



## TANF 201-5 Joint Custody

**Supersedes:** TANF 201-2 (7/1/04)

**Reference:** ARM 37.78.207 and .208

**Overview:** The primary custodial parent of a minor child(ren) may include the child(ren) when applying for TANF cash assistance.

Custody arrangements only need investigated when a question exists about who is the primary custodial parent.

### **DESIGNATION OF CUSTODIAN:**

Primary custodial parents may be:

1. The parent selected by a court of law as the designated custodial parent; or
2. If a court has not designated a custodial parent, the parent with whom the child(ren) is living more than one-half the time.
  - a. If a court has not designated a custodial parent and custody is shared equally by the child's parents, the parent not applying for TANF cash assistance must agree to allow the parent applying to claim the child(ren) for eligibility purposes. If the non-applicant parent does not agree, eligibility does not exist due to no minor child residing in the home.

The primary custodial parent designation may be relinquished through any of the following actions by:

1. the court;
2. written agreement with another specified relative (who could be the other parent), who has assumed the care of the child; or
3. the Department through verification the child no longer resides with the initially designated relative.

**Effective Date:** January 01, 2018