

The Cost of Leaving: Reforming the Family Violence Option (FVO) under Temporary Assistance to Needy Families (TANF) to Aid Successful Exit from Abusive Relationships

Domestic Violence & Poverty: A Bilateral Link

Domestic violence and poverty share a bilateral relationship. Women in poverty tend to be at a higher risk for being involved in violent relationships, and violent relationships can also contribute to lower household income below the poverty threshold.¹ Part of this reciprocal relationship is continued dependence on an abusive partner. Financial independence from an abusive partner or spouse can help eliminate some barriers to a successful exit; employment or newfound economic liberation can bring both practical and emotional benefits for survivors who wish to begin anew. Welfare reform has acknowledged this bilateral relationship by incorporating the Family Violence Option into Temporary Assistance for Needy Families (TANF), but weak implementation and utilization indicate a need for modification and re-assessment of the provision.

Financial empowerment can aid an abuse victim's successful exit, and the FVO can be a key component in fostering economic autonomy, or can be a starting point for victims to begin building a new life.² This becomes a practical difficulty when TANF benefits are a non-viable wage.³ Regardless of these difficulties, the FVO can still be a key resource in aiding an effective and successful exit from abusive relationships by adopting three statutory modifications and three systemic modifications. Statutorily, states must first ensure that there are no percentage caps on FVOs, and must specifically exempt these waivers from the Hardship Exception under TANF that mandates no more than 20% of waivers can be granted.⁴ The number of domestic violence victims within the enrollee population is very likely to exceed this percentage, and FVOs should not count towards the 20% cap. Second, the federal government must increase cohesion between applications of the FVO between states that have "opted-in"; disjointed waiver

programs lead to arbitrary and capricious changes that negatively impact successful relocation to a new state. Lastly, many of the statutory credits that are built into TANF are predicated on fulfilling societal goals of marriage and work promotion amongst needy families⁵; credits for participation in domestic violence counseling or services and credits for pursuing higher education should be implemented to increase incentives for victims to self-identify.

Systemically, the number of domestic violence victims identified and assisted will increase by increasing access to information, repairing an insufficient screening process, and increasing sensitivity by assisting interpersonal dynamics between TANF case workers and victims.

This paper first examines the framework of TANF. This informs the kinds of hurdles an individual, particularly a domestic violence victim, must overcome to be considered eligible for TANF benefits, and the difficulties in obtaining a TANF appointment while trying to successfully and permanently exit an abusive relationship. Because of the administrative and bureaucratic difficulties at this step, many victims will find that the difficulties outweigh potential TANF benefits, which are deliberately non-viable wages. Second, for those who have managed to maneuver these barriers, certain TANF requirements are exceptionally difficult to meet for domestic violence victims, a population that is at a significantly higher risk for abuse. Compliance with these requirements is often mandatory in order to continue receiving benefits. Disjointed FVO programs from state to state (even county to county) may force an abuse victim to remain in the same state in order to prevent revocation of benefits because of non-compliance. During this process, the greatest and potentially life-saving benefit to a victim may be the presence of an advocate who is confidential, independent, and trustworthy. Third, underutilization of the FVO is examined and modifications are considered. Because FVOs are implemented on a state-by-state basis, there is great variation in requirements waived and the

number of waivers granted. California and Texas are contrasted as both states that have implemented an FVO program, and the arbitrary differences between waived requirements (some waive time requirements, some waive only work requirements, some waive provisions only for a year, etc.) highlight the need for federal uniformity if a state implements the program. TANF also includes a Hardship Provision, which caps the number of waivers granted by states at 20% of all enrollees. FVOs are included in this cap, and discounting FVO's from this restriction may encourage greater utilization. Furthermore, maintaining the importance of adequate procedural and interpersonal structures can yield greater utilization of the FVO. Finally, counterarguments are examined, as TANF may ultimately be an unworkable program for domestic violence survivors, when its very aims are to reduce dependence and promote marriage as a societal institution.

What is TANF? How is it Structured?

Low-income individuals are likely to seek help from government-sponsored welfare programs as their first plan of recourse for financial instability. However, the battle to become eligible for these benefits cannot be underscored – welfare programs have become increasingly punitive, income thresholds have dropped and less families and individuals are eligible overall, and the stigma associated with those who apply for and receive welfare continues to worsen.⁶ The interplay between racism, sexism, and classism directed at welfare recipients is exemplified perfectly with Ronald Reagan's hypothetical "welfare queen".⁷ Public scorn for abuse of welfare ebbed and flowed throughout the second half of the twentieth century. Unfortunately, this public misperception eroded legislative support and any leniency in the restructuring of welfare programs.⁸ The landscape of welfare programs has changed significantly over the past three decades. Aid to Families with Dependant Children (AFDC) was an entitlement program, which

meant that low-income families that qualified for benefits were automatically granted monetary assistance without any requirement or compliance contingencies.⁹ In 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was enacted and significantly reformed to replace the former, “exploited” welfare programs, and Temporary Assistance for Needy Families (TANF) was born out of this legislation.¹⁰ Punitively, TANF operates primarily to weed out “welfare queens” and emphasizes the T letter in the acronym (temporary); primarily promoting the importance of formation and maintenance of two-parent families. TANF specifically aims to prevent and reduce pregnancies outside of two-parent structure, and further establishes that no part of TANF operates to entitle any family or individual to assistance.¹¹ Applicants and recipients for the program must adhere to strict time limits for receipt of benefits, must closely follow strict child support guidelines, and must also meet employment requirements in order to still receive benefits.¹² This significant shift towards imposing normative standards on the most vulnerable sector of the population demonstrates the kind of atmosphere that awaits an everyday applicant for TANF. Currently, TANF is a non-entitlement program predicated on compliance; sanctions for failing to meet any of these requirements can be harsh and unforgiving.

TANF thus operates primarily to assist the poorest of the poor for a limited amount of time, contingent on those impoverished individuals complying with all the requirements. AFDC had a matching grants program, which first encouraged states to use state funds for needy families, and then the federal government would match some of the grants. TANF works as a block grant program, so the allotted amount is not necessarily proportional to the number of TANF recipients.¹³ The numbers of changes in the welfare system were substantial, and sought

to change much in little time. These factors combined to significantly constrain and inhibit the efficacy and utilization of welfare as a resource for needy families.

Ultimately, the ideal suggested modification would be one of total overhaul: TANF should revert back to an entitlement program that actually serves the needy instead of penalizing them. TANF is deliberately low enough that subsidies are a non-viable wage; no individual or family can subsist entirely on TANF benefits.¹⁴ The notion that this somehow a work-promotion strategy is ignorant of the fact that many victims may opt to stay with an abusive spouse if they can't provide for themselves or their children if they exit. TANF does not provide nearly enough to gain the same financial freedom that can foster a successful exit; many applicants may not even find a waiver or enrollment in the program necessary or worth the trouble. However, working within the TANF structure may be the more practical solution for modifying the FVO, and altering the provision and implementation strategies may ensure that more victims are able to have access to an important tool for successful exit.

Although welfare implementation takes place on a state-by-state basis, there are several overarching similarities that remain true for those living in poverty regardless of state or location. One of those similarities is the prevalence of domestic violence amongst poor women. Inside and outside of poverty lines, domestic abuse remains a prevalent societal issue, but the reciprocal nature of domestic violence and poverty ultimately means that more TANF applicants in general are likely to suffer abuse.¹⁵ In the general population, roughly one in every five women has or will suffer domestic violence in her lifetime.¹⁶ This figure doubles for poor women; two to four in every five will have experienced domestic violence in their lifetime or are currently experiencing abuse.¹⁷

The timeline of domestic violence as a recognized issue in American politics and society is relatively short but productive. Domestic violence has been flung into most corners of media and entertainment; from purple ribbons to Super Bowl commercials, the issue has become less taboo and widely recognized over time. While victims of domestic violence may be of many different binary/non-binary identifiers, women comprise the greatest majority of abuse victims. Domestic abuse destroys psychological, emotional, physical, and economic well being in a variety of ways. The bilateral nature of the relationship between domestic violence and poverty becomes pivotal as welfare programs have the potential to address these issues holistically. When women are more likely to be abused and more likely to be impoverished, the welfare system is obligated to address this issue. As TANF may be a survivor's first plan for achieving economic autonomy of any kind, inhibiting access to TANF because of administrative barriers is ethically and practically unreasonable. TANF attempted to address this interplay, and acknowledged the connection between domestic violence and low-income women by implementing the Family Violence Option (FVO).¹⁸ Recognizing that many of the requirements for eligibility of benefits are impractical or unreasonable for victims of domestic abuse, the FVO acts as a waiver for many of the requirements that can jeopardize a successful exit. Because domestic abuse tends to be cyclical, the FVO attempts to break that abusive cycle at any point in time by allowing a more seamless and less complicated exit. Other pieces of legislation, like the Violence Against Women Act, do attempt to maximize supportive resources for women as well, but TANF has an opportunity to deal specifically with low-income women in a way that can better aid economic autonomy and can do so without penalizing applicants based on eligibility requirements.

The Family Violence Option acts as exactly that: an option program for states to adopt or to modify based on individual state preference. Forty-one states have adopted the certified Family Violence Option, and six others have comparable policy provisions.¹⁹ Because the FVO or its comparable counterparts operate on a state-by-state basis, the implementation of such waivers have been widely varied and different provisional requirements are waived in different states. Despite having over a third of TANF applicants be victims of domestic violence, the use of the FVO is shockingly low; states grant between .1% to 3% of waivers (out of total enrollees), and other states grant less than 1% of waivers on average.²⁰

4. TANF requirements that most likely impact/detriment to DV victims

TANF explicitly enumerates the program goals as promoting certain societal ideals, ideals that may be decisively counter to the needs of many women applying for TANF benefits. Certain TANF requirements are likely to pose the greatest hardship to victims of domestic violence. This difficulty in compliance may occur either because of negative physical or mental health issues that have occurred as an incapacitating result of the abuse, or their abusive relationship has significantly interfered in a victim's ability to comply.²¹ This can occur in a number of ways, either through disallowing employment, harassment, or if the 60 month/five year clock has run out while under the abuser's control. After surveying many of the TANF requirements mandated by the fifty states, this paper identifies six TANF components or requirements in particular that can act as impediments to successful exit from an abusive relationship, if not waived by the FVO.²² The FVO is implemented on a state-by-state basis, so the requirements that can be waived by FVO's are neither uniform nor all-encompassing. This paper will examine those requirements that are the most impeding.

Secondly, case studies from both California and Texas can practically demonstrate what requirements are usually waived through the FVO or comparable programs. More importantly, the contrast between the number and types of waived provisions may limit successful exit from abusive relationships if the victim must choose between staying in the vicinity of her abuser or sacrificing welfare benefits. Because of this, adoption of the FVO should entail a set of absolutes: states that have an FVO absolutely waive time limits, citizenship and residency requirements, and child support requirements. Third, there are certain expansions in waiver programs and TANF generally that can further aid a successful exit from a violent relationship. TANF is specifically and statutorily not an entitlement program. Because of this, interconnectedness with WIC and SNAP/EBT (food stamp) programs that would otherwise be logical is prohibited. As a recourse, there must be an incentive for victims to self-identify for an FVO. In lieu of marriage promotion credits, credits for pursuit of education and seeking domestic violence counseling or services should lead to a tangible benefit that will aid screening for victims.

Six Deadly Sins of TANF: Components and Requirements that Pose the Greatest Difficulties for Victims of Domestic Abuse

Throughout all the following components or requirements of TANF, there are three critical points of failure for victims of domestic violence: inadequate screening, inadequate information, and inadequate sensitivity. For each of the six requirements, these inadequacies highlight the various barriers a victim might face, and may help explain why utilization of the FVO remains low.

1. Marriage Promotion Programs

The most startling benefit potentially allocated to states by the federal TANF structure is the “marriage and responsible fatherhood” project credit. The very first lines of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 read: “The Congress makes the following findings: (1) Marriage is the foundation of a successful society. (2) Marriage is an essential institution of a successful society which promotes the interests of children.”²³ Perhaps the discord between TANF and domestic violence victims is evidenced most powerfully by these sentences alone. Essentially, states that endorse, fund, or create projects aimed at encouraging two-parent homes and marriage between citizens are awarded a portion of a \$150 million pool.²⁴ While this is not a “requirement” for TANF benefits, it is helpful to begin analysis here because this component sets the tone for the entire structure of encouraging maintenance of marriage.

Most states that operate marriage promotion programs have a compulsory participation component, because there is an evident financial benefit for states to compel participation. Screening for domestic violence victims becomes an apparent detriment here if participation is compulsory unless a victim is adequately screened and identified. Regardless of compulsory requirements, if a victim self-identifies, she is exempt from any of these compulsory requirements. Despite this exemption, reinforcing the importance of two-parent, marriage-based relationships has enormous potential to be a negative influence on those women seeking to exit an abusive marriage or relationship.²⁵

Furthermore, the lack of information regarding this kind of compulsory program may further hinder a victim’s willingness to both seek help and self-identify. If a state TANF program will see monetary benefits for promotion of marriage and “responsible” or visible fatherhood roles, the individual caseworkers may not see an incentive for thorough screening. Furthermore, while the victim may suffer no legal penalty for not complying with a marriage promotion

program, it may not be entirely apparent that “compulsory” participation is waived for victims, particularly those who are already unwilling to identify themselves as such.

TANF’s inclusion of a marriage promotion program also represents a lack of sensitivity to non-normative familial structures. Marriage is certainly not always beneficial or worthy of promotion, and this attitude negatively influences those who have to take an extra step to opt-out of the program. And it is precisely this mismanagement of sensitivity that discourages victims from leaving an abusive spouse or partner -- the stigma associated with welfare receipt may already be apparent, but to further stigmatize unmarried applicants is inexcusable. Those who are in greatest need of the FVO may find themselves thinking twice before applying for it after seeing marriage promotion programs in a local TANF office.

If marriage is the structural support of a society, education is the structural support of a healthy and safe society.²⁶ Applicants who are forced to opt out of marriage promotion programs should be given an option to receive some subsidy benefits for pursuit of higher education of any kind. This can help encourage victims to become self-sufficient and build social support structures for themselves through employment; and the psychological benefits of employment should not be understated.

2. Child Support Requirements

Over one third of women receiving TANF benefits are single mothers.²⁷ Child support becomes a fundamental financial instrument for basic necessities of any household. However, in order to receive child support, certain administrative requirements must be met: disclosure of address to receive checks, certain proof of paternity forms or other identifying requirements, and variations of forced interactions like custody agreements that can threaten the bodily safety of a victim and the safety of children involved.²⁸

The underuse of the FVO in instances regarding child support is particularly damaging because of the potential safety ramifications. Without making use of the FVO to waive these disclosure and interaction requirements, victims must choose between forgoing child support payments or angering an abusive and volatile individual. Child support requirements are a disservice to victims primarily through failing to correct misinformation about potentially losing custody of their children, or through insensitively forcing a victim to reveal a new location to their abusive ex-partner. Often times, women who are victims of abuse and who are also receiving TANF benefits will be reluctant to disclose a history of abuse because it may mean that they are determined to be unfit parents.

Universal and uniform waiving of all child support enforcement provisions through an FVO program is essential to correcting this. Women who are exiting an abusive relationship will be able to safely relocate if they are not geographically constrained to a random collection of states that have allowed for the FVO to waive child support requirements. They can still receive support payments without risking bodily injury, and will not be hampered in their decision to move as far away as possible.

3. Time Limit/Temporal Receipt Requirements

In order to combat fostering any kind of dependence on welfare subsidies, the model federal TANF structure imposes a hard line of a five-year/sixty month cap. In reality, many states have shortened this five-year time limit in order to curb criticism from taxpayer-voters about long-term funding of needy families.²⁹

However, the average length of an abusive relationship is five years.³⁰ There is no scientific way to determine how this length changes based for the population of TANF enrollees or applicants. However, since poverty and domestic violence share a bilateral relationship, it is

conceivable that an already impoverished and violent couple has received TANF benefits, so the five-year clock has already begun ticking for a victim who decides to leave the relationship. Often times, women exiting from an abusive relationship will return to the abusive partner any number of times before permanently leaving. Some semblance of continued economic support can help lower the number of unsuccessful exits and can certainly pre-condition a final, successful exit. The FVO can waive this hard time limit, but if the majority of applicants who need a time extension aren't receiving it, then the waiver must be modified. It is more important that TANF workers screen, inform, and are sensitive to the needs of victims who need a fresh start and the FVO can be the right place to start.³¹

4. Work Requirements

The “welfare queen” can work, but doesn't. That's what is infuriating about this imagined, villainous persona - she's lazy, entitled, and greedy. Even more infuriating is the fact that this individual does not exist. At least, not in the numbers TANF legislators previously believed.³² TANF work requirements range from a minimum of thirty to fifty hours a week for enrollees, depending on the state's job opportunities program. Employment is a complex subject for victims and perpetrators of domestic violence, because the statuses of the two are constantly in flux. While rates of employment between domestic violence victims and non-victims may be comparable, abuse victims may struggle to *stay* employed because of absenteeism, a greater number of late arrivals, workplace partner harassment, and a general decrease in productivity due to emotional and physical stress.

The punitive language of the work requirements on a state-by-state basis may discourage or misinform victims who can waive these requirements through the FVO. In many states, failure to adhere to work requirements results in revocation of benefits entirely, and because many

victims who need the FVO waiver aren't using it, there is an equal amount of pressure on victims to remain steadily employed regardless of their abuse status. FVO programs nationwide should always waive work requirements for victims, and further incentivize self-identification by allowing domestic violence services or treatment to count towards work credits.

5. Immigration/Citizenship Requirements

Immigrant women are more likely to face issues of domestic abuse, human trafficking (sexual or otherwise), and sexual assault. Regardless of citizenship status, immigrant women are also more likely to experience poverty than US-born women. Public perception of providing state-based funding to illegal immigrants increased support for stricter citizenship requirements. Proof of citizenship is not only required, but recipients must have met a five year residential requirement before any benefits can be allotted to them.³³ Citizenship and immigration requirements are possibly the most complex pieces of legislation in the judicial system, because much of the information is inaccessible to those who need representation or guidelines due to detention and due process policies. The likelihood of burdening a domestic violence victim from seeking help increases after accounting for high correlations between domestic abuse victims and immigrant women. Because of this, residency and citizenship requirements should be given a uniform sanctuary status for FVOs: if a victim seeks an FVO, the five-year residency requirement should be waived.

6. Family Cap Requirements

The family cap requirements primarily exist to prevent proportional increases in welfare allotments based on number of children. Women cannot receive more TANF benefits because they have had more children since the time of enrollment.³⁴ TANF strictly limits the amount of aid provided to the number of children provided on the original application form. This

prohibition also purportedly encourages greater use of birth control or even abstinence during impoverished times. Domestic violence in the form of sexual abuse may take many birth control decisions out of a victim's purview. Restriction of access to adequate birth control, in conjunction with repeated or sustained periods of rape, demand a closer look at this TANF requirement.

Administrative & Bureaucratic Hurdles to Obtaining TANF, FVO for Victims

Getting an appointment at a local TANF office is a task in and of itself; long wait times, busy signals, systematic or technical problems with paperwork and other mechanical adversities can be an insurmountable barrier to even applying for TANF overall, before an FVO waiver is ever sought.³⁵ Because local TANF office numbers are unpublished, most domestic violence victims seeking an appointment with the intent of disclosing domestic victim status must first go to a shelter and then be referred to a case manager. In order to set up an appointment with the case manager, there must be a telephone interview at a time set by the state, but women who are attempting to exit violent relationships often do not have access to a personal, unmonitored cell phone. The process is made more arduous for those trying to evade detection by an abusive spouse, and shelters may be unable to house victims for the length of time necessary to obtain the very first telephone interview.³⁶

Once an appointment to obtain TANF benefits is obtained and a case manager is assigned, any applicant for an FVO waiver must demonstrate proof of violence, and the standards for this vary greatly.³⁷ This documentation requirement may not be an easy burden of proof to meet, because many survivors are unable to produce records of hospital visits if they've never sought medical attention after or during a violent relationship. Furthermore, when attempting to become financially independent, access to previous health records or primary care

physician information is not readily accessible if the survivor has recently changed locations.

This is a circular problem survivors will face: in order to obtain an appointment at the TANF office, the individual must seek out a referral service at a local shelter or from a similar resource, but by the time of the TANF appointment, the individual may not be able to continue staying at the shelter or may be forced to return to their abusive partner.

Statutory Shortcomings of Family Violence Option & Hardship Exception

The text of the Family Violence Option reads: *“states that adopt the Family Violence Option may waive, pursuant to a determination of good cause, program requirements such as (1) time limits, (2) residency requirements,, (3) child support cooperation requirements and (4) family cap provisions.”*³⁸ Screening, referrals, and issuance of waivers are all procedurally variable from state to state, because there are no federal guidelines for administrative implementation.

Under a different provision called the Hardship Exception, waivers may not be granted to over 20% of applicants, including FVO waivers.³⁹ This is an umbrella cap that covers all waiver provisions. The number of abused victims receiving TANF benefits is most likely greater than 20%. In order to meet the federal standard for obtaining an FVO waiver from certain TANF requirements, the individual applicant must show he/she is in a current situation *“where compliance with such requirements would make it more difficult for individuals receiving assistance under this part to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence.”*⁴⁰ Again, this standard is modified by individual states, and the burden may be higher or lower depending on the jurisdiction.

Data and statistics regarding FVOs and waivers in general are nearly impossible to navigate, either through federal databases or state agencies. To help combat this, Legal Momentum (formerly known as the Women's Legal Defense and Education Fund) compiled a summary of utilization of FVO implementation across all the states.⁴¹ All but three states (Idaho, Oklahoma, and Virginia) have enacted either the Family Violence Option or a comparable provision to exempt some requirements for abuse victims.⁴² Nine states currently allow a waiver of any TANF requirements: California, Colorado, Delaware, Oregon, New York, Nevada, Maine, Louisiana, Georgia. However, implementation by those forty-seven states varies greatly.⁴³ For example, Michigan and Vermont will not waive time limits, but forty-one other states will.⁴⁴ A domestic abuse victim who leaves New Hampshire and attempts to begin anew in Vermont will find that her TANF time limit has expired and cannot be waived through the FVO, but she can move to Delaware, where all the requirements can be waived. She can move to South Carolina but not North Carolina; Iowa but not Idaho; New Mexico but not Arizona, etc.⁴⁵ The nuances are baffling and arbitrary, and understanding how this piecemeal system benefits any particular state is an exercise in futility.

As California Goes, So Goes the Nation?

As further evidence of the disparities between state implementation, California and Texas are somewhat comparably populated (California and Texas are the two most populous contiguous states, respectively) and both have enacted some variation of an FVO program under TANF. CalWORKS (California Work Opportunity and Responsibility to Kids program) is the California version of the Family Violence Option. Under this program, any TANF requirement can be waived for domestic violence victims.⁴⁶ Additionally, participating in domestic violence services counts as "work activity". A sworn statement as proof of violence is sufficient, though

more may be submitted. In the fiscal year of 2005, California granted 6,216 waivers for domestic violence.⁴⁷

In Texas, TANF benefits overall are restricted to a total time limit of three years, instead of the federal five-year provision.⁴⁸ The Texan FVO program allows victims to waive time limits, paternity establishment, child support enforcement, and work activity.⁴⁹ The waivers for each requirement are limited to one year. The deficit in FVO waivers granted is astounding. In the fiscal year of 2005, Texas granted 170 waivers for work requirements and 20 waivers for child support requirements, for a grand total of 190 waivers.⁵⁰ While these numbers are certainly discouraging, Texas is a useful example in demonstrating the quantifiable effects of disparate state guidelines and arbitrary selection of provisions and regulations. The correlations between domestic violence and poverty are certainly complex and reciprocal and varied, but they absolutely exist in numbers greater than 0.1%, which is precisely the percentage of Texan waivers granted.

Bearing in mind that an infinite number of factors will influence this great disparity in numbers (willingness to help immigrant individuals, less punitive policies creation), the comparison between Texas and California is a powerful indicator that offering wide latitude for waived provisions is one potentially helpful way to increase the number of abuse victims helped, and increasing uniformity between states will not yield such a large deficit in waivers granted.

In some ways, the statutory construction of the FVO is problematic because of how general the provisions are. The only federal restrictions are detrimental ones: no more than 20% of waivers may be granted by states. If states truly seek to specifically aid victims by implementing an FVO program, their efforts are wasted if capped at 20% - a percentage that won't even fully cover abuse victim enrollees. Requirements are confusing to navigate and

randomly applied, and certain programs that are currently promoted can discourage deviation from those normative impositions. Instead, creating incentives for women to receive an education or seek domestic violence services can encourage self-sufficiency while minimizing punitive consequences. The lack of cohesion between states that waive different provisions has a negative impact and can be detrimental by forcing victims to stay in the same place for fear of having to navigate an entirely different FVO. However, that problem only exists if the victim has sought an FVO – a procedural step many eligible TANF enrollees never even reach. Federal creation of an FVO program that specifically mandates waiver of time limits (re-start the clock when the abuse victim exits and relocates), waiver of child support enforcement requirements (if a victim has sought an FVO, no state shall require disclosure of address to ex-partner or paternity tests), and waiver of residency requirements to further aid an even more vulnerable population.

Interpersonal and Systemic Dynamics: What's Wrong & How to Fix Inadequacies

The creation of a waiver provision like the Family Violence Option does evince an intent (even if poorly executed) to acknowledge the connection between domestic violence and TANF enrollees. Because of the major structural and reformation changes in the late 1990's that steered welfare away from an entitlement program, the roots of underutilization of waivers are entrenched within failures of TANF itself. The threshold eligibility requirements for TANF, not to be confused with compliance requirements, have also grown increasingly stringent. The income levels necessary to receive TANF benefits are abysmal. In 2012, 28 states required that single mothers with two children must earn less than \$795 per month to be eligible for benefits. Cash assistance has also dropped significantly. In 1996, 68 out of every 100 impoverished families with children received cash aid. In 2010, 27 out of every 100 impoverished families with children received cash aid.⁵¹ While these statistics may be politicized and contextualized ad

infinitum, the bottom line is that the number of needy families in this statistic has stayed stagnant at 100, but the number of needy families being helped has been halved.

Beyond statutory ambiguity and disjointedness, the reasons for underutilization of the FVO are also systemic and reflect interpersonal failures within the TANF framework. Psychological consequences of abuse understandably reduce the number of self-identifying victims, either because of fear associated with disclosure, or because the trauma has led to feelings of embarrassment, shame, or denial.⁵² The improvement of interpersonal dynamics can have an enormous amount of positive impact on these consequences. Remedying significant breakdowns in communications between domestic violence survivors and TANF workers will allow an abuse victim to accurately assess and weigh her options.

First, there must be increased access to adequate and correct information. This can be done by correcting misperceptions and disseminating easily transportable and valuable information. The introduction of these informative materials may also be valuable for those who are not ready to disclose or do not wish to for other reasons.

Second, there must be improved screening techniques. This can be done by creating direct questions that increase rapport and trust.

Lastly, there must be an improvement in the sensitivity applied to these interactions. This can be done by refraining from asking about the status of domestic abuse in front of the victim's partner, and by actively ensuring discussions are private and confidential until told otherwise.⁵³

A. Information: Creating Information Access Points

Legal Momentum also conducted a survey that specifically asked respondents to grade their experience with TANF and rate the level of efficacy of the Family Violence Option.⁵⁴ Many respondents said that think their caseworker "did not know about the family violence waivers at

all”. If a caseworker does not know about the program, enrollees will never know about the program, either. Ensuring that caseworkers are properly informed about FVOs is a critical step; equalizing FVOs across the country can simplify this process significantly. Disclosing domestic violence can also be misperceived as having certain ramifications for custody of children. Introducing correct information that demonstrates positive results from disclosure can be pivotal to self-identification. It may be necessary to not only ensure that custody will not be compromised if a woman seeks an FVO, but to also emphasize any benefits of disclosure like education credits or protection from child support requirements. In the forms that enrollees must read through and sign, Texas’ FVO information is tucked into one paragraph in stapled packet. Rhode Island has one entire separate sheet devoted to an explanation of the FVO and specific requirements, and this forces some kind of visual contact with the provision itself. In this same vein, visual or tangible materials can be extremely effective for those who are not ready to talk about abuse. One of the biggest administrative and practical criticisms of TANF (or bureaucracy in general) is the long waiting time of prospective enrollees within the physical TANF office. This can range anywhere from a few minutes to a few hours.⁵⁵ Access to discrete, easily transportable and informative materials like pamphlets or brochures that ask if an exemption or waiver can apply to the enrollee will shift the interviews and discussions entirely. Posters that detail facts about FVOs may close the gap between the facts and perceptions.

B. Placing Appropriate Impetus on Caseworker for Adequate Screening

Screening is the next critical component for increasing utilization of FVOs. *Violence Against Women* published “Screening for Domestic Violence in Public Welfare Offices” in 2008 as a comprehensive guide for interpersonal welfare caseworker interaction. In the article, the authors suggest eight distinct screening practices that support disclosure of abuse: (1) building

rapport through active listening and empathetic reflection, (2) ensuring that any disclosure of abuse is confidential, (3) explaining the reasons why disclosure would be beneficial, (4) asking clients directly about abuse, (5) using both open-ended probes and behaviorally anchored questions, (6) avoiding questions that force a woman to identify with a stigmatized status, (7) defining abuse broadly (with physical, sexual, and emotional components), (8) and providing multiple opportunities for disclosure are the primary ways that can foster productive self-identification for victims.⁵⁶

Legal Momentum's survey further identified screening as a major area that needed reform.⁵⁷ Small changes like interviewing women inside of a room instead of over a counter can increase comfort and willingness to disclose. Based on respondent's answers, applicants for TANF benefits enter their appointment with the belief that the word "screening" is shorthand for "screening out". In reality, "screening" does not imply any exclusionary technique, but rather should be closer to "screening for [certain factors]". The answers victims provide may change dramatically if the attitude they are greeted with at the very outset of the discussion is one that fosters inclusion, instead of exclusion.

C. Sensitivity and Compassion as Fundamental for both Client and Caseworker

Legal Momentum's survey quotes: "Workers make statements, 'Oh, she's just playing the domestic violence card'".⁵⁸ When asked about sensitivity, respondent's survey answers are enlightening, but disheartening. Sensitivity is a necessity for disclosure, and respondents listed (1) worker skepticism and (2) disbelief or denial as a reason for not following through on domestic violence disclosure. With this in mind, caseworkers are human, and humans who are overworked and underappreciated (and underpaid) may be struggling with issues of their own, so demanding a certain demeanor during an interview or meeting can be inappropriate delegation

from third parties. However, encouraging and emphasizing a strong role of advocacy may naturally lead to a better rapport and enhanced sensitivity. The *VAW* article about caseworker interaction specifically notes that “the foundation for the delivery of services through the FVO is the identification of domestic violence among welfare recipients...the purpose of screening for abuse is to accurately and efficiently identify abused women . . . so identifying abused women requires that frontline workers learn strategies for asking about this experiences . . . frontline workers in welfare offices play a pivotal role in the detection and response to domestic violence, and their screening procedures are a critical factor in identifying survivors and connecting women to appropriate services.”⁵⁹ In order to achieve this, arming these frontline workers with the right sensitivity tools includes encouraging workers to build rapport through active listening and empathetic reflection, to establish trust by reinforcing confidentiality through private discussions, and by never asking about abuse in front of a significant other to maximize honesty. Even if it seems like a gamble, honest and direct lines of questioning may help increase transparency and disclosure between two stressed individuals.⁶⁰

The interpersonal solutions for increasing FVO usage are proactive, because passivity will effect no change with individuals who are reluctant to share their status or disclose abuse. If victims aren't self-identifying, then screening must improve to equip caseworkers with the right questions and productive dialogue. If victims aren't adequately informed as to what requirements can be waived or if they can apply for an FVO, information needs to be visibly and comprehensibly disseminated at the outset of the application. Information presented unobtrusively in a well-positioned pamphlet or waiting room poster can be a mobile and powerful tool. If victims are too intimidated, uncomfortable or embarrassed to discuss domestic violence with their assigned TANF worker, then approaches to sensitivity must be changed.

TANF workers need to know the likelihood of encountering a victim of domestic abuse, and understanding the frequency at which abuse occurs amongst impoverished women can diminish suspicions that a victim is fabricating her claim.

Counterarguments

Counterclaim #1: If the FVO isn't utilized, maybe there are issues too inherent, ingrained to be fixed. After all, domestic violence is a societal issue that can't be best addressed through welfare programs.

“Insofar as poor battered women with children have few viable alternatives for seeking financial assistance to escape abusive relationships, they will be seen in welfare offices.” 25 Lindhorst.

When studies repeatedly demonstrate that the relationship between poverty and domestic violence is reciprocal and bilateral, this relationship is one that can dually oppress a victim. Some of the consequences inherent in trauma from domestically violent relationships are naturally going to inhibit the effectiveness of an FVO. Under reporting is a consistent issue with violent relationships, and indeed is a hallmark of abuse overall. However, mainstream American culture has made enormous strides over the last decades to actively discuss and acknowledge the presence of abuse, and awareness can be a crucial part of breaking this cycle at any point by recognizing someone who needs help and may not ask for it. This becomes doubly true for impoverished women because of their vulnerability. Under reporting, insensitivity, misinformation, and other infirmities have been present in the conversations surrounding domestic violence for too long. The solution is not to entrust psychologically traumatized victims to eventually come forward, but to empower them in straightforward and comprehensive ways. Persistent and sensitive victim-based approaches work; ignorance and imposing normative structures do not. Congress may have “found” that marriage is a beneficial institution in 1996,

but violent marriages do nothing to further the interests of children or society – instead, they perpetuate a stigma for those victims who opt for a single-parent, non-violent structure. The weak levels of utilization demand modification so the waiver actually becomes effective.

Counterclaim #2: An overall overhaul of TANF is much more necessary.

There is no better solution than a complete restructuring and overhaul of TANF. TANF specifically statutorily cuts off any connection to entitlement (it leaves no room for discussion as to whether or not TANF can be connected to an entitlement program), but this just means lawmakers must work within the framework of this bill and widen its reach to remedy shortcomings. TANF *should* become an entitlement program that doesn't punish non-compliance or penalize an inability to comply with some of the requirements. Many applicants for TANF will not even find the administrative and bureaucratic endeavor worth the benefits, since the subsidies are far below any conceivable living wage. However, assuming that public perceptions and stigmatizations concerning welfare continue, TANF is unlikely to be revoked or completely repealed in the near future. Provisions within TANF, however, can help shift the main character in political discussions away from “welfare queen” to realistic representations of needy families that seek federal assistance; the number of needy families will not change if the system is punitive and uncompromising. TANF should be changed, but a more realistic goal would be to mandate uniform FVO provisions while removing percentage caps on waivers granted. Disjointed state implementation can be more easily remedied than overhauling the entire welfare structure. This does not necessarily mean it is the most ideal solution, but rather the most viable one.

Counterclaim #3: Screening, information, and sensitivity sound good on paper, but in practice, are not likely to yield quantifiable or visible results.

Adequate access to information, sensitive advocacy, and thorough, thoughtful screening are modifications based on victim's experiences throughout their TANF interaction. However, from a legislative standpoint, incentivizing education and removing barriers to access are modifications that are designed to aid access to information, to foster sensitive communications, and to create more thorough screening practices. These interpersonal dynamic changes are the underlying goals of tackling a social and fundamentally interpersonal issue.

10. Conclusion

The abysmal application of the Family Violence Option can be modified by creating a formal and cohesive framework for states that opt to adopt it, and this will strengthen an abuse victim's range of options when exiting an abusive relationship. It will allow a victim to quickly and accurately assess her options, and this will minimize the drastic disparities that exist for waivers across state lines. Encouraging pursuit of education and utilization of the waiver will incentivize self-identification, which in turn helps workers screen accurately and thoroughly. Specifically exempting FVOs from the Hardship Exception caps can eliminate any statutory barriers to granting waivers. Any benefit American society has seen by reducing available resources to needy families is negated by continuing to compromise the safety and well-being of the voiceless and most vulnerable. The attitudes and perspectives that shaped TANF represent a moral failing, a statutory failing, and a societal failing if shortcomings are recognized but not remedied; if the steps for better implementation are understood but not undertaken. Applying these suggestions can be the second, third, fourth and fifth steps forward, and one day, we may be able to break the cycle for good.

¹ Alexandra Cawthorne, Center for American Progress (2008), (stating “Domestic and sexual violence can push women into a cycle of poverty. Experiencing domestic or sexual violence can lead to job loss, poor health, and homelessness. It is estimated that victims of intimate partner violence collectively lose almost 8 million days of paid work each year because of the violence perpetrated against them by current or former husbands, boyfriends, or dates. Half of the cities surveyed by the U.S. Conference of Mayors identified domestic violence as a primary cause of homelessness”), *available at*: <https://www.americanprogress.org/issues/women/report/2008/10/08/5103/the-straight-facts-on-women-in-poverty/>.

² Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 988 (arguing that “without a more accommodating welfare policy approach towards poor domestic violence victims, we will continue to lessen their chances of escaping both their abusers and society’s subordination of the poor...”).

³ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRC DV & Legal Momentum Joint Report (2010), at 15 (“Respondents were given a list of twenty-one potential TANF changes. The seven top ranked changes were: § Increase employment services that lead to a living wage - 88% ranked this very important...”), *available at* <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

⁴ 42 U.S.C. § 608(a)(7)(C)(iii) (2006)

⁵ Pub L. No. 104-193, § 101 (end[ing] the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; —prevent[ing] and reduc[ing] the incidence of out-of-wedlock pregnancies; and —encourage[ing] the formation . . . of two-parent families).

⁶ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 993, (“Sexist and racist stereotypes continued to influence welfare reform”).

⁷ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 1006, (stating that “the history of welfare indicates that welfare policies have been crafted in accordance with the stereotypes that poor women are lazy, dependent minorities who want to take advantage of the system...”).

⁸ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 995, (“Cultural norms of worthiness and animus toward the poor continue to be evident in contemporary welfare

reform.”).

⁹ Timothy Casey et al., TANF Reauthorization Round II—An Opportunity to Improve the Safety Net for Women and Children, 14 DOMESTIC VIOLENCE REP. 65 (2009) [hereinafter Casey et al., TANF Reauthorization] (showing the difference between AFDC and TANF was largely the —block grant, which was a fixed amount that was not dependent on the amount of state program expenditures).

¹⁰ Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, § 408, 110 Stat. 2105, 2137-38 (codified as 42 U.S.C. § 608 (1996)).

¹¹ 42 U.S.C. § 602 (a) (7) (2006)

¹² Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 994, (“TANF implementation limits these opportunities, encouraging women to turn to marriage instead and diverting precious federal resources to this purpose.”).

¹³ Timothy Casey et al., TANF Reauthorization Round II—An Opportunity to Improve the Safety Net for Women and Children, 14 DOMESTIC VIOLENCE REP. 65 (2009) (describing federal expenditures under TANF as fixed at approximately \$16.5 billion per year with states' shares based on the amount received under the AFDC program without providing for adjustments related to the size of the individual state's caseload).

¹⁴ Ife Floyd & Liz Schott, Center on Budget and Policy Priorities (October 2015), “TANF Cash Benefits Have Fallen By More Than Twenty Percent in Most States and Continue to Erode”, available at: <http://www.cbpp.org/research/family-income-support/tanf-cash-benefits-have-fallen-by-more-than-20-percent-in-most-states>

¹⁵ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 996, (“Domestic violence exacerbates variables of poverty. It often forces a choice of staying in an abusive relationship or risking homelessness”).

¹⁶ Eleanor Lyon, National Resource Center on Violence Against Women, *Welfare and Domestic Violence Against Women: Lessons from Research* (2002), available at: http://www.vawnet.org/domestic-violence/print-document.php?doc_id=317&find_type=web_desc_NRCDV

¹⁷ Eleanor Lyon, National Resource Center on Violence Against Women, *Welfare and Domestic Violence Against Women: Lessons from Research* (2002), available at:

http://www.vawnet.org/domestic-violence/print-document.php?doc_id=317&find_type=web_desc_NRCDDV.

¹⁸ 42 U.S.C. § 602(a)(7) (2006).

¹⁹ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), (“Since 1996, a majority of states (41) plus the District of Columbia have adopted the FVO as part of their welfare law (42 total). Other states (6) have equivalent policies that enable violence victims to get waivers from some or all TANF requirements. However, three states have no FVO equivalent policies.”) *available at*

http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

²⁰ Laurie Pompa, Note, *The Family Violence Option in Texas: Why It Is Failing to Aid Domestic Violence Victims on Welfare and What to Do About It*, 16 TEX. J. WOMEN & L. 241, 243-45 (2007), at 6, (“Between .5% and 3% of clients received domestic violence services or work requirement waivers in these welfare systems...”), *available at*

<https://www.questia.com/library/journal/1P3-1349637171/the-family-violence-option-in-texas-why-it-is-failing>.

²¹ Richard M. Tolman and Daniel Rosen, Domestic Violence in the Lives of Women Receiving Welfare: Mental Health, Health, and Economic Well-Being, 7 VIOLENCE AGAINST WOMEN 141, 146 (2001) (finding that 48.2 percent of a sample of women welfare recipients in Michigan, all currently experiencing severe violence, reported direct work interference within the past year).

²² Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 997, (“However, what harsh requirements are even eligible to be waived for domestic violence victims varies from state to state.⁷² Thus, an in depth analysis of the various requirements TANF recipients are required to comply with in order to receive benefits is valuable in analyzing why implementation of the Family Violence option is not working across the states.”).

²³ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 997.

²⁴ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 999, (“TANF also makes \$150 million a year in federal funding available to states that create projects promoting marriage”).

²⁵ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 999.

²⁶ Jasmin Sethi, *Lessons for Social Scientists and Politicians: An Analysis of Welfare Reform*, 17 *GEO. J. ON POVERTY L. & POL'Y* 5, 30 (2010) (arguing that under the new regulations under the Deficit Reduction Act of 2006, the most important determinant, higher education, which could most help welfare recipients leave the program, was not permitted under TANF).

²⁷ TIMOTHY CASEY ET AL., *LEGAL MOMENTUM & NAT'L RES. CTR. ON DOMESTIC VIOLENCE, NOT ENOUGH: WHAT TANF OFFERS FAMILY VIOLENCE VICTIMS 2* (2010), <http://www.legalmomentum.org/assets/pdfs/not-enough-what-tanf-offers.pdf> (reporting the high poverty rate of single mothers at over thirty-five percent).

²⁸ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 999.

²⁹ 42 U.S.C. § 608(a)(7)(A) (2000) ("A State to which a grant is made under section 603 shall not use any part of the grant to provide assistance to a family that includes an adult who has received assistance under any State program funded under this part attributable to funds provided by the Federal Government, for 60 months...").

³⁰ ("The average length of an abusive relationship is 5 years."). available at: <http://www.counselling-directory.org.uk/counsellor-articles/a-playful-tiff-or-domestic-abuse>.

³¹ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 996, ("the Family Violence Option makes it conceivably possible to exempt domestic violence victims from oppressive welfare requirements, such as the harsh time limit, forced child support, and strict work requirements").

³² Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 993, ("Rather than treating the exceptional cases of welfare fraud and abuse —as the exceptions they were, politicians like Reagan, the media, and the public adopted them as the archetype, typifying poor black mothers").

³³ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 999.

³⁴ Gallagher, Rachel J. "Welfare Reform's Inadequate Implementation of the Family Violence Option: Exploring Dual Oppression of Poor Domestic Violence Victims." *American University Journal of Gender Social Policy and Law* 19, no. 3 (2011), at 1000.

³⁵ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010), available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

³⁶ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010), available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

³⁷ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

³⁸ 42 U.S.C. § 602(a)(7) (2006).

³⁹ 42 U.S.C. § 608(a)(7)(C)(iii) (2006).

⁴⁰ 42 U.S.C. § 602(a)(7)(A)(iii).

⁴¹ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁴² Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁴³ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁴⁴ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁴⁵ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁴⁶ TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.

⁴⁷ Laurie Pompa, Note, *The Family Violence Option in Texas: Why It Is Failing to Aid Domestic Violence Victims on Welfare and What to Do About It*, 16 TEX. J. WOMEN & L. 241, 243-45 (2007), available at <https://www.questia.com/library/journal/1P3-1349637171/the-family-violence-option-in-texas-why-it-is-failing>.

⁴⁸ TEX. HUM. RES. CODE § 31.0065 (Vernon 2004).

⁴⁹ Family Violence Option, LEGAL MOMENTUM: STATE BY STATE SUMMARY (2004), available at http://www.ncdsv.org/images/LM_FamilyViolenceOptionStateByStateSummary_updated-7-2004.pdf.

⁵⁰ Laurie Pompa, Note, *The Family Violence Option in Texas: Why It Is Failing to Aid Domestic Violence Victims on Welfare and What to Do About It*, 16 TEX. J. WOMEN & L. 241, 243-45 (2007), available at <https://www.questia.com/library/journal/1P3-1349637171/the-family-violence-option-in-texas-why-it-is-failing>.

⁵¹ DANILLO TRISI & LADONNA PAVETTI, CENTER ON BUDGET AND POLICY PRIORITIES, “TANF WEAKENING AS A SAFETY NET FOR POOR FAMILIES”, AVAILABLE AT: <HTTP://WWW.CBPP.ORG/RESEARCH/TANF-WEAKENING-AS-A-SAFETY-NET-FOR-POOR-FAMILIES>.

⁵² TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.

⁵³ TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.

⁵⁴ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010), available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

⁵⁵ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010), available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

⁵⁶ TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.

⁵⁷ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010),

available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

⁵⁸ TIMOTHY CASEY, JILL DAVIES, ANNIKA GIFFORD, AND ANNE MENARD, *Not Enough: What TANF Offers Family Violence Victims*, NRCDV & Legal Momentum Joint Report (2010), available at <http://www.legalmomentum.org/resources/not-enough-what-tanf-offers-family-violence-victims>.

⁵⁹ TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.

⁶⁰ TARYN LINDHORST, MARCIA MEYERS, AND ERIN CASEY, “Screening for Domestic Violence in Public Welfare Offices: An Analysis of Case Manager and Client Interactions”, *Violence Against Women* (2008), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2275299/>.