Michigan IV-D Child Support Manual
Michigan Department of Health and Human Services

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1. Legal Requirements

1.1 The Social Security Act and Federal Regulations

IV-D staff must not release a IV-D case member's address and identifying information[1] to the other party in the IV-D case when:[2]

- There is a claim and reasonable evidence of family violence (domestic violence and/or child abuse); and
- Releasing the information may result in physical or emotional harm to the IV-D case member and/or his/her dependent(s).

IV-D staff may disclose address and identifying information to a court or an agent of a court if the court will not disclose information to any other person when it could be harmful to the IV-D member or dependent(s).

1.2 Michigan Court Rule (MCR)

Since non-confidential court documents are included with the official court file and are open to the public, IV-D staff must take steps to ensure the identifying information for the survivor of family violence and his/her dependent(s) is not released to the other party.

A court order or Personal Protection Order (PPO)[3] can make a survivor's address confidential. This enables state agencies to omit the address from copies of court documents. When a court order makes a survivor's address confidential, the survivor must provide an alternative address for service of notice and court papers.[4]

2. Family Violence and the IV-D Program

A IV-D worker can be notified of family violence:

- By a survivor; or
- Through processes and data-sharing interfaces in the Michigan Child Support Enforcement System (MiCSES).[5]

IV-D staff can set family violence on a survivor without proof that family violence exists (e.g., a verbal claim of violence); however, suppressing a survivor's identifying

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[1] Ref: Subsection 2.4 of this manual section for a list of identifying information.
[2] 42 United States Code (USC) 654(26)(B); 45 Code of Federal Regulations (CFR) 303.21(e)
[3] Ref: Subsection 2.1.1 of this manual section for more information on court orders and PPOs.
[4] MCR 3.203(F)
[5] Ref: Subsection 3.3 of this manual section.

information requires supporting documentation. MiCSES supports family violence claims with and without suppression of the survivor's identifying information.[6]

A survivor can be a custodial party (CP) or a non-custodial parent (NCP) on a IV-D case; the Michigan IV-D program protects information in either situation.

2.1 Notification by a Survivor

2.1.1 Documentation That Prohibits IV-D Disclosure of Identifying Information

A. Court Order

A survivor may have a court order that mandates the suppression of identifying information. The survivor will need to provide a copy of the court order to the IV-D worker.

B. Michigan or Foreign PPO With a Confidential Address

A survivor may have a PPO from Michigan or another state/country that makes the survivor's address confidential. The survivor will need to provide a copy of the PPO to the IV-D worker unless the PPO is provided through the Michigan State Police Law Enforcement Information Network (LEIN) interface.[7]

C. Sworn Statement

If a survivor would like his/her identifying information suppressed but does not have a court order or PPO, (s)he may complete a sworn statement.

IV-D staff will advise survivors of this option and give them a blank sworn statement if requested. While completing a sworn statement is voluntary, IV-D staff will inform the survivor that his/her identifying information will not be suppressed without one. IV-D staff will assist the survivor in completing the form, as appropriate. As an alternative to the sworn statement, IV-D staff may instruct the survivor to complete a signed letter.

1. Three Sworn Statement Options

Survivors may use one of three sworn statements, depending on who provides the statement.

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[6] Ref: Subsections 3.1 and 3.2 of this manual section.
[7] Ref: Subsection 3.3.3 of this manual section.

    a. All IV-D staff may provide a survivor with the *Request to Protect Information* (MDHHS-5728);

    b. Prosecuting Attorney (PA) staff may use the *Affidavit in Support of Motion for Non-disclosure* (6021); or

    c. Friend of the Court (FOC) staff may use the *Affidavit of Nondisclosure for Family Violence Indicator Qualified or Eligible Domestic Relations Order Qualifying Public Employee Retirement Plan* (FEN210).

All three forms can be generated in MiCSES, and the MDHHS-5728 can also be found on the Michigan Department of Health and Human Services (MDHHS) website. A survivor needs to complete only one sworn statement one time to prohibit IV-D staff from disclosing his/her identifying information.

2. Signed Letter

Instead of submitting one of the three sworn statements, a survivor may make a request in writing asking to have his/her identifying information protected from the other party. The survivor must:

    a. Provide enough identifying information in the request so the IV-D worker can find the survivor in MiCSES; and

    b. Sign the request.

IV-D staff will treat signed letters as sworn statements.

3. Submitting a Sworn Statement or Signed Letter

Once the survivor completes the sworn statement or signed letter, (s)he will need to provide it to IV-D staff. The survivor may:

    a. Fax it to the Office of Child Support (OCS) Central Operations at (517) 335-3030; or

    b. Deliver it to his/her local PA or FOC office.

2.1.2 Documentation That Does Not Prohibit IV-D Disclosure of Identifying Information

A. Claim of Violence

A claim of violence occurs when survivors claim that they and/or their dependents are at risk due to family violence but do not submit one of the documents listed in Subsection 2.1.1. A claim of violence includes, but is not limited to, a:

- Verbal statement;
- Pending good cause claim;
- Police report; and/or
- Neighbor's report.

A claim of violence by itself (i.e., without one of the documents listed in Subsection 2.1.1) will not suppress a survivor's identifying information. If a survivor does not have one of the documents required for suppression but would like to have his/her identifying information suppressed, IV-D staff will:

1. Provide the survivor with a sworn statement form and advise him/her to complete it; or
2. Instruct the survivor to complete a signed letter.

Because of potential danger to survivors of family violence and their possible limited capacity for follow-up, IV-D staff will carefully proceed with the case after a verbal claim of violence.

B. Claim of Good Cause Due to Family Violence

A family violence survivor receiving public assistance may want to claim good cause for not cooperating with the child support program.[8] When a survivor seeks to claim good cause, IV-D staff will explain:

1. That a claim of good cause does not suppress identifying information; and
2. The process of claiming good cause, including what happens while a good cause claim is pending.[9]

If the survivor would like to ensure his/her identifying information is suppressed regardless of whether good cause is granted, IV-D staff will provide the survivor with a sworn statement form and information on how to submit it.

C. Michigan or Foreign PPO Without a Confidential Address

A survivor may have a PPO that does not contain a confidential address provision. When this occurs, MiCSES will not suppress the survivor's information. IV-D staff may offer a survivor the option to complete a sworn statement or signed letter if the survivor requests suppression.

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[8] Michigan Compiled Law (MCL) 400.56i
[9] Ref: Section 2.15, "Cooperation/Noncooperation/Good Cause," of the *Michigan IV-D Child Support Manual*.

2.2 Notification by MiCSES Processes and Data-Sharing Interfaces

A IV-D worker can be notified of family violence through MiCSES processes and data-sharing interfaces with MiCSES. Reference Subsection 3.3 of this manual section for more information.

2.3 Notification by Application or in Intergovernmental Cases

2.3.1 Notification by Application (DHS-1201 or DHS-1201D)[10]

When processing paper applications for child support services,[11] IV-D staff will do the following:

A. If the application indicates there is family violence but the applicant's Family Violence Indicator (FVI) is set to "No" in MiCSES, IV-D staff will change the applicant's FVI to "Yes" and the *Family Violence CD* field (FV code) to "CV" – Claim of violence.[12]

B. If the application does not indicate family violence but the applicant's FVI is already set to "Yes," IV-D staff will not change the FVI or FV code.

C. If the survivor does **not** already exist in MiCSES but the application indicates there is family violence, IV-D staff will create a new member and set his/her FVI to "Yes" and FV code to "CV" – Claim of violence.

2.3.2 Notification in Intergovernmental Cases

For information on how to handle family violence in intergovernmental cases, reference Section 7.01, "Intergovernmental Overview," of the *Michigan IV-D Child Support Manual*.

2.4 Identifying Information Not to Be Disclosed

IV-D staff and the IV-D program will not disclose the following identifying information when supporting documentation as identified in Subsection 2.1.1 is received.

- Social Security number (SSN);
- Employer FEIN;[13]

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[10] The DHS-1201 is the *IV-D Child Support Services Application/Referral*; the DHS-1201D is the *Application for IV-D Child Support Services (For Privately Filed Domestic Relations Cases Only)*.
[11] Ref: Section 2.05, "Referrals and Applications," of the *Michigan IV-D Child Support Manual*.
[12] Ref: Subsection 3 in this manual section for information about the FVI and FV code.
[13] The FEIN is the Federal Employer Identification Number.

- Employer name;
- Work address;
- Home address;
- School address;
- Address(es) of the dependent(s);
- Telephone number;
- Email address; and
- Driver's license number.

Note: The survivor's and/or dependent's date of birth and full name may be disclosed to the other party on the case since these identifiers aid the other party in understanding the make-up of his/her IV-D case.

The survivor's last name will be suppressed if the *Court Last Name* field on the *Member Demographics* (DEMO)[14] screen is different than the *Last* (name) field. A difference between these two fields indicates the survivor changed his/her last name after the case was filed in court.

2.5   Caution Required in Handling Cases

When family violence is set on a survivor, IV-D staff must use caution when working on the case (e.g., talking with the parties, sending mail, scheduling meetings). IV-D staff will follow IV-D policy and local office policy, and use their own discretion in deciding how to keep survivors safe.

2.6   Alternative Addresses for Survivors

When family violence is set on a survivor, (s)he must provide an alternative address.[15] The survivor may provide the alternative address to a IV-D worker using the *Change in Personal Information* (FOC 108), the MDHHS-5728, or a signed letter.[16] The alternative address allows the IV-D program to send correspondence to the survivor while still protecting his/her identifying information.

3. Family Violence Functionality in MiCSES[17]

MiCSES suppresses identifying information based on the *Family Violence* field (also known as the Family Violence Indicator [FVI]) and the *Family Violence CD* field (FV code) that are associated with a member. Both the FVI and FV code are found on the DEMO screen.

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[14] Ref: *MiCSES Screen Description: DEMO – Member Demographics*.
[15] MCR 3.203(F)
[16] Ref: Section 3.15, "Addresses," of the *Michigan IV-D Child Support Manual*.
[17] Ref: *MiCSES Customer Information Guide: Family Violence* for more information.

3.1 Family Violence Indicator (FVI)

The FVI is a member-based data element that indicates whether a member is a survivor of family violence. This field contains a "Yes" or "No" option. When MiCSES or a IV-D worker sets the FVI to "Yes" for a CP survivor on one case, MiCSES changes the FVI to "Yes" for the survivor on:

- All of the survivor's cases regardless of whether the survivor is a CP or an NCP on the other cases;[18] and
- The CP's dependents' cases for two generations.

  Note: This is called "propagation." MiCSES does not propagate family violence information when an NCP claims family violence.[19]

Once notified of family violence, a IV-D worker will set family violence on the survivor in MiCSES by changing the FVI to "Yes" on the DEMO screen. This will ensure IV-D staff take necessary precautions to protect the survivor's identifying information outside of MiCSES (e.g., when discussing case information with the other party or mailing forms).

3.2 Family Violence (FV) Code

3.2.1 Overview

The FV code indicates the reason the FVI is set to "Yes." It determines whether identifying information is suppressed from documents generated by MiCSES. It also determines whether identifying information is shared with the Federal Case Registry (FCR) and Query Interstate Cases for Kids (QUICK).[20]

The FV codes in MiCSES are:

- "CT" – Court order;
- "CV" – Claim of violence;
- "FP" – FPLS[21] data indicates confidential address;
- "FW" – Foreign PPO with confidential address;
- "PF" – Foreign PPO without confidential address.
- "PO" – Michigan PPO without confidential address;
- "PW" – Michigan PPO with confidential address; and

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[18] Recording a member as the survivor on all IV-D cases is appropriate to help prevent open child support court records from being used by the perpetrator to locate the survivor.
[19] Ref: Subsection 3.5, "Propagation," of this manual section for more information.
[20] Ref: Subsection 3.2.3 for more information on how the FV code influences these data-sharing interfaces.
[21] FPLS is the Federal Parent Locator Service. For more information about the FPLS, reference Section 3.05, "Locate," of the *Michigan IV-D Child Support Manual*.

- "SS" – Sworn statement.[22]

3.2.2   Confidential Address Indicator (CAI)

The *Confidential* field (i.e., the Confidential Address Indicator [CAI]) on the *Member Address History* (AHIS)[23] screen is a display-only field that indicates whether a survivor's address is confidential.

The CAI cannot be manually maintained; MiCSES sets it automatically based on the combination of the FVI and FV code on the DEMO screen. MiCSES reads this combination when determining whether to print address and other identifying information on forms.

Note: Regardless of whether a survivor's CAI is set to "Yes," the survivor's address and/or other identifying information **will** print on the employer's copy of the *Income Withholding for Support* (FEN058), as well as the *Financial Institution Notice of Lien and Levy and Disclosure* (FEN321) that goes to the financial institution, insurer, or carrier.

When the FVI is set to "Yes" for a survivor claiming family violence, MiCSES will automatically set the CAI to "Yes" for all addresses (except the alternative address) associated to the survivor depending on the member's FV code. MiCSES will print the alternative address on the survivor's forms.[24]

Note: If the court orders a confidential address when there is no family violence, IV-D staff will change the survivor's FVI to "Yes" and the FV code to "CT." They will also enter a member-level note on the *Notes Processor* (NOTE) screen[25] explaining the change.

A.   FV Codes for Which MiCSES Automatically Sets the CAI to "Yes"

MiCSES will automatically set the CAI to "Yes" for all addresses associated with the survivor when the FV code is:

- "CT" – Court order;
- "FP" – FPLS data indicates confidential address;
- "FW" – Foreign PPO with confidential address;
- "PW" – Michigan PPO with confidential address; or

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[22] This includes signed letters. Ref: Subsection 2.1.1(C) of this manual section.
[23] Ref: *MiCSES Screen Description: AHIS – Member Address History*.
[24] Ref: Section 3.15 of the *Michigan IV-D Child Support Manual* or State Court Administrative Office (SCAO) Administrative Memorandum (ADM) 2019-01, *Friend of the Court Guidelines for Determining, Changing, or Suppressing Addresses of Parties and Nonparties*.
[25] Ref: *MiCSES Screen Description: NOTE – Notes Processor*.

- "SS" – Sworn statement.

B. FV Codes for Which MiCSES Leaves the CAI Blank

MiCSES will leave the CAI blank for all addresses associated with the survivor when the FV code is:

- "CV" – Claim of violence;
- "PF" – Foreign PPO without confidential address; or
- "PO" – Michigan PPO without confidential address.

3.2.3 Sharing Information With Data-Sharing Interfaces

MiCSES submits case and member data to the FCR,[26] which in turn shares address and demographic information with other states that share a member or case. Based on information received from MiCSES, the State Case Registry and FCR will automatically update their own FVI records to ensure a survivor's information is not disclosed. Setting family violence on a member will result in the FCR not returning information to the state that set family violence or to any other state that may have a case with the survivor – even if that survivor is an unlocated NCP on any of the cases. This includes information from the:

- National Directory of New Hires (NDNH);[27]
- Defense Manpower Data Center (DMDC);[28]
- Multistate Financial Institution Data Match (MSFIDM);[29] and
- FPLS.

MiCSES will report family violence to the FCR only for a survivor with one of the following FV codes:

- "CT" – Court order;
- "FP" – FPLS data indicates confidential address;
- "SS" – Sworn statement;
- "PW" – Michigan PPO with confidential address; or
- "FW" – Foreign PPO with confidential address.

QUICK[30] will not provide any information to IV-D staff when family violence is marked in MiCSES.

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[26] Ref: mi-support documentation on Federal/State Case Registries.
[27] Ref: Section 3.10, "New Hire," of the *Michigan IV-D Child Support Manual*.
[28] Ref: Section 6.06, "Medical Support," of the *Michigan IV-D Child Support Manual*.
[29] Ref: Section 6.27, "Liens – FIDM/MSFIDM," of the *Michigan IV-D Child Support Manual*.
[30] Ref: Section 3.06, "Federal Child Support Portal," of the *Michigan IV-D Child Support Manual* for information on QUICK.

3.3 Processes That Set the FVI and FV Code

MiCSES will update the FVI and FV code through the following processes and data-sharing interfaces.[31]

3.3.1 Child Support Enforcement Network (CSENet)

When MiCSES receives information from another state via CSENet that a non-disclosure court order exists, MiCSES will set the survivor's FVI to "Yes" and the FV code to "CT" – Court order.

3.3.2 Referrals and Applications[32]

A. Referrals From Bridges

When Bridges sends a referral to MiCSES, a IV-D worker with the RESR Resolver[33] role may determine that MiCSES already has a record of the individuals included in the referral.

If a MiCSES record already exists, the IV-D worker may direct MiCSES to merge the information in the referral with the existing record on the *Resolve Referral* (RESR) screen.[34] When this occurs, MiCSES will automatically update the FVI and FV code for that member based on the table below.[35]

B. Electronic Application for IV-D Services (e1201)

When processing e1201 applications, MiCSES batch processes automatically attempt to match the applicant with an existing member in MiCSES to prevent duplicate members and/or cases.

If MiCSES matches the applicant to a member already in MiCSES, MiCSES will automatically merge the applicant with the existing member. MiCSES will set family violence for the member ID that is sustained (kept) after the merge based on the following.[36]

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[31] The *Family Violence History* pop-up window on the DEMO screen will indicate which process updated the FVI and the FV code. Ref: Subsection 3.5.4 of this manual section for more information.

[32] Ref: Section 2.05 of the *Michigan IV-D Child Support Manual*.

[33] Ref: *Section 3.03, "Case Updates and Member Demographics," of the Michigan IV-D Child Support Manual*.

[34] Ref: *MiCSES Screen Description: RESR – Resolve Referral*.

[35] Ref: *MiCSES 8.9 Release Notes* (September 2014), *MiCSES Customer Information Guide: Member Merge,* and *Action Transmittal (AT) 2009-005, Member Merge*.

[36] Ref: *MiCSES Customer Information Guide: Family Violence* for examples.

	Survivor Is Already Marked for Family Violence in MiCSES	Survivor Is Not Already Marked for Family Violence in MiCSES
Application Indicates Family Violence	MiCSES will set the FVI for the sustained member ID to "Yes."[37]	MiCSES will set the FVI to "Yes" and the FV code to "CV" – Claim of violence, for a sustained member ID.
Application Does Not Indicate Family Violence	MiCSES will set the FVI for the sustained member ID to "Yes."	MiCSES will set the FVI to "No" for the sustained member ID.

If the survivor does **not** already exist in MiCSES but the application indicates there is family violence, MiCSES will create a new member and set his/her FVI to "Yes" and FV code to "CV" – Claim of violence.

3.3.3 PPO Information From LEIN

MiCSES receives PPO information through an interface with LEIN on a weekly basis. MiCSES initially matches a perpetrator on a PPO to a member in MiCSES using:

- First and last name;
- Date of birth; and
- Driver's license number.

When MiCSES fully matches a perpetrator to a member in MiCSES, it will first identify all of the cases in which the perpetrator is listed as an NCP or CP. Then, it will look at the other party on those cases and determine if the first and last name of the other party match the first and last name of the survivor on the PPO.

Note: LEIN provides only the first and last name of the survivor on the PPO as provided by the survivor in his/her PPO court filing; it does not provide the survivor's date of birth or driver's license number. Consequently, comparing the survivor's name on the PPO with the name as recorded in MiCSES may be inaccurate because of the use of nicknames and maiden/married names.

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[37] A MiCSES hierarchy determines which FV code is kept for the sustained member ID. MiCSES keeps a suppressing FV code when available.

A. Other Party's Name Fully Matches Survivor's Name

If the other party's name fully matches the survivor's name, MiCSES will change the other party's:

- FVI to "Yes"; and
- FV code to "PW" – Michigan PPO with confidential address.

B. Other Party's Name Partially Matches Survivor's Name

If MiCSES is able to match the other party only by first name or last name, then a partial match exists and MiCSES will:

- Set the other party's FVI to "Yes" and FV code to "PW"; and
- Send the *Potential Family Violence* (POTFV) alert for the primary IV-D worker to review the other party's FVI and FV code.

Because of the imperfect nature of this comparison technique, OCS encourages IV-D staff to review the FVI and FV code for accuracy in response to these alerts. This helps ensure the IV-D program will protect the correct survivors.

If, upon investigation, the IV-D worker determines the partial match is not correct or appropriate, (s)he will change the FVI from "Yes" to "No" on the DEMO screen.

3.4 Manually Setting the FVI and FV Code

3.4.1 Changing the FVI and FV Code

IV-D staff can manually select "Yes" or "No" for the FVI.

A. When a IV-D worker manually changes the FVI to "Yes," (s)he will also:

1. Update the FV code; and
2. Enter a member-level note on the NOTE screen explaining the reason for the change.

MiCSES will then set the FVI to "Yes" and set the corresponding FV code for any dependents and the dependent's cases.

B. When a IV-D worker manually changes the FVI to "No," (s)he will also:[38]

1. Set the FVI to "No" for any dependents and the dependent's cases;
2. Update the FV code; and
3. Enter a member-level note on the NOTE screen explaining the reason for the change.

3.4.2 Exceptions to Changing the FVI and FV Code

There are specific instances when IV-D staff should not manually change the FVI or FV code unless there is an exception. These instances are discussed below.

A. MiCSES Sets the FV Code Based on LEIN

If MiCSES sets the FV code based on the MiCSES/LEIN interface, IV-D staff will not manually change the FVI or FV code unless the PPO is expired and the survivor requests that the FVI be removed.

If the survivor does **not** wish to keep suppressing his/her identifying information, the survivor will need to sign a sworn statement or write and sign a letter that states family violence no longer exists. Once the statement/letter is filed, IV-D staff will change the FVI from "Yes" to "No."

Note: After the CP's FVI is set to "No," MiCSES will not automatically update the FVI of the CP's associated dependents and subsequent generations. IV-D staff will need to manually update the FVI of associated dependents and subsequent generations.

B. The FV Code Is "CT"

If the FV code is "CT" – Court order, IV-D staff will not manually change the FVI to "No" unless the survivor wishes to remove family violence from his/her case and:

1. The court order has expired; or
2. The court has entered a new court order rescinding the confidential provision.

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[38] Ref: Subsection 3.6 of this manual section for more information on removing family violence from a member in MiCSES.

The survivor will need to submit a sworn statement or signed letter that states family violence no longer exists.

Note: In an intergovernmental case, a survivor's FV code may be set to "CT" – Court order based on the request of another state. When this occurs, IV-D staff will not manually change the FVI to "No" unless the state that requested the survivor's information be kept confidential requests the change and provides documentation.

C. The FVI Is Set to "Yes" Based on Information From the FPLS

The FPLS will inform a IV-D worker that it cannot supply information because a survivor is marked with family violence. When this occurs, it is appropriate for the IV-D worker to set the survivor's FVI to "Yes" and the FV code to "FP" – FPLS data indicates confidential address.

When the FVI is set to "Yes" based on the FPLS's response, a IV-D worker will not manually change the FVI or FV code; however, the FOC may petition the appropriate court for disclosure of the address or identifying information. If the court determines that disclosure to any other person would not be harmful to the parent or child, the court or its agent must submit the request for disclosure to the State Parent Locator Service (SPLS) for forwarding to the FPLS. [39]

3.5 Propagation

3.5.1 Propagation for Two Case Generations

To protect the identifying information of a CP who is a survivor of family violence, MiCSES propagates the FVI and FV code to all of the CP's and dependents' cases for two case generations.

For example, if the FVI is set to "Yes" for a CP and the FV code is set to "PW" – Michigan PPO with confidential address, these settings will be propagated to:

- The CP's dependent on the current case; and
- The dependent's cases in which the dependent appears as an NCP or CP with the dependent's child (i.e., the original CP's grandchild).

The FVI and FV code will not propagate to the grandchild's cases in which the grandchild appears as an NCP or CP.

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[39] 42 USC 654(26)(E). Ref: the Office of Child Support Enforcement (OCSE) Dear Colleague Letter (DCL)-98-122, *Family Violence (FV) Indicator Override*.

When the FVI is set to "Yes" and the FV code is populated for an NCP, the FVI and FV code will not propagate to the dependents or the CP in that case since their identifying information is different from the NCP's. However, if the survivor is an NCP on one case and becomes a CP on a different case, IV-D staff will refer to Subsection 3.5.5 of this manual section for additional information.

3.5.2 FV Codes That Trigger Propagation

When the FVI is manually or automatically set to "Yes" for a CP with the following FV codes, MiCSES will propagate the "Yes" to the dependents' DEMO records and insert the same FV code. The FV codes that trigger this process are:

- "CT" – Court order;
- "FP" – FPLS data indicates confidential address;
- "FW" – Foreign PPO with confidential address;
- "PW" – Michigan PPO with confidential address; and
- "SS" – Sworn statement.

3.5.3 FV Relationship Codes

The *FV Relationship* field on the DEMO screen will indicate whether family violence was set for a member initially (primary designation) or through propagation (secondary and tertiary designation). The *FV Relationship* field will have one of the following FV Relationship codes.

A. "P" (Primary) FV Relationship Code

"P" is any member (CP or NCP) whose FVI is set to "Yes" with a corresponding FV code, regardless of whether the FV code propagates to other members. "P" is the first generation, meaning the member was one of the parties (either the CP or NCP) to the initial family violence claim.

B. "S" (Secondary) FV Relationship Code

"S" is the second generation and the first propagation. "S" will be marked for a dependent of a CP with:

- The "P" *FV Relationship* code;
- An FVI set to "Yes"; and
- An FV code that propagates to the dependent(s).

C. "T" (Tertiary) FV Relationship Code

"T" is the third generation and the second propagation. The tertiary member is the grandchild of the primary member. In other words, the tertiary member is the dependent of the CP who is marked as "S."

D. "E" (Pre-Existing) FV Relationship Code

"E" is set for members who had the FVI set to "Yes" prior to August 29, 2008.

E. "B" (Blank) FV Relationship Code

"B" is the FV Relationship code for members who **do not** have the FVI set to "Yes."

3.5.4 *Family Violence History* Pop-Up Window

Because IV-D workers must use additional care in cases involving family violence, it is important for them to be able to access a member's family violence history. Clicking the *Hist* button in the Family Violence section on the DEMO screen will open a read-only pop-up window that shows:[40]

- When a member's FVI switched from "Yes" to "No" and why;[41]
- Who or what updated a member's FVI and FV code;
- The name and member ID of the person from whom the FVI and FV code propagated; and
- The propagation relationship.

3.5.5 CPs Who Were NCPs With Family Violence on a Different Case

When the FVI is set to "Yes" and the FV code is populated for a member who is now a CP but was previously noted as a survivor when (s)he was an NCP on a different case, MiCSES will change the FVI to "Yes" and the FV Relationship code to "P" for all cases to which that member is associated.

If the FV code is one that propagates to dependent members, MiCSES will then change the FVI to "Yes" and the FV Relationship code to "S" for:

- Any dependent on the same case; and
- All cases to which that dependent is associated.

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[40] Ref: *MiCSES Screen Description: DEMO – Member Demographics*.
[41] The current FVI and FV code in the pop-up window may be different than the FVI and FV code displayed on the DEMO screen. When this occurs, IV-D staff will not update the FVI and FV code on the DEMO screen to match the pop-up window.

If the dependent has dependents, the system will code the dependent's dependents with a "T."

Note: When the FVI and the FV code are changed, MiCSES will generate a IV-D member note on the NOTE screen.

3.6 Removing Family Violence From a Member in MiCSES

Family violence is a member-based data element, not a case-based element. If family violence is removed from a survivor on one case, MiCSES will remove family violence from the survivor on all cases in which (s)he is a party. If family violence is improperly removed, the survivor's identifying information will no longer be kept confidential, and the survivor may be put in danger.

If a survivor reports that family violence no longer exists, IV-D staff may remove family violence from the survivor as long as a PPO or other court order does not require the survivor's identifying information to remain confidential. Before IV-D staff remove family violence from a survivor, the survivor must submit a sworn statement or signed letter stating that the threat of family violence no longer exists.[42] IV-D staff will then make a clear case note on the NOTE screen.

3.6.1 Removing Family Violence From a Primary Member

To remove family violence from a primary member, a IV-D worker will change the member's FVI from "Yes" to "No" in MiCSES and remove the FV code. This will remove the FVI and FV code from all of the member's other cases, but it will not remove the FVI and FV codes for any secondary or tertiary members.

3.6.2 Removing Family Violence From Secondary and Tertiary Members

Removing the FVI and FV code only impacts the member for whom they are removed. In other words, if an FVI and FV code are removed for the secondary member, MiCSES will not automatically remove the FVI and FV code for the primary and tertiary members.

To remove the FVI and the FV code from all secondary and tertiary members, the IV-D worker will view the *Family Violence History* pop-up window on the DEMO screen to determine the primary member. If applicable, the IV-D worker will:

- Access the DEMO screen for each of the IV-D members whose FVI and FV code were propagated by the primary member; and

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[42] Ref: Supreme Court Administrative Order 2002-3, *Family Violence Indicator (Family Division of Circuit Court and Probate Court)*.

• Remove the FVI and FV code.

> **Example: Removing Propagated FVIs and FV Codes**
>
> Pam is the CP on a child support case with Peter as the NCP and Sonny as the dependent. Pam gets a PPO against Peter, so her FV Relationship code is "P" and Sonny's is "S."
>
> When Sonny grows up, he becomes the CP on two cases: one with his dependent Tina and the other with his dependent Tony. On both cases where Sonny is the CP, MiCSES keeps Sonny's FV Relationship code as "S" and updates Tina's and Tony's to "T." These are second-generation cases with a third-generation member.[43]
>
> Sonny submits a sworn statement to IV-D worker Fran stating that no family violence exists in his cases. Fran reviews all of Sonny's cases and verifies this is true. Fran removes family violence from Sonny. To remove family violence from Tina and Tony, Fran must access the DEMO screens for both Tina and Tony and manually remove the FVI and FV codes.

3.7 Lingering Issues From the Conversion to MiCSES

During the conversion from the Child Support Enforcement System (CSES) to MiCSES, the FVI was incorrectly set to "Yes" and the FV code set to "SS" – Sworn statement, for an estimated 29,025 members. The conversion program did not indicate that the FV code had been changed by the conversion. Because of this, IV-D workers were unable to distinguish between an "SS" FV code set by the conversion and those set by an actual user. Additionally, the FVI and FV code propagated to 10 case generations instead of two.

IV-D workers are not required to manually correct the FVI and the FV code for these members in MiCSES; however, due to the lack of return data from the FCR, OCS advises IV-D staff to review the FVI and FV code when they are working the IV-D case.

If IV-D staff decide to make the correction, they may refer to ad hoc query 234996. This query contains a list of all dockets or cases that may have the FVI incorrectly set to "Yes." It also indicates the name of the IV-D worker who updated the FVI or FV code and whether the member is an NCP on any IV-D case.[44]

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[43] This functionality began with the MiCSES 5.4 Release (June 2009).
[44] Ref: Ad Hoc Queries on mi-support.

<u>Note</u>: If a member's name appears on the list from ad hoc query 234996, it may or may not signify that the member is a survivor of family violence. Because there was no FV code in CSES or previous child support systems, MiCSES project staff cannot be certain whether the FVI was set for valid reasons.

SUPPORTING REFERENCES: <u>Federal</u>
42 USC 654(26)(B) and (E)
45 CFR 303.21(e)

OCSE DCL-98-122

<u>State</u>
MCL 400.56i
MCR 3.203(F)

SCAO ADM 2019-01

REVISION HISTORY: IV-D Memorandum 2020-034
IV-D Memorandum 2018-006