

## Public Benefits

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Various forms of public assistance are available to survivors who income qualify and meet all eligibility criteria including:

- **TANF** (Temporary Aid to Needy Families) - a monthly cash grant linked to an individual's participation in work activities and cooperation with program requirements. NOTE: **The Family Violence Option** exists to exempt survivors from certain requirements, such as working and applying for child support, if doing so would place her or her children in danger.
- **One Time TANF** - a one time cash payment of \$1000 for families in crisis.
- **Food Stamps** - assistance to help low-income individuals, families and elderly people purchase food.
- **Medicaid** - government funded health insurance that automatically covers individuals receiving TANF.
  - To apply for Medicaid, Food Stamps, One Time TANF or TANF individuals must apply at a local benefits granting agency. Call 2-1-1 or got to: <http://www.dhs.state.tx.us/regions/index.html> to locate an office. Applications can be obtained at the local offices or can be downloaded at: <http://www.hhsc.state.tx.us/>.
- **WIC** (Women, Infants and Children) - program that provides nutrition education, food, formula and other services for low-income pregnant women, new mothers, infants and children under 5. WIC clients get vouchers for certain food items that they can use at grocery stores throughout the state. Food packages vary depending on the needs of the client, but may include infant formula, milk, cheese, cereal, juice, eggs, peanut butter and beans. Call the Texas WIC Program at 1-800-942-3678 for local WIC clinic locations.
- **CHIP** (Children's Health Insurance Program) - health coverage for children in families that earn up to 200% of poverty with sliding scale co-pays. Call 1-800-647-6558 to ask questions about CHIP or to apply over the phone.

## Resources

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- Local legal aid attorneys can typically assist clients in cases regarding housing, employment and public benefits. To find the legal aid office nearest you, go to: [www.texaslawhelp.org](http://www.texaslawhelp.org).
- Persons 60 or over, or persons with disabilities can receive services through the Texas Legal Services Center by calling 1-800-622-2520.
- 211, an information hotline supported by the United Way, provides referrals to local area resources such as food banks, clothing and transportation assistance.
- The Texas Council on Family Violence Public Policy Department is available to provide technical assistance to advocates and survivors on economic related issues. Call 1-800- 525-1978 for assistance.

# Economic Options for Survivors of Family Violence

## Rights & Resource Information

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1-800-525-1978  
1-888-239-9035 (TTY)  
[www.tcfv.org](http://www.tcfv.org)

## Housing

A victim of family violence in a rental property has the right to:

- **Seek police and emergency assistance in response to family violence.** Landlords are prohibited from:
  - barring or limiting tenants' rights to call for assistance
  - imposing penalties for calling for assistance
  - requiring tenants to waive their rights to call for assistance in order to be eligible to rent. (Texas Property Code § 92.015)
- **Terminate a lease without penalty.** This right applies to a victim who has been living with an abuser and who has received either a final, two year protective order or a temporary restraining order or temporary injunction within a suit for dissolution of marriage. (Texas Property Code § 92.016, effective 01/01/06)

For information regarding subsidized and private housing available in communities throughout Texas, go to: [www.texashousing.org](http://www.texashousing.org).

Victims of family violence in most areas throughout Texas can receive **waivers of deposit for gas, telephone and electric services.**

- To download the gas deposit waiver, go to : [www.tcfv.org](http://www.tcfv.org)
- To download the waiver for electric and telephone deposit, go to: [www.tcfv.org](http://www.tcfv.org)

## Unemployment Insurance

Survivors who must leave their job to protect themselves from family violence or stalking are eligible for unemployment compensation if they show:

- an active or recently issued protective order documenting the occurrence of or potential for family violence or stalking against the employee, or
- a police record documenting family violence or stalking against the employee, or
- a physician's statement or other medical documentation of family violence against the employee.

None of the above information may be disclosed to any person without the consent of the employee.

Individuals may apply for unemployment on line at: <http://www.twc.state.tx.us/ui/uicclaim.html> or call 1-800-939-6631. Telecommunications devices for the deaf (TDD) users can communicate with TWC offices by using Relay Texas. That number is 1-800-735-2989.

## Taxes

Various tax credits and protections are potentially available to survivors and others. Individuals may receive refunds for returns filed within three years of the due date.

- **Earned Income Tax Credit:** A credit available to working individuals who meet income guidelines if they have dependent children or meet additional eligibility tests. The Earned Income Tax Credit can mean thousands of dollars refunded to a family.
- **Child Tax Credit:** A nonrefundable credit that may be up to \$1000 per qualifying child depending on income.
- **Child and Dependent Care Credit:** A credit available to people who, in order to work or to look for work, have to pay for child care services for dependents under age 13. The credit is also available for those who pay for care of a spouse or a dependent of any age who is physically or mentally incapable of self-care. The credit is a percentage based on adjusted gross income.
- **Innocent Spouse Relief:** Relief from tax liability, penalties and interest available to spouses who signed joint returns and are now being held responsible for taxes or income of which they were unaware.

Free tax help is available on-line through the IRS Web site [www.irs.gov](http://www.irs.gov) or by calling 1-800-829-1040. The Texas Taxpayer Assistance Project may also be able to answer questions at: 1-888-988-9996.

## Crime Victim's Compensation

Crime Victim's Compensation (CVC) is available to innocent victims of crimes involving "criminally injurious conduct" who suffer physical or emotional harm as a result of the crime. In most cases, the applicant must report the crime in a reasonable time and file a CVC application within 3 years of the date of the crime. Crime Victim's Compensation can cover expenses including:

- Reasonable medical, prescription and rehabilitation expenses;
- Mental health counseling;
- Loss of earnings or support;
- Childcare or care for a dependent adult to enable a victim, spouse, surviving spouse of a deceased victim or guardian to continue employment if necessitated by the crime;
- Reasonable attorney fees for assistance in filing the application and in obtaining benefits, if the claim is approved;
- Rent and relocation expenses for victims of family violence;
- Rent and relocation expenses for victims of sexual assault if the assault occurred in their residence

## Child Support

Parents may request child support through a protective order pursuant to Texas Family Code §85.021(4). Parents may also apply to receive child support through the Office of the Attorney General (OAG). In addition to paying set portion of his income to support his children, an obligor also must cover or pay for the health insurance of his children.

To apply for child support, an applicant may:

- Contact her local Child Support Field Office. (To locate the nearest field office, go to: [www.oag.state.tx.us](http://www.oag.state.tx.us))
- Call 1-800-252-8014 and receive an application by mail or
- Apply on line at: [www.oag.state.tx.us](http://www.oag.state.tx.us) or to request an application be mailed.
- Completed applications can be sent to the nearest Child Support Field Office.

The Attorney General also offers parent locator services.

\*The OAG has policies and procedures designed to protect the safety of a victim of family violence who is seeking child support, including protecting the victim's address.

\*Survivors should state they are victims of family violence and complete an "Affidavit of Support of Nondisclosure of Information in Exceptional Circumstances" or provide a copy of a current protective order to the Child Support Officer.

## Spousal Maintenance and Support

• A survivor may also request spousal maintenance within a suit for dissolution of marriage if she/he meets all qualifications listed in Texas Family Code §8.051, including:

(1) The spouse from whom maintenance is requested was convicted of or received deferred adjudication for Violation of a Protective Order within two years before the divorce suit was filed or while the suit is pending; OR

(2) The duration of the marriage was 10 years or longer and the person is unable to support himself or herself because of an incapacitating physical or mental disability OR if the person must take care of a child with a physical or mental disability and because of this cannot work outside the home or due to a lack of job skills.

• Spousal support is available in divorce proceedings for duration of temporary orders, regardless if client is eligible for spousal maintenance under §8.051 or not.

• A survivor may request support for herself within a protective order pursuant to Texas Family Code §85.021(4).