



306-2 Child Support Good Cause Claim

Bulletin-80	<p>December 20, 2013</p> <p>To: All Temporary Assistance to Needy Family (TANF) Program Manual Holders</p> <p>From: Pam Barragato, TANF Policy Specialist Policy and Systems Bureau, Central Office</p> <p>Please place this bulletin at the beginning of sections: TANF 103-1; 103-2; 103-5 and 104-1</p> <p>=====</p> <p>SECTIONS: Application Processing</p> <p>SUBJECTS: Application Filing/Interview Process</p> <p>REFERENCES: ARM 37.78.101, .102, .206, .226 -.228 and .424</p> <p>EFFECTIVE DATE: New applications received on or after January 1, 2014.</p> <p>INTRODUCTION: As part of the HCSD Service First vision, the TANF and SNAP policy specialists have been working to align policies whenever possible.</p> <p>Current TANF policy states that a face-to-face interview is required as a condition of eligibility.</p> <p>POLICY CHANGE: The face-to-face interview is no longer required as a condition of eligibility for TANF applicants; a phone interview is acceptable. At application, individuals applying for TANF cash assistance can complete either a phone or face-to-face interview.</p> <p>BUSINESS PROCESS: Initial Application Interview</p> <p>If an initial application is walked in or dropped off, OPA must attempt to provide a same day interview to all TANF applicants. If the applicant cannot stay for the interview or it is not possible to interview the applicant, schedule a phone or face-to-face interview and send the "TANF interview Scheduled" notice to the applicant.</p> <p>If a phone interview has been scheduled, the Client Service Coordinator (CSC) will call the applicant at the scheduled date and time of the interview. If the CSC is unable to reach the applicant, the CSC makes at least one additional attempt to call</p>
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	<p>the applicant within a reasonable time frame.</p> <p>If an initial application is received online, by mail or fax, schedule a phone or face-to-face interview. If there is not a phone number listed on the application, schedule an in-person interview.</p> <p>REMINDER: Effective 10/15/2009 Face-to-face interviews are not required when determining eligibility for a child only TANF grant and at the time of redetermination. A phone interview can be held in these two specific situations.</p> <p>UPDATED MANUAL MATERIAL WILL BE DISTRIBUTED AS SOON AS POSSIBLE. UNTIL THAT TIME, USE THIS BULLETIN AS A GUIDE. IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR REGIONAL POLICY SPECIALIST.</p>
Supersedes:	TANF 306-2 (01/01/07)
References:	45 CFR 264.30, ARM 37.78.102 and .215
Overview:	<u>GENERAL RULE</u> —An applicant or participant has the right to claim good cause as an exception to the child support enforcement requirement.
GOOD CAUSE NOTICE	<p>Every applicant or participant receives written notice of the right to claim good cause. This notice includes the specific circumstances under which a claim may be made and the respective responsibilities of the participant and the state agency in the procedures for filing, developing, acting upon, and appealing a claim.</p> <p>The applicant/participant may claim good cause if pursuit of child support may be "against the best interests of the child" and only if the applicant's or participant's cooperation to assist the State is reasonably anticipated to result in:</p> <ol style="list-style-type: none"> 1. Physical or emotional harm to the child or caretaker relative; or 2. At least one of the following circumstances exists: <ol style="list-style-type: none"> a. The child for whom support is sought was conceived as a result of incest or forcible rape; b. Legal proceedings for the adoption of the child are pending before a court of competent jurisdiction; c. The applicant or recipient is currently being assisted by a public or licensed private social services agency to resolve the issue of whether to keep the child or relinquish him/her for adoption, and the discussions have not gone on for more than three (3) months; or d. The absent parent is listed on the Montana Department of Justice

	<p>Sexual or Violent Offender Registry. The registry can be viewed at: http://doj.mt.gov/svor/</p> <p><u>If the applicant/participant claims good cause, the application will be pended until the claim has been approved, denied or withdrawn.</u> Pending status cannot exceed 30 days.</p> <p>The good cause determination is based on the corroborative evidence provided by the participant. The participant must:</p> <ol style="list-style-type: none"> 1. State the circumstances upon which the claim is based; 2. Provide corroborative evidence within 20 days from the day the claim was made; and 3. Upon request, provide additional corroborative evidence.
<p>PROOF OF GOOD CAUSE</p>	<p>A good cause claim may be corroborated with the following types of evidence:</p> <ol style="list-style-type: none"> 1. Birth certificates or medical or law enforcement records that indicate that the child was conceived as the result of incest or forcible rape; 2. Court documents or other records which indicate that legal proceedings for adoption are pending before a court of competent jurisdiction; 3. Court, medical, criminal, child protective services, social services, psychological, or law enforcement records that indicate that the putative (assumed to be such) father or non-custodial parent might inflict physical or emotional harm on the child or caretaker relative; 4. Medical records which indicate emotional health history and present emotional health status of the caretaker relative or the child; 5. Written statements from a mental health professional indicating a diagnosis or prognosis concerning the emotional health of the caretaker relative or the child; 6. A written statement from a public or licensed private social agency indicating that the applicant or participant is being assisted by the agency to resolve the issue of whether to keep the child or relinquish him for adoption; 7. Sworn statements from individuals, other than the applicant or participant, with knowledge of the circumstances that provide the basis for the good cause claim;

	<p>8. A signed, current Temporary Restraining Order (TRO) against the non-custodial parent; or</p> <p>9. Verification that the absent parent is listed on the Montana Department of Justice Violent and Sexual Offender Registry.</p>
SUPRESSING INFORMATION	Under certain circumstances the CSED (Child Support Enforcement Division) will suppress address information of the custodial parent (Section 306-1). If the information is not suppressed, the address of the custodial parent will be included on legal notices sent to the non-custodial parent. It is critical to discuss this policy with the custodial caretaker relative to assure the family's safety will be protected. (Section 306-1)
Date Revised	July 1, 2008