

**GOVERNMENT OF THE
DISTRICT OF COLUMBIA
OFFICE OF THE
ATTORNEY GENERAL**



KNOW YOUR RIGHTS :

**What you need to know
about Child Support and
Domestic Violence**

CHILD SUPPORT SERVICES DIVISION

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www.cssd.dc.gov

Introduction

Domestic violence is one of the most dangerous and potentially fatal problems in our society. Domestic violence affects all communities, regardless of race, class, gender, age, and sexual orientation. Like other jurisdictions, instances of domestic violence are increasing within the District of Columbia.

Although men can be victims of domestic violence, an overwhelming number of victims are women. Domestic violence raises safety and economic concerns, particularly for women. There is, however, help available to victims of domestic violence. The best weapon is the “weapon of knowledge,” so know your rights.



**I am a victim of domestic violence.
How can I protect myself and my
children?**

Keeping you and your family safe is essential. One way of achieving this is by obtaining a Civil Protection Order. (“CPO”). CPOs are granted by the Court in order to ensure the safety of the petitioner (victim) from the respondent (offender). CPOs essentially order the respondent to stop abusing or threatening to abuse the victim and stay away from her.

There are two types of CPOs: **Temporary Civil Protection Orders** and **Final Civil Protection Orders**. Temporary CPOs are effective for no more than 14 days, whereas Final CPOs are effective for no more than a year unless extended for good cause.

Why should I get a civil protection order?

Among other things, CPOs can grant any of the following **forms** of relief:

Award either party temporary custody of the minor children;

Award either party visitation with the minor children;

Award child support for one year based upon the Child Support Guidelines; and

Award monetary relief to the petitioner (*e.g.*, rent or mortgage payments, reimbursement for property damage, or medical bills).

How can I obtain a civil protection order?

One can file for a CPO by completing the “Petition for Civil Protection” and returning it to the Domestic Violence Clerk’s Office.

Another option available to victims is to visit the Domestic Violence Intake Center (“DVIC”) in the D.C. Superior Court to speak with an Intake Specialist. The DVIC Intake Specialist will gather the necessary information for completion of the petition for civil protection. He or she will then transfer this information to the D.C. Office of the Attorney General, Domestic Violence Section. An attorney will then be assigned to the case and will represent the victim in the CPO hearing.

Victims may also retain private counsel to represent their interests at their own expense.

Who should I speak to about child support when I file for a Civil Protection Order?

CSSD has a Support Enforcement Specialist located in the DVIC for your convenience. Before or after speaking with the DVIC Intake Specialist, victims can speak with the Support Enforcement Specialist. He or she will gather the information necessary for opening a child support and/or paternity establishment case in Superior Court.



Why would there need to be a parentage establishment case? I know the respondent is the child(ren)'s father.

In order to establish an order for support, parentage must be established. This is necessary because only persons with a legal duty to support and maintain the child(ren) must pay child support. It is not enough for victim to say the respondent is the father, the Court requires proof.

Parentage can be established in several ways:

1. marriage;
2. domestic partnership;
3. executing a Voluntary Acknowledgment of Paternity (AOP);
4. genetic testing (**if parentage is not presumed**);

5. Adjudication of Parentage; or

6. Consenting to parent a child born of artificial insemination

How does the Court calculate child support?

The Court uses the Child Support Guidelines ("Guidelines") to calculate support (financial and medical). The Guidelines take into account both parties' incomes. Income can be proven in a variety of ways, including with pay stubs, tax returns, and W-2 forms.

How long does child support last if it is awarded in the CPO?

CPOs lasts for up to a year. If the Court awards child support in the CPO, it will expire when the CPO expires. Therefore, child support awarded in the CPO lasts for no longer than a year.

I heard that if I receive Temporary Assistance for Needy Families ("TANF") I have to cooperate with CSSD? Is this true?

It is true that TANF recipients have to cooperate with the CSSD in the establishment of child support. There is a "good faith" exception for victims of domestic violence. The law does not require domestic violence victims to cooperate with the IV-D agency if there is a risk to the victim's safety.

For More Information Contact:

The Domestic Violence Intake Center

D.C. Superior Court
500 Indiana Avenue, NW
Room 4235
Washington, DC 20001
(202) 879-0152

Southeast Satellite Center

1328 Southern Avenue, S.E.
Room 311
Washington, D.C. 20032
(202) 561-3000

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