



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by SETS when the case participant displays an FVI.