

# **Indiana Legal Services, Inc**

www.indianalegalservices.org

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## **TANF and Domestic Violence**

Have you been a victim of domestic violence? Do you now get, or do you want to apply for, TANF benefits? There are some exceptions to the TANF rules you should know about. Tell your caseworker about your situation. The TANF program gives special consideration to victims of domestic violence.

### **What is domestic violence?**

Examples of domestic violence include:

- Physical or sexual abuse;
- Threats of, or attempts at, physical or sexual abuse;
- Sexual activity involving your child;
- Being forced to engage in sexual acts or activities without your consent;
- Mental abuse; or
- Neglect or deprivation of medical care.

### **I have applied for TANF benefits, but I can't go to an in-office interview. Is this necessary?**

No. You may be interviewed over the telephone, or at home.

### **I can't get to my records. How do I prove that I am eligible for TANF?**

Your caseworker may be able to assist you in getting the necessary documentation. Otherwise, your statement alone may be enough.

### **What if I need to move often or am living in a shelter. Do I need to have a permanent address to receive benefits?**

No. You do not need to have a permanent address to receive TANF benefits. You will need to make sure your caseworker can contact you, however, so you can receive your TANF benefits and important information about your TANF.

### **What if I need to leave Indiana to get away from domestic violence? Will I still receive my TANF benefits?**

Yes. You will still be considered a resident of Indiana if you leave because of domestic violence. However, if you decide to leave Indiana permanently and you have no intention of returning to Indiana, you will no longer be considered a resident of Indiana and will then no longer get Indiana TANF benefits.

**Do I have to cooperate to establish paternity and/or child support if I fear domestic violence?**

Probably not. Generally, when you receive TANF benefits you have to assist in establishing paternity and child support for your child. However, you can be granted an exemption if you have good cause. This means you will not have to cooperate in establishing paternity and child support for your child.

To get a good cause exemption, you need to notify your caseworker that either you or your child may be physically or emotionally harmed if you establish paternity or child support for your child. You will have to give your caseworker evidence that you or your child might suffer harm. This evidence could be medical, police or social services reports, or sworn statements from people who witnessed the domestic violence.

**I am completely unable to work. Am I required to participate in IMPACT?**

No. If you are completely unable to work as a result of domestic violence, you are exempt from participating in IMPACT. Tell your caseworker about your domestic violence situation.

**How can the IMPACT program help me?**

IMPACT should help you address problems that prevent you from working. It can help you with transportation, childcare, clothing, moving expenses, car repairs, training expenses, equipment and other items.

**Domestic violence is affecting my ability to meet IMPACT work and training requirements. Will I be sanctioned and lose TANF benefits?**

No. If the requirements of the employment and training program are beyond your physical or mental capabilities, you may be excused from complying, or the requirements may be changed for you.

**If I am a victim of domestic violence, may I get an extension of my TANF benefits?**

Yes. Most adults can receive only 24 months (2 years) of TANF. But if you are a victim of domestic violence, and you unable to get or keep a job because of it, your TANF benefits may be extended for up to 12 months (1 year).

**My kids have been exposed to domestic violence, and I think they need me at home right now. Am I required to participate in IMPACT?**

No. Children exposed to domestic violence can develop mental health or behavioral problems. You may be granted an exemption from IMPACT to stay home with your kids, or your caseworker can reduce the number of hours you are required to participate.

### **What if I disagree with my caseworker, or I'm sanctioned or denied benefits?**

You have a right to appeal the caseworker's decision.

### **How do I appeal?**


You should get a notice in the mail that explains how to appeal. If you don't get a notice, ask your caseworker. To appeal, write down on a piece of paper that you want to appeal the decision. Mail or take the paper to your caseworker. Keep a copy of the appeal for yourself, and write down the date that you mailed it or gave it to your caseworker. Be sure to meet all deadlines and attend any hearings.

### **Do I need a lawyer to help me with an appeal?**

You don't have to have a lawyer, but it might help. Contact a private attorney or your local legal services program if you want legal assistance.

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