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Governor

NEW YORK STATE  
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE  
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Brian J. Wing  
Commissioner

## Informational Letter

### Section 1

<b>Transmittal:</b>	02 INF 6
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Transitional Supports and Policy
<b>Date:</b>	February 8, 2002 <b>Correction Reissued: March 7, 2002</b>
<b>Subject:</b>	Clarification of Retention Policy of Domestic Violence (DV) Screening Forms and Related Case Records
<b>Suggested Distribution:</b>	Directors of Temporary Assistance Domestic Violence Liaisons
<b>Contact Person(s):</b>	Deborah McArdle (518) 474-2828; Lydia Taylor (518) 473-0178
<b>Attachments:</b>	None
<b>Attachment Available On – Line:</b>	<input type="checkbox"/>

### Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
None	None	18 NYCRR 3562	None	None	None

### Section 2

#### I. Purpose

The purpose of this INF is to clarify the length of time local districts are required under law to retain Domestic Violence (DV) Screening Forms and related case records.

#### II. Background

Under Section 57.25 of Arts and Cultural Affairs Law, the State Archives is responsible for authorizing local governments to destroy records. Periodically record disposition schedules are revised, including Schedule CO-2, which is used by units of county government. Items in CO-2 approve the destruction of records after the indicated minimum retention period. Schedule CO-2, last revised in 1993, does not include domestic violence screening records which county social services departments have maintained since the late 1990's based on Section 349-a of Social Services Law and 18 NYCRR 351.2(1).

### **III. Program Implications**

Effective immediately, screening forms completed by applicants/recipients of public assistance **indicating the presence of domestic violence** and subsequent records assessing credibility of an individual's assertion of domestic violence, records of services referrals, assessment for waivers of public assistance program requirements, and related records must be retained for **SIX (6) YEARS** after completion of Domestic Violence Liaison's services to an individual. "*Completion of liaison's services to an individual*" occurs when the individual no longer receives public assistance, when the liaison has completed all contact with the individual because the service referral is complete and no further waiver assessments are needed, or when the liaison determines that the domestic violence claim asserted in the screening form is not credible, whichever occurs first.

Screening forms indicating **No Presence of Domestic Violence** must be retained for one (1) year after the form is completed.

**Issued By**

**Name:** *Shari Noonan*

**Title:** *Deputy Commissioner*

**Division/Office:** *Transitional Supports and Policy*