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## **More Advocacy Needed for Domestic Violence Exclusion**

The experience of several Shriver Center clients shows that, without advocacy by service providers, Temporary Assistance for Needy Families (TANF) clients who are domestic violence victims and in need of the Domestic Violence Exclusion (DVE) are unable to take advantage of the exclusion because the Illinois Department of Human Services (IDHS) local offices do not properly inform customers of their rights, or local offices misinterpret the DVE program policy. For example, one client, who believed that she had been approved for the DVE and that her 60-month TANF benefit counter had been stopped, was distressed to discover that her counter had started running again without her knowledge. This occurred when she and her family moved out of a domestic violence shelter and into transitional housing. However, moving out of a shelter is not necessarily an indication that a victim no longer requires the DVE.

The Shriver Center advocated on behalf of another domestic violence survivor who settled in Illinois after fleeing from another state with her family in order to escape her abuser. The client was denied an extension of the 60-month lifetime limit on TANF assistance even though she needed it and could not participate in work or training activities for at least 30 hours per week. The client struggled with mental health problems; brought about by the severe domestic violence which she and her children endured, the client's depression and posttraumatic stress disorder made it difficult for her to work steadily. Yet IDHS decided not to extend the client's TANF benefits beyond the 60-month lifetime limit and failed to inform her of her right to appeal its decision.

### **Helping TANF Recipients Address Violence**

The DVE is what the Family Violence Option (in effect since July 1, 2002) is called in Illinois. The DVE enables TANF applicants and recipients who are experiencing or have experienced domestic violence, and who are unable to participate in work activities for at least 30 hours per week because of the violence, to be excused from the work activity requirement and to stop or extend the clock on the 60-month time limit on receiving TANF cash assistance. TANF clients are eligible for the DVE if they cannot engage in work or training activities for at least 30 hours per week because they are experiencing domestic violence, or if participating in such activities is unsafe for them, or if they are suffering from the consequences of the domestic violence. TANF clients need not seek or receive domestic violence services from a domestic violence service provider in order to be found eligible for the DVE.

To qualify for the DVE, a TANF client must (1) verbally request to be excused because of domestic violence from the work or training activity required by TANF (clients may submit this request in writing but are not required to do so) and (2) give proof, such as the following, of being a current or past victim of domestic violence:

- a written statement from anyone other than the TANF client who has knowledge of the domestic violence;
- a police report, government agency record, or court record;
- documentation from a domestic or sexual violence service provider, lawyer, doctor, clergy, or other

professional from whom the client sought services or advice; or  
· physical evidence or any other form of credible evidence.

If a TANF client cannot obtain proof of domestic violence, IDHS staff must help the client obtain proof. In verifying the domestic violence, IDHS must never contact a client's abuser, the abuser's family, or any other individual identified by the client as unsafe to contact. IDHS may contact a third party only with the written consent of the client. When a TANF client is approved for the DVE, she is excused from participating in a work or training activity, her 60-month TANF benefit counter stops, and her Responsibility and Services Plan (an individual plan identifying the client's goals and the steps needed to achieve them) is updated to include information on what she is doing to deal with the domestic violence. With a DVE, the TANF client may also receive cash assistance beyond the 60-month lifetime limit. The initial approval period for a DVE lasts for two months, after which IDHS staff decides monthly whether to continue the DVE. There is no limit on the number of times a TANF client may be approved for the DVE.

### **Women's Law and Policy Project**

#### **Raises Awareness About the Domestic Violence Exclusion**

The Shriver Center understands that Temporary Assistance for Needy Families clients who are also domestic violence victims may be unaware of their right to request the Domestic Violence Exclusion (DVE) or may have a hard time obtaining a DVE after requesting it. To promote awareness of this and other programs that can benefit victims of domestic violence, the Shriver Center's Women's Law and Policy Project created a pamphlet, Public Benefits in Illinois for Victims and Survivors of Domestic Violence, copies of which were distributed throughout the state to domestic and sexual violence service providers and other direct service organizations.

The pamphlet is also available at the Shriver Center website, [www.povertylaw.org/advocacy/dv\\_resources/DV%20Benefits%20Pamphlet%20reformat%20final.pdf](http://www.povertylaw.org/advocacy/dv_resources/DV%20Benefits%20Pamphlet%20reformat%20final.pdf).

For more information about the Domestic Violence Exclusion, contact Wendy Pollack at [wendypollack@povertylaw.org](mailto:wendypollack@povertylaw.org) or 312.263.3830 ext. 238.

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