

TEMPORARY ASSISTANCE FOR DOMESTIC VIOLENCE SURVIVORS (TA-DVS)

1. HOW CAN THIS TEMPORARY ASSISTANCE PROGRAM HELP ME?

Under the Temporary Assistance for Domestic Violence Survivors program (TA-DVS), the Department of Human Services (DHS) helps victims escape domestic violence and stay safe.

DHS will pay the minimum amount of money to meet your safety needs (up to \$1,200.00) in a 90-day period. The money can be used for anything that would help make you and/or your children safe. For example, you could ask for help with lock changes, a post office box, medications, moving costs, rent, or a bus ticket. The money will usually not be given directly to you but will be paid to the person or company providing the service, such as a landlord or bus company.

OAR 461-135-1230

TA-DVS money can be given in addition to a TANF (Temporary Assistance to Needy Families) grant or any other cash assistance, food stamps, or other benefits you are getting from DHS.

2. HOW DO I APPLY FOR TA-DVS?

You can apply over the telephone, in person, or in writing at the local DHS Self Sufficiency office.

OAR 461-135-1220

3. WILL I QUALIFY?

- You *must* be a victim of abuse. This may mean that your spouse, partner, the other parent of your child, or another household member has hurt you, tried to hurt you, or threatened to hurt you

*If you want to talk to an advocate about the abuse, please call the **Portland Women's Crisis Line statewide hotline: 1-888-235-5333.***

- You *must* have children or be pregnant and be an Oregon resident to get these benefits
- You *do not* have to be a U.S. citizen or "qualified non-citizen" to get TA-DVS
- You *do not* have to show proof of the abusive situation. DHS will listen to your own words about the abuse. You *do not* have to have a restraining order, witnesses, or a police report

DHS may be flexible with their rules depending on your circumstances. For example, if your family is over income for the program, but the abuser controls the money, you may be eligible.

OAR 461-135-1215; OAR 461-135-1225

Legal Aid Services of Oregon and Oregon Law Center

Public Benefits Hotline – 1-800-520-5292

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www.oregonlawhelp.org

4. HOW SOON WILL A DECISION BE MADE?

DHS has 16 working hours from when you apply to decide if you are going to be given TA-DVS benefits. If a decision is not made within 16 hours, you have the right to a hearing.

OAR 461-135-1220

5. WHAT IF I AM TURNED DOWN?

If your request for TA-DVS benefits is turned down, or if you disagree with the amount of benefits you are given, you have the right to an “expedited” hearing.

OAR 461-135-1235

6. HOW DO I ASK FOR A HEARING?

You can ask for a hearing by filling out **DHS Form 443 (Administrative Hearing Request)**, which you can get at the local DHS Self Sufficiency office or on the Internet. (Go to www.oregon.gov/DHS/admin/forms/index.shtml . Click on “Find a DHS form.” Then put in 443 for the number and click on “Search.”)

After you have filled out Form 443, make a copy for yourself and then turn it in to the Self Sufficiency office.

The hearing must be held within five working days from the date you asked for the hearing. The hearing will probably be held over the telephone. You may be able to ask for an in person hearing.

OAR 461-025-0315

7. DO I NEED TO HAVE AN ATTORNEY REPRESENT ME AT THE HEARING?

You can represent yourself at the hearing. If you want to have an attorney represent you, call the **Public Benefits Hotline (1-800-520-5292)** or your local Legal Aid office. Go to www.oregonlawhelp.org for a directory of legal aid programs.

8. HOW DO I PREPARE FOR THE HEARING?

Whether you represent yourself or have an attorney represent you at the hearing, it is a good idea to prepare for the hearing in advance. Be ready to explain to the judge why the money that you asked for is needed for your safety. It is helpful to make a list of what you need and get information about how you would like to deal with your safety concerns. For example, if you need money to change your locks, it is a good idea to get the name of a locksmith and find out how much the locksmith thinks it will cost.

You can read the TA-DVS rules and/or policies to see if the reason you were turned down is allowed. You can ask your caseworker or Legal Aid for a copy of the TA-DVS rules (which are located at *OAR 461-135-1200* to *461-135-1235*.)

9. WHAT ELSE DO I NEED TO KNOW?

After you apply for benefits, you and a DHS caseworker will talk about safety concerns and make a plan to deal with the concerns. The caseworker may talk to you about community resources and ask you questions about what you need the money for.

Before you meet with your caseworker, it is helpful to make a list of what you need to stay safe, get information about who offers those

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services or items, and figure out how much everything will cost.

If you get TANF (Temporary Assistance to Needy Families) from DHS or are eligible to get TANF, DHS can be flexible about TANF rules if the requirements under the program make it more difficult for you to escape domestic violence or put you at risk. For example, DHS can be flexible about work requirements.

10. WHERE CAN I GET MORE INFORMATION ABOUT TA-DVS AND HEARINGS?

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