

**Georgia Department of Human Services
Division of Family and Children Services
Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal
to Cooperate in Child Support Services and Third-Party Liability Requirements**

Client Name:

Client ID:

Benefits of Child Support Services

Your help in the child support services process may be of value to you and your child because it may result in:

- Finding the absent parent.
- Legally establishing your child's paternity.
- Receipt of child support payments that may give you more money than if you receive Temporary Assistance for Needy Families (TANF).
- Acquisition of private health insurance through the absent parent.
- Acquisition of rights to future Social Security, veterans or other government benefits.

Cooperation with DFCS and DCSS

The law requires you to help the Division of Family and Children Services (DFCS) and the Division of Child Support Services (DCSS) get any support owed to you and the children for whom TANF is requested, unless you have good cause for not helping.

In helping DFCS or DCSS, you must do one or more of the following:

- Name the absent parent(s) of any child for whom you are requesting TANF or Medicaid.
- Provide information to help find the absent parent(s).
- Help determine who the legal father is if your child was born out of wedlock.
- Agree to have a blood test if the person you name as the father denies paternity.
- Help the state get money owed to you and/or the child who receives TANF.
- Provide information about medical insurance the absent parent has on your child.

You must come to the DFCS office, DCSS or court to sign papers or provide needed information.

Good Cause

You may have good cause for not wanting to help DCSS collect child support or medical coverage for your child. You may not have to help if you believe helping is not in your child's best interest, and if you can prove it. If you want to claim good cause, you must tell your worker. You can do this at any time.

If You Do Not Help and Do Not Have Good Cause

- You will not be eligible to receive TANF for yourself and your child.
- Your child may still be eligible for Medicaid.

Good Cause Reasons

You may claim good cause for any of the following reasons:

- Your help may cause serious physical or emotional harm to your child or to you.
- The child was born as a result of rape or incest.
- Court proceedings are underway for adoption of the child.
- An agency is helping you to decide whether to place the child for adoption.

To Prove Good Cause, You Must

- give DFCS information it needs to decide if you have good cause for not helping. If you fear physical harm and cannot get proof, DFCS may still be able to make a good cause determination.
- give proof to DFCS within 20 days of claiming good cause. DFCS will give you more time only if you have trouble getting proof.

DFCS may excuse you from helping based on the information you provide. Or, DFCS may ask you to provide more information. DFCS will not contact the absent parent without telling you.

NOTE: If you are applying for TANF, you will not be approved until you give DFCS proof of your claim of good cause or the information DFCS needs to investigate your claim.

EXAMPLES OF PROOF OF GOOD CAUSE

- birth certificate, medical or law enforcement records showing that the child was born as a result of rape or incest
- court or other legal documents showing that adoption proceedings have begun
- court, medical, criminal, child protective services, social services, psychological or law enforcement records showing that the absent parent may hurt you or the child
- medical records or written statements from a mental health professional showing the history and current status of your and/or the child's emotional health
- a written statement from a public or private agency showing you are being helped to decide whether to give your child up for adoption
- sworn statements from friends, neighbors, clergy, social workers, or medical professionals who know why you have good cause.

If you need help in getting any of the documents, ask your worker.

Child Support Rules

If you receive TANF, you give the state of Georgia, by law, any rights you have to receive child support. Once the court order is established, the absent parent will be required to pay child support through DCSS. After the court order is established, you will be required to report any money you receive directly from the absent parent. You must also help establish paternity for your child and cooperate with DCSS in establishing a child support order. If you do not cooperate and do not have good cause, you may not be eligible for TANF.

If you receive TANF and the absent parent pays child support through the Division of Child Support Services (DCSS), you probably will NOT receive the full amount of the child support payment. Instead, you may receive a "gap" payment. All child support paid by an absent parent, which is in excess of the "gap" amount, is retained by DCSS and is used to pay back the TANF funds that you have received. **Your TANF case manager can explain gap budgeting and the payment procedures to you.**

If your TANF case is closed, child support payments will be sent to you up to the amount of the absent parent's current monthly obligation. Any child support amount paid over the current obligation will be kept by the state to repay past TANF grants received by you. Once the past TANF grants are repaid, you will be sent all child support paid by the absent parent.

If your TANF case is closed and *then reopened*, any child support back payments due you will be assigned to the state up to the amount of all TANF money you have ever received. When the Unreimbursed Public Assistance (UPA) is repaid, then you will start receiving any back payments owed to you.

If you receive child support payments to which you are not entitled, you may have to repay the state. The state will notify you of the amount of the overpayment and the timeframe for repayment.

DCSS may review the DFCS good cause decision in your case. If you request a hearing about the decision, DCSS may participate in the hearing.

If you have good cause for not helping, DCSS will not try to establish paternity or collect child support.

I have read this notice about my rights to claim good cause and not helping to establish paternity or to collect child support from the absent parent.

Signature of Applicant/Recipient

Date

I have provided the TANF or Medicaid applicant/recipient with a copy of this notice.