

Welcome!

We are so glad you are here!

We will get started shortly.
In the meantime, we invite you to
intentionally enter this space.



Silence your cell
phone



Stretch



Close the door



Take a few deep
breaths



Close browser
windows



Emotionally release
your to-do list



Check your audio
and video



Take a bio break

Fatherhood Learning Academy — Session 4

Tuesday, October 26, 2021 || 2:00pm to 4:00pm ET

A photograph of a man with a beard and short hair, smiling and looking down at a baby he is holding. The baby is wearing a teal long-sleeved shirt. The background is a bright, indoor setting with a window showing greenery outside. A green semi-transparent banner is overlaid on the bottom half of the image, containing text and logos.

Fatherhood Learning Academy

Session 4

October 26, 2021

HEALTHY
start
TA & SUPPORT CENTER



NICHQ
National Institute for
Children's Health Quality

Agenda

Housekeeping	Tess Pritchard, NICHQ
Learning Academy Overview	Danisha Charles, NICHQ
Welcome	Kenn Harris, NICHQ
Check-In and Session Overview	Dr. Jeffery Johnson, NPCL
Failing Our Fathers	Dr. Ron Mincy, Columbia University
Child Support 101	Mr. James Murray, Office of Child Support Enforcement, ACF, HHS
Addressing the Unmet Parenting Time Needs of Non-Residential Fathers	Ms. Debra Pontisso, Responsible Fatherhood Roundtable
Q&A	All
Homework & Next Steps	Danisha Charles, NICHQ

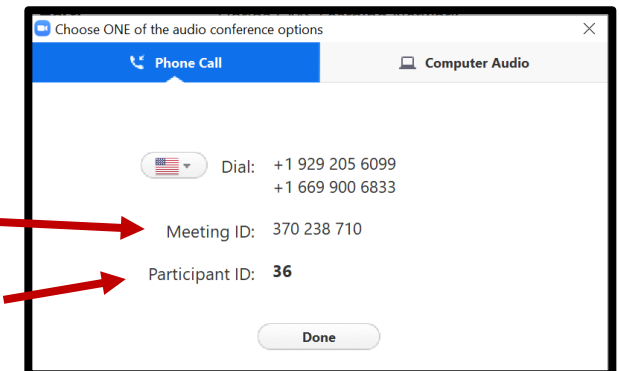
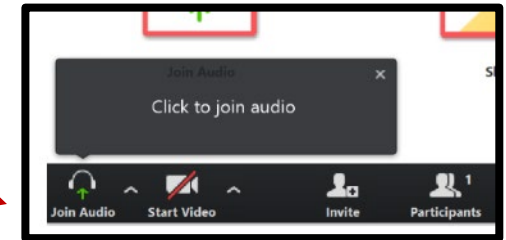
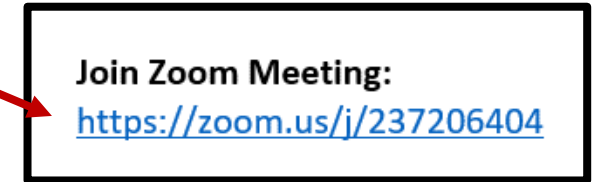
Meeting Logistics



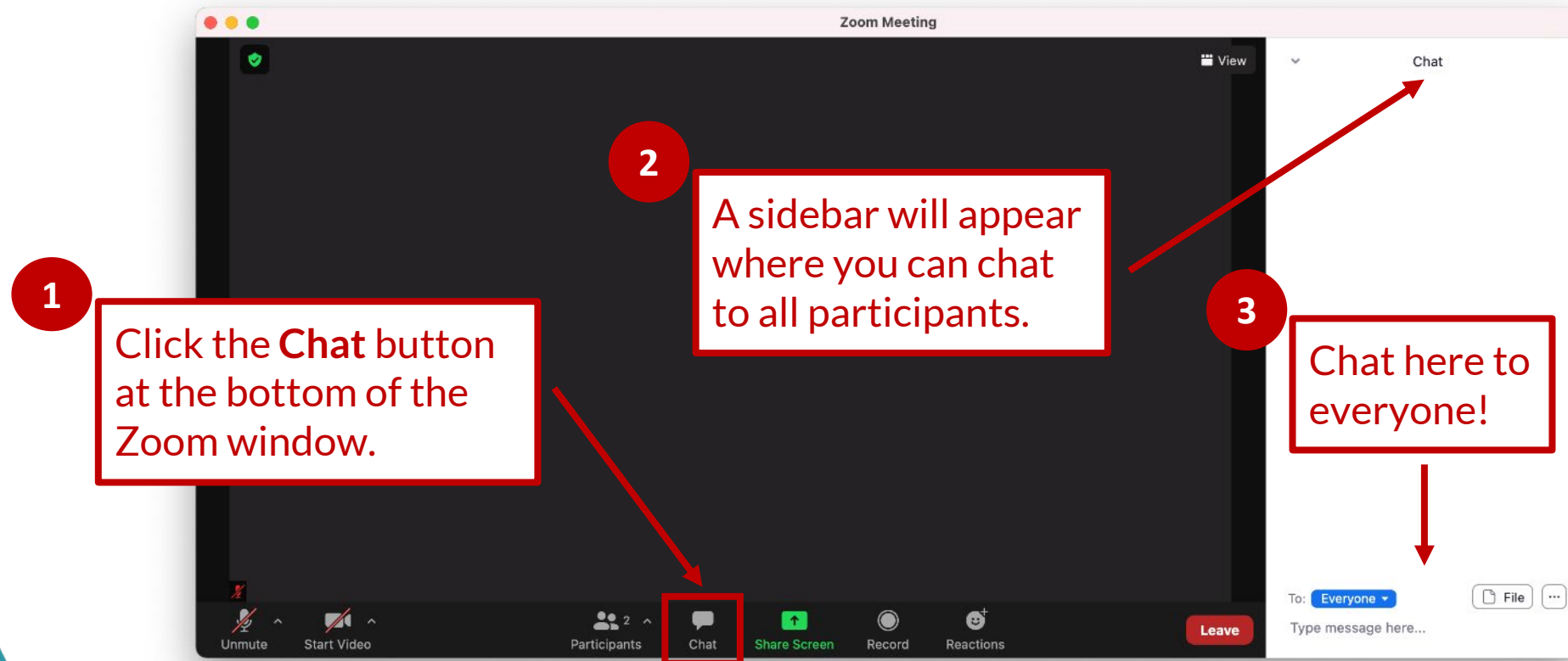
- This session is being recorded.
- All participants are muted upon entry. We ask that you remain muted to limit background noise.
- Members are encouraged to participate in the discussion by typing your comments or asking questions using the chat box.

Connecting to the Audio Conference

- Join the Zoom Meeting by **clicking the Zoom Meeting link** & launching the Zoom application
- An audio conference box will appear
 - If you do not see the box, click '**Join Audio**'
- From the audio conference box, select '**Phone Call**' or '**Computer Audio**'
 - If using the phone:
 - Dial one of the given numbers next to "**Dial**"
 - You will be prompted to enter the **Meeting ID**
 - Then you will be prompted to enter the **Participant ID**



How to Chat



**Welcome back
to the
Healthy Start
Fatherhood
Learning Academy!**



Healthy Start Learning Academies



Healthy Start Learning Academies provide an opportunity for HS grantees to participate in curriculum-based courses on specific topics associated with the four HS approaches and 19 HS benchmarks. Learning Academies build HS staff knowledge and prepare them to apply their learnings to their HS program's day-to-day activities.

Learning Academy Structure

- Monthly virtual sessions
- Required readings
- Homework assignments
- In the future, all sessions will be posted on EPIC in an e-learning format for those who cannot attend the live sessions



Goal:

To examine the breadth and depth of fatherhood movement in the 20th and 21st century, deeply examining the policies and practices that have influenced fatherhood programming that have either encouraged or impeded father engagement.

Fatherhood Learning Academy Schedule



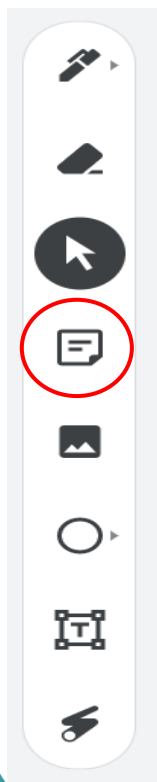
Session #1	July 27, 2-4 pm ET
Session #2	August 24, 2-4 pm ET
Session #3	September 28, 2-4 pm ET
Session #4	October 26, 2-4 pm ET
Session #5	November 23, 2-4 pm ET

Fatherhood Learning Academy

Session Topics

- Session 1* Overview of the Fatherhood Learning Academy
- Session 2* Implementing Fatherhood at the Community Level: Bringing the Program to Life
- Session 3* Managing Data and Program Evaluation: Cornerstones of Fatherhood Programming
- Session 4* Child Support
- Session 5* Diversity and Fatherhood

Use the [Jamboard](#) to share your thoughts throughout the Learning Academy session



- Click the link in the chat box to access the Jamboard.
- Look to the left-hand toolbar and click the **Sticky Note** button.
- Type your response and click **Save**. Once a sticky note is posted, you can move it around on the board.
- There will be a separate page for each stage.



Welcome

Kenn Harris
Healthy Start TA & Support Center



Pre-Session Readiness Assessment

Fatherhood Learning Academy Dean



Dr. Jeffery Johnson
President & CEO,
National Partnership for Community Leadership

Homework Review

“Cornerstone of an Evaluable
Fatherhood Program”

Presenters



Dr. Ron Mincy
Maurice Russell Professor,
School of Social Work Policy,
Columbia University



Mr. James Murray
Senior Advisor,
Office of Child Support Enforcement,
Administration for Children and Families,
U.S. Department of Health and Human
Services



Ms. Debra Pontisso
Chair,
Responsible Fatherhood
Roundtable



Failing Our Fathers

Dr. Ron Mincy

*Maurice Russell Professor,
School of Social Work Policy,
Columbia University*

RONALD B. MINCY

MONIQUE JETHWANI-KEYSER

SERENA KLEMPIN

CONFRONTING
THE CRISIS OF
ECONOMICALLY VULNERABLE
NONRESIDENT FATHERS

FAILING OUR FATHERS

The Fatherhood Learning Academy is hosted by the Healthy Start TA & Support Center at NICHQ.

THE BOTTOM LINE

- If the 1980s were the decade of the Deadbeat Dad and
- The 1990s, the decade of the Deadbroke Dad
- The 2020's should be the decade in which we recognize that there is a broad swath of dads in the middle about which little attention is paid
- These fathers make up to \$40,000 annually, when they are working, which was most of the time before the recession
 - They are much larger and more diverse population than most people think
 - They are major targets of the expansion of health care reform
 - Major part of the expansion of the EITC to nonresident fathers, which many policymakers contemplated before the recession,
 - To provide the same support to working poor and near poor NCPs as the federal EITC provides to single mothers and their children
 - And they need help to if we are slow the growth of
-

DIVERGENT TRENDS

- In the 1980s, *Making Fathers Pay* popularized the Deadbeat Dad, which helped to galvanize the nation efforts to make child support enforcement much tougher
- Oddly, our commitment to child support at the Federal level began at the same time that we began a 40 year decline in the earnings of men without graduate degrees.
- In other words, the office of child support was created in 1974 to coordinate child support enforcement, and over the next two decades as we strengthen our ability to collect child support, the ability of men without graduate degrees to support their children has declined.

POLICIES TOWARDS NONRESIDENT FATHERS

- Historically we have focused on collecting child support from nonresident fathers because child support
 - Reduces the gap between their children and children living in two-parent families.
 - accounts for 25 percent of the income of single parent families
 - Reduces poverty in single-mother families.
 - Improves child development.
 - Is associated with visitation

VULNERABLE NONRESIDENT FATHERS: GROWTH

- However the number of nonresident fathers unable to meet their child support obligations has grown and become much more diverse since that time because of
 - changes in family-related attitudes and behavior
 - long-term declines in male earnings
- Perhaps 9 percent of all adult men between 15 and 44 years old are nonresident fathers who are unable to provide adequate support for their children.
- During economic expansions, most of these fathers were among the working poor or near poor.

...AND DIVERSITY

- Although men of color are overrepresented among vulnerable nonresident fathers, more than half of the men in this population are white and almost three quarters of them worked full-time.
- Most Americans have an ex-husband, brother, cousin, or nephew who is a vulnerable nonresident father
- Yet we know little about this population, or
 - What efforts they make to stay in contact with their children,
 - What barriers they face in making these efforts,
 - How these efforts may contribute to child's health and well-being, and
 - How these contributions might be increased.

MORE ON DIVERSITY

- In the 1980s and 1990s, sociologist particularly William Julius Wilson Elijah Anderson popularized the idea of the marginalization of black and Latino men in urban areas as the US economy restructured
- But virtually all men without college degrees experienced declines in their earnings since the mid-1970s
- Further 40% of US births are to unmarried women and the majority of births to American women over thirty are now nonmarital births
- Therefore, nonresident fatherhood is widespread among young men of fathering age who lack postsecondary schooling and high earnings

HOW MANY ..

- There are 7.5 million nonresident fathers in America, about 5.3 million earned no more than \$40,000 (NSFG).
- There are 9.5 million nonresident fathers, but only about 40% have child support orders (TRIM 3).
- Only 40% of nonresident fathers paid all the child support they owed; but only 33% of nonresident fathers making up to \$40,000 paid all the child support they owed.
- We think of this group earning up to \$40,000 as vulnerable because most are poorly educated, fully employed, and they have to choose among poverty, near-poverty or supporting their children.

WHO ARE LOW-INCOME NONRESIDENT FATHERS?

Figure 10. Race/Ethnicity of Nonresident Parents, by Family Income-to-Level, 2017

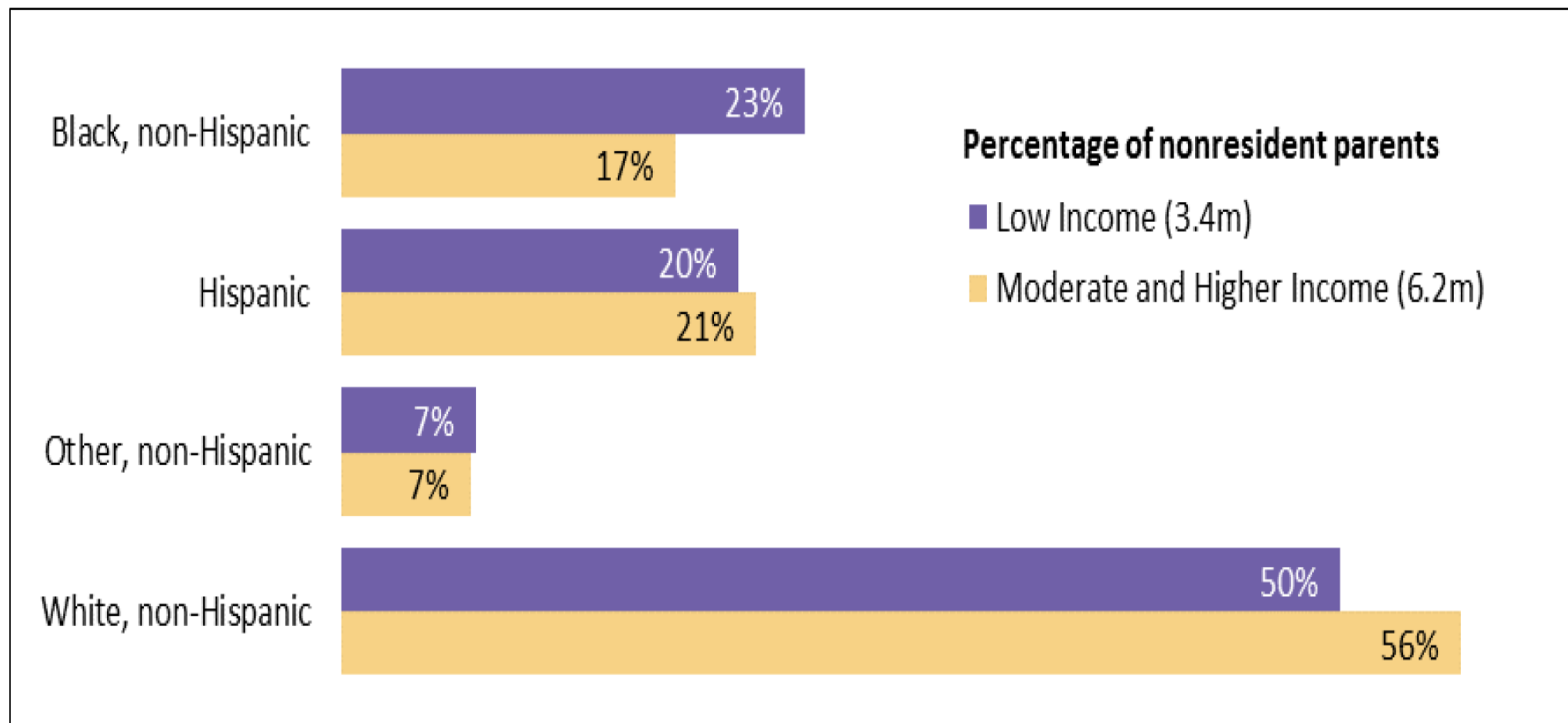
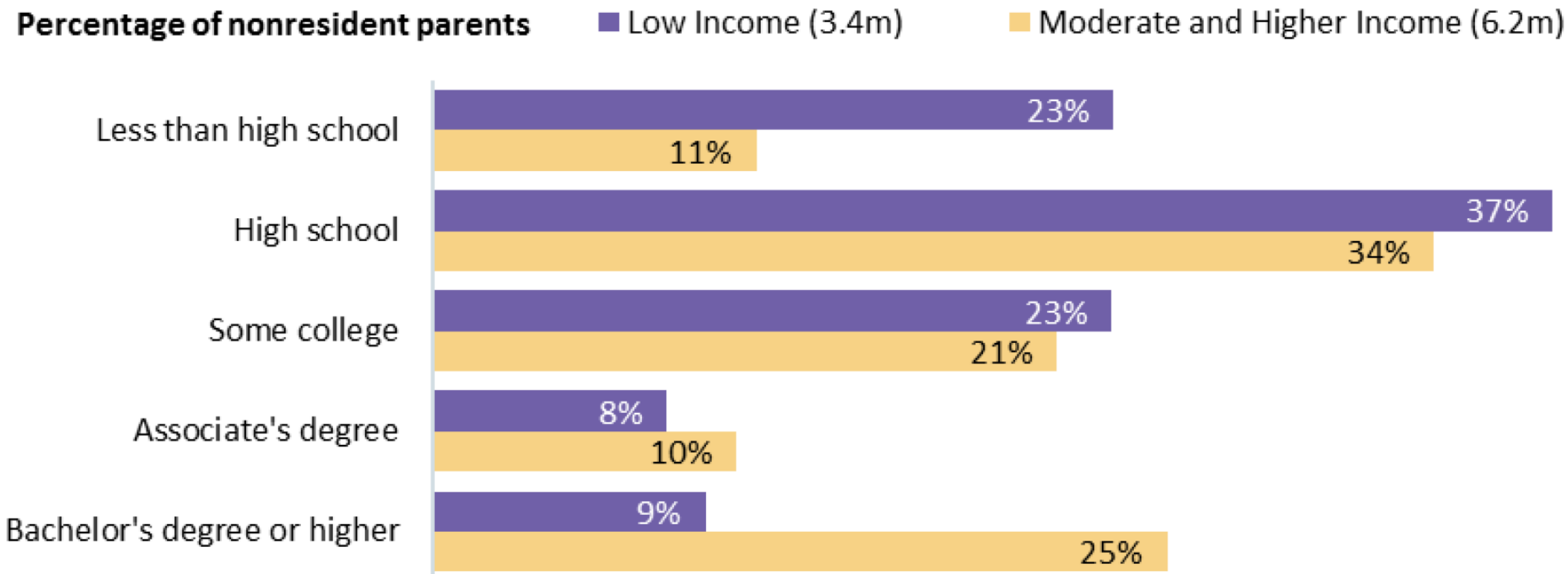
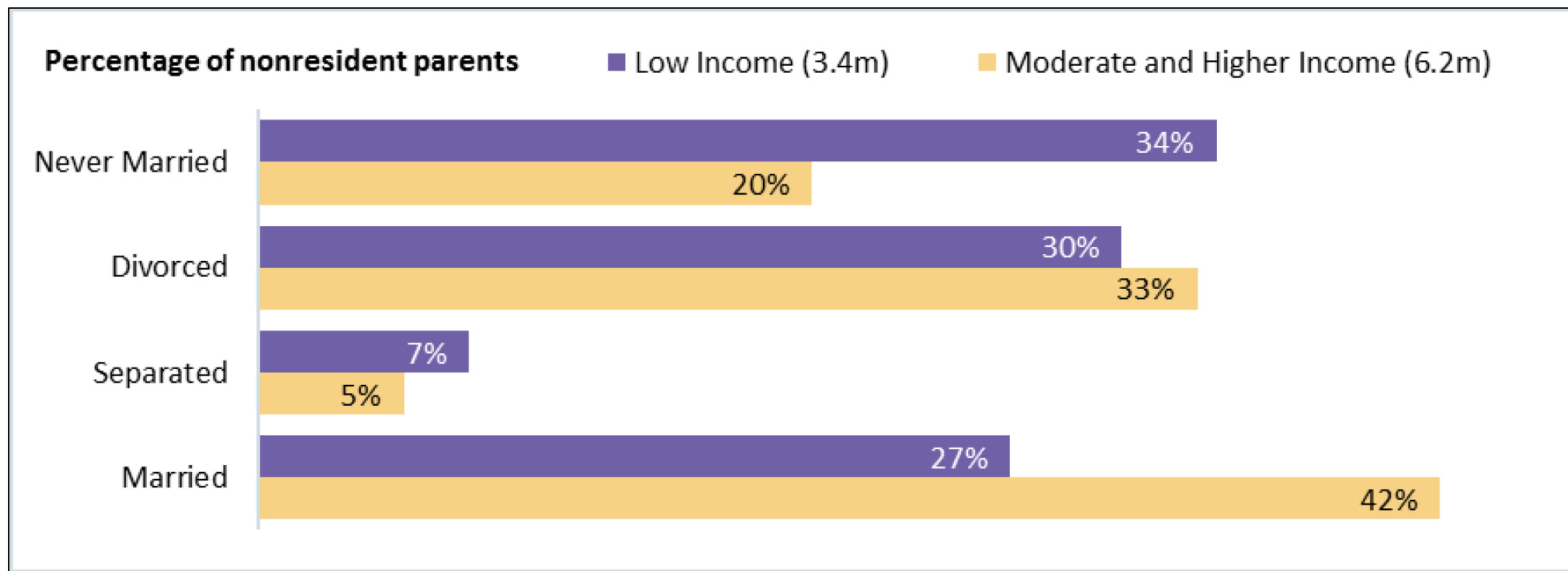


Figure 11. Educational Attainment of Nonresident Parents, by Family Income-to-Poverty Level, 2017



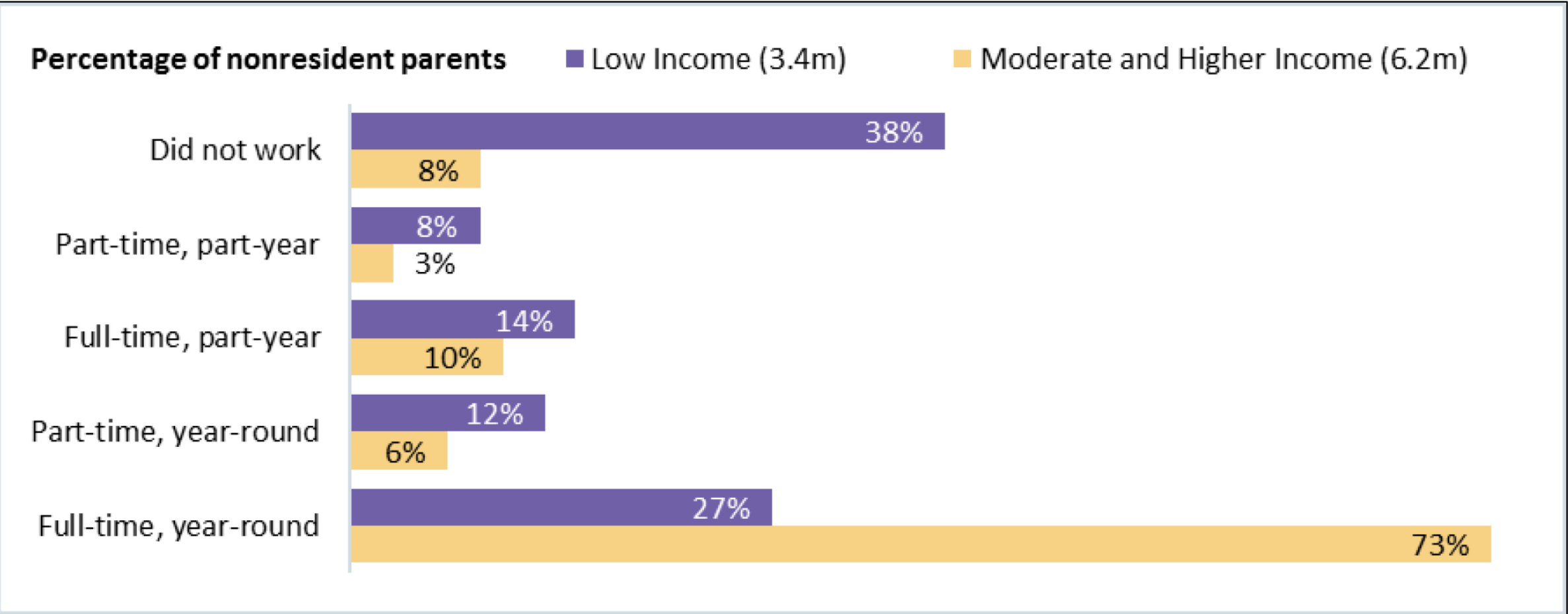
Source: CRS analysis of data from the 2018 SIPP.

Figure 12. Marital Status of Nonresident Parents, by Family Income-to-Poverty Level, 2017



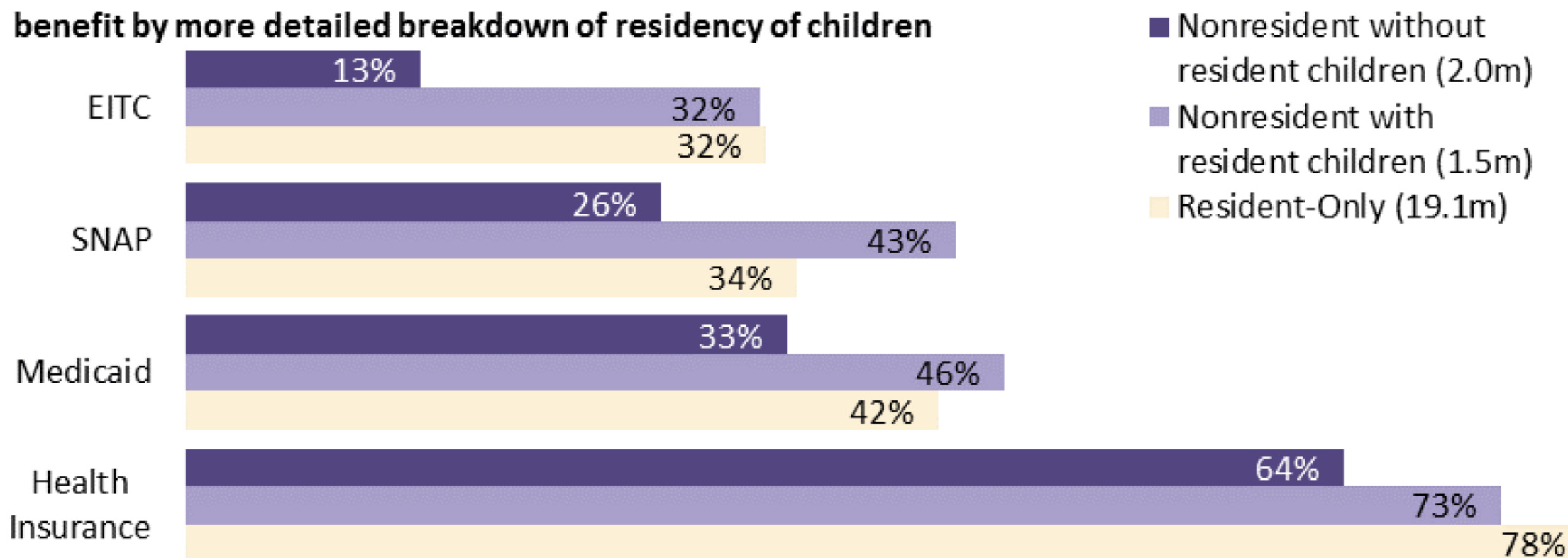
Source: CRS analysis of data from the 2018 SIPP.

Figure 13. Employment of Nonresident Parents, by Family Income-to-Poverty Level, 2017



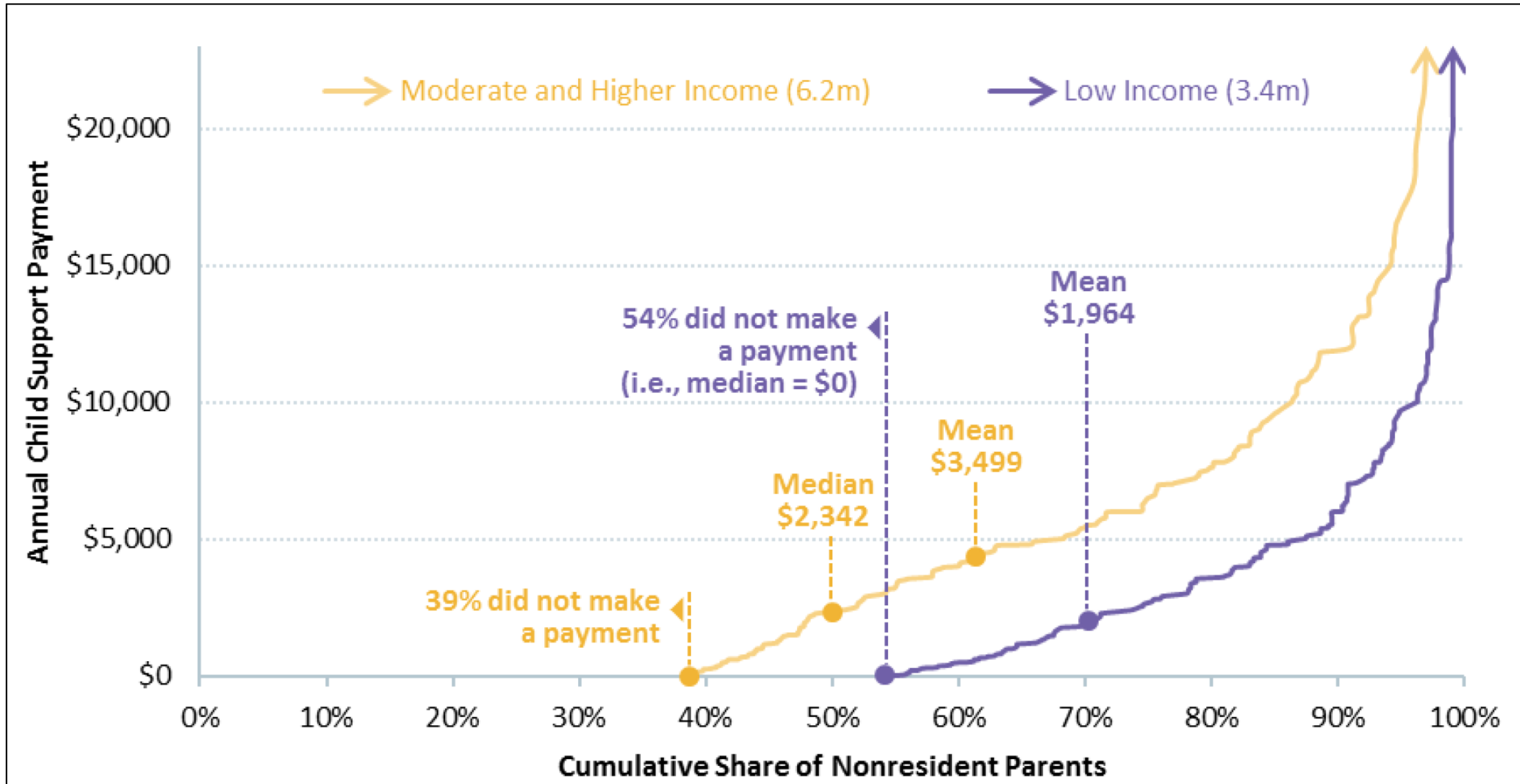
RECEIPT OF MEANS-TESTED BENEFITS AND HEALTH INSURANCE COVERAGE AMONG LOW-INCOME PARENTS, BY RESIDENCY OF CHILDREN, 2017

Panel B: Percentage of low-income parents receiving a benefit by more detailed breakdown of residency of children



Source: CRS analysis of data from the 2018 SIPP.

Figure 17. Child Support Payments of Nonresident Parents, by Family Income-to-Poverty Level, 2017



WHO ARE ECONOMICALLY VULNERABLE NONRESIDENT FATHERS?

DESIGNATING VULNERABLE NONRESIDENT FATHERS

A vulnerable nonresident father is one with a **negative income** after deducting child support, taxes, and basic expenses, from his earnings.

$$D = E - C(E) - T - P < 0$$

- E = earnings
- C(E) = child support obligation
- T = federal, state and other taxes
- P = expenditures

CHILD SUPPORT GUIDELINES

- Uses father's income (F) exclusively and applies percent (γ) based on number of children
 - γF
- 40 States Use **Income Shares Model**
 - Uses father's (F) and mothers (M) income
 - $\gamma[F/(F+M)] * (F+M) (= \gamma F)$
- In 39 states, if a nonresident father earns between 75% and 135% of the Federal Poverty Line, a **Self Support Reserve Model** is applied and minimal child support payment is required
- **Wisconsin: Percentage Model VS Illinois: Income Shares Model**

1 child = 17% of income	1 child = 20% of supporting party's net income
2 children = 25%	2 children = 28%
3 children = 29%	3 children = 32%
4 children = 31%	4 children = 40%
5 children = 34%	5 children = 45%

TO IMPLEMENT THE INCOME SHARES MODEL, WE MUST IMPUTE MOTHER'S EARNINGS

- So we estimate: (1) $Y_j = \vec{X}_j FR\beta + \varepsilon$, using Fragile Families data
- Then we impute mothers' earnings using father's and mothers not included in (1)
 - (2) $\hat{Y}_j = \vec{X}_j FR\hat{\beta}$.
 - To assess the quality of our predictions we test: $u = \hat{\bar{Y}} - \bar{Y} = 0$, where
 - $\hat{\bar{Y}}$ and \bar{Y} are the mean predicted and mean observed earnings for the mothers who had children with fathers not included in equation (1).
- Finally, we predict the earnings of mothers who had children with NSFG fathers, using $Y_j = X_j NSFG \hat{\beta}$

REFINING OUR ESTIMATE

- We also provide a more refined estimate by allowing nonresident fathers to **deduct taxes** before determining their child support obligation.
 - $D = E - C(E - T) - P < 0$
- A third estimate incorporates a **self-support reserve** if fathers' earnings are between 75 and 135 percent of the poverty line for a single-person family
 - $D = E - Cr(E) - T - P < 0$, for $135\% \text{ (poverty line)} \geq E \geq 75\% \text{ (poverty line)}$
 - Otherwise, $D = E - C(E) - T - P < 0$, where:
 - $Cr(E)$ = the alternative guidelines applicable to low-income obligors

DATASETS

- National Survey of Family Growth (NSFG) 2006-2010, 2011-2013, and 2013-2015
 - Used as main dataset to select the nonresident fathers from the population
- Fragile Families and Child Wellbeing Study (FFCWS)
 - Used for the imputation of the mother's income
- Bureau of Labor Statistics Consumer Expenditure Survey (2006-2015)
 - Used for data on expenditures and taxes for consumer units
 - BLS says "consumer unites include families, single persons living alone or sharing a household with others but who are financially independent, or two or more persons living together who share major expenses."

Weighted Descriptive Statistics

	NSFG							
	2006-2010				2013-2015			
	Vulnerable Fathers		Non-vulnerable		Vulnerable Fathers		Non-vulnerable	
	M	(SD)	M	(SD)	M	(SD)	M	(SD)
Race/Ethnicity								
Non-Hispanic White	0.24		0.21		0.25		0.26	
Non-Hispanic Black	0.50		0.58		0.45		0.46	
Hispanic	0.20		0.17		0.25		0.22	
Others	0.06		0.05		0.05		0.06	
Age	33.80	(0.47)	34.50	(0.48)	34.54	(0.54)	33.63	(1.00)
Educational Attainment								
High School Dropouts	0.23		0.07		0.17		0.14	
High School Graduate	0.49		0.43		0.46		0.43	
Some College	0.18		0.33		0.25		0.29	
College Graduate	0.10		0.17		0.12		0.14	
Work Status								
Unemployed	0.19		0.13		0.28		0.18	
Part-time (less than 35h)	0.03		0.03		0.02		0.08	
Full-time (more than 35h)	0.78		0.84		0.70		0.74	

DESCRIPTIVE STATISTICS CONTINUED

	NSFG							
	2006-2010				2013-2015			
	Vulnerable Fathers		Non-vulnerable		Vulnerable Fathers		Non-vulnerable	
	M	(SD)	M	(SD)	M	(SD)	M	(SD)
Married/Living with Partner	0.55		0.66		0.58		0.62	
Earnings								
0-\$10,000	0.18		0.04		0.19		0.09	
\$10,001-\$20,000	0.26		0.13		0.29		0.18	
\$30,001-\$40,000	0.40		0.44		0.33		0.39	
\$40,001-\$75,000	0.07		0.39		0.14		0.33	
\$75,000 or more	0.09		0.01		0.05		0.01	
Child Support Compliance in Last 12 Months								
on a regular bases	0.76		0.80		0.71		0.73	
once in a while	0.08		0.09		0.14		0.14	
did not contributed	0.16		0.11		0.15		0.13	
Number of observations	758		499		144		299	
Population Size	5,702,538		4,553,384		3,590,628		1,856,120	

MAIN RESULTS

Percent of Nonresident Fathers with Negative Disposable Incomes by NSFG Wave and Child Support Guideline Type

	Child Support Guidelines			
	2006-2010	Percentage of Income 2011-2013	2013-2015	Income Shares 2013-2015
Simple				
Wisconsin	55.6%	60.8%	65.9%	65.9%
Illinois	58.6%	65.2%	71.0%	71.0%
Adjusted Gross Earnings				
Wisconsin	50.1%	61.4%	59.7%	60.7%
Illinois	53.3%	65.3%	61.3%	61.5%
Self-Support Reserve				
Wisconsin	50.1%	61.2%	58.1%	57.5%
Illinois	53.0%	63.4%	59.5%	58.1%

Authors' Calculations Based Upon NSFG, BLS Consumer Expenditure Survey

BARRIERS TO FATHER INVOLVEMENT

- Co-parenting Support
- Gatekeeping
- Repartnering and Multiple Partner Fertility
- Domestic Violence: The Deal Breaker
- Distance
- Limited access and visitation
 - Unmarried-no parenting time
 - Divorced-standardized visitation
- Incarceration
- Street Life

POLICY REFORMS

- Slow and steady progress in muting the adverse effects of automated child support enforcement on vulnerable fathers,
 - Incarceration as voluntary unemployment
 - Lowering fees for modifications of child support orders
 - Compromise arrears (mainly for TANF cases, poor fathers, and ex-offenders)
 - Parenting-Time
- But these changes are more likely to provide relief to chronically unemployed than working-poor fathers

RULE CHANGES AFFECTING VULNERABLE NCPS

- **consider noncustodial parents' actual ability to pay when in setting child support orders**

- Requires child support agencies to increase their case investigative efforts to improve the accuracy of child support orders by ensuring that all relevant information is collected;
- Includes language for states to consider the noncustodial parent's specific circumstances in imputing income when evidence of income is limited;

- **Ensuring the Right of All Parents to Seek a Review of Their Order When Their Circumstances Change**

- States cannot exclude incarceration from consideration as a substantial change in circumstances, such as by treating incarceration as "voluntary unemployment."
- When modifying an order, states may consider an incarcerated parent's income and assets in setting the order amount.
- Little movement on this requirement b/c of the pandemic.

RULE CHANGES AFFECTING VULNERABLE NCPS

- **Implementing Due Process Safeguards in *Turner v. Rogers***
- State child support agencies must establish criteria for filing civil contempt petitions, including
 - The criteria must include requirements that the IV-D agency:
 - screen the case for information regarding the NCP's ability to pay or otherwise comply with the order;
 - provide such to the court so that can determine the ability to pay the purge amount or comply with the purge conditions; and
 - provide clear notice to the NCP's that ability to pay constitutes the critical question in the civil contempt action.

TO HELP WORKING-POOR AMONG VULNERABLE FATHERS WE NEED

- NCP's will get expanded childless EITC, the maximum value of which is almost triple the amount under current law
- Child support payments tax deductible
- Expand access and visitation and access to keep them in the game.
- Allow states to use FFP to pay for employment services to vulnerable NCPs

CONCLUSION

- Rising fertility rates and instability in the relationships among non-marital parents is increasing the proportion of men who are nonresident fathers, especially among those with less than four years of college.
- The general movement of states towards more lenient child support guidelines for low-income fathers and rising employment among less-educated father should increase their ability to pay, but self-support reserves are also trying to reduce economic vulnerability.
 - The burden for providing for low-income children is shifting from nonresident fathers to taxpayers, at the state level, and single mothers.
- If non-marital childbearing and instability continue to increase, greater action by the federal government to provide tax relief to low-wage nonresident parents, as the EITC assists low-wage custodial parents, seems warranted.

Child Support 101

Mr. James Murray
*Senior Advisor,
Office of Child Support
Enforcement, Administration
for Children and Families, U.S.
Department of Health and
Human Services*

Child Support 101

A Training Resource to Assist Service Providers in Understanding the Basics of the Child Support Program



OFFICE OF CHILD SUPPORT ENFORCEMENT

Goal of this Presentation

Help community service providers
for veterans and other professionals
understand child support basics

Topics Covered

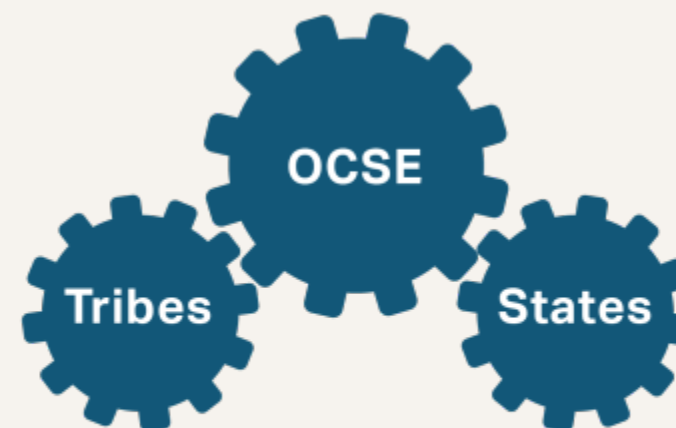
- Key child support acronyms
- Program overview
- Federal and state locate resources
- Establishing, enforcing, and modifying a child support order
- Intergovernmental cases
- Veterans in the child support caseload
- Frequently Asked Questions

Key Acronyms

CP/NCP	Custodial Party/Noncustodial Party
AF	Alleged Father – Man who may be child’s biological father, but who is not married to child’s mother on or before child’s birth and whose paternity has not yet been determined legally
FPLS	Federal Parent Locator Service
IV-D	Part D of Title IV of the Social Security Act that authorizes child support program
IWO	Income Withholding Order
FIDM	Financial Institution Data Match (also MSFIDM)
SDU	State Disbursement Unit

What is the Child Support Program?

Federal, state, and tribal child support agencies work together to establish paternity, collect and distribute child support payments and to provide health care coverage

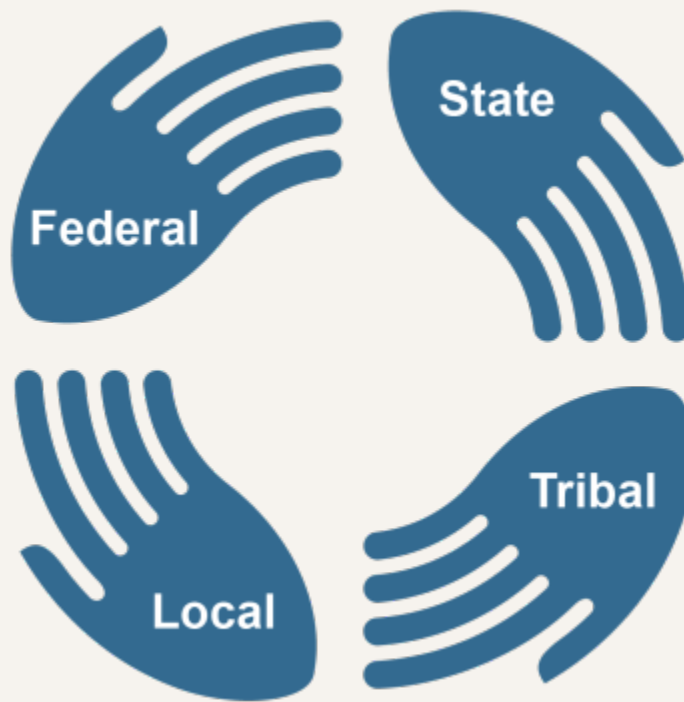


Program Overview


- Federal/state child support program established in 1975 due to high divorce rates and increased use of welfare (Title IV-D of Social Security Act)
- Initially designed to recoup welfare costs; later also used to recoup Medicaid and Foster Care costs

Program Overview

Has evolved into a federal/state/tribal/ local partnership to help families by promoting family self-sufficiency and child well-being



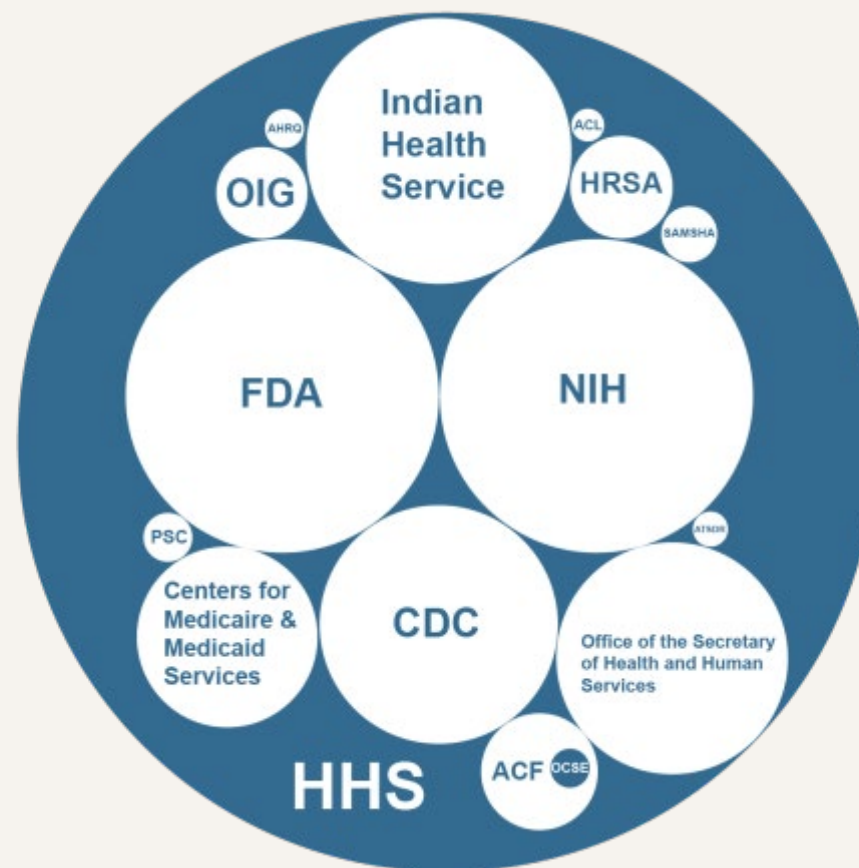
Program Overview



IV-D programs now operate in 50 states, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and more than 60 federally recognized tribes

Federal Office of Child Support Enforcement

- OCSE administers the federal child support program
- OCSE is within the Administration for Children and Families (ACF) — an operating division in the Department of Health and Human Services (HHS)



Federal Office of Child Support Enforcement

OCSE staff work in the central office in Washington, D.C., and in 10 regional offices throughout the U.S.



Mission

- Enhance the well-being of children by assuring that assistance in obtaining child support — financial and medical — is available
- This is accomplished through:
 - Locating parents
 - Establishing parentage
 - Establishing, enforcing, and modifying support obligations
 - Monitoring, collecting, and distributing collections

Child Support Policies and Practices Vary

- Federal statutes and regulations form the backbone of the Title IV-D child support program
- Family law is a state responsibility
- State law, policies, and practices vary even though each state must have certain child support laws in order to receive funding for its child support program
- As sovereign nations, tribes with IV-D child support programs are subject to some, but not all, of the federal child support regulations governing states

What is a Child Support Order?

The document that sets:

- An amount of money that a parent must pay for the support of the parent's child(ren) and/or
- The responsibility to provide health insurance or cash medical support for the child(ren)

Can include:

- Court order
- Administrative order
- Current support, medical support, arrears, interest, retroactive support

Who Can Receive Services from a Child Support Agency?

- Parents receiving certain types of public assistance programs are automatically referred to the Child Support Program
- Parents not on assistance can apply for child support services at little or no cost
- Parents with private attorneys can also apply for child support services

Application for Services

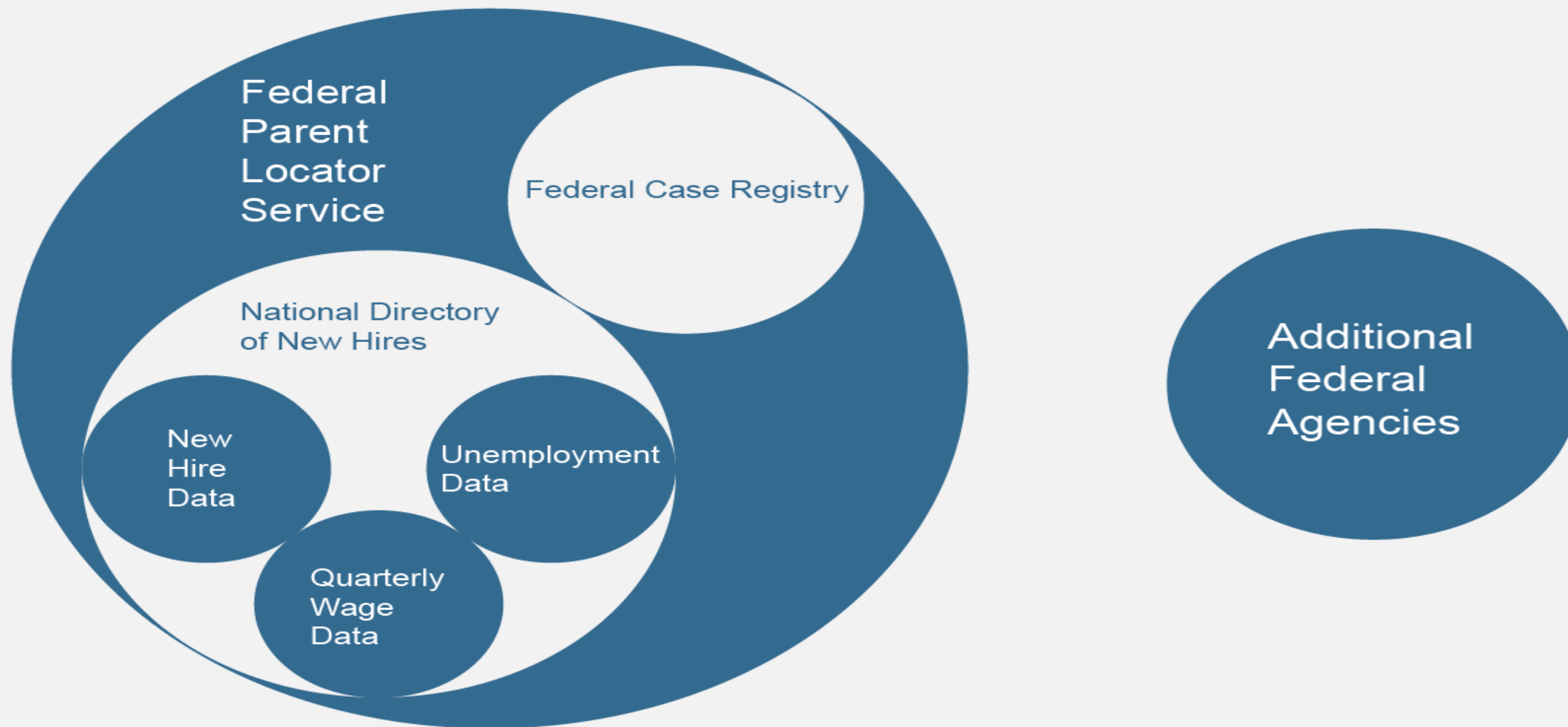
Custodial and noncustodial parents can apply for child support services through child support agency

- Parents do not have to apply where they reside. There are no residency requirements
- Agency attorneys do not “represent” parents who apply for child support services

Services may include:

- Parentage establishment
- Order establishment
- Enforcement of order
- Modification of order (an increase or decrease)
- Referrals to fatherhood or employment and job training programs

Federal Locate Services



State Locate Sources

- Department of Motor Vehicles
- Employers (new hire reports)
- Other State Agencies (TANF, State Tax Agency)
- Department of Corrections
- Public & private utilities
- State lottery
- Social networks, internet resources

Paternity Establishment

- The determination of parentage establishes the legal obligation to pay child support
- Parentage can be legally established in several ways, including:
 - Marriage
 - Voluntary acknowledgment of parentage
 - Court or administrative order

Order Establishment

Depending on the jurisdiction, the proceeding may take place before a judicial or an administrative decision-maker

- States and tribes with child support programs must use presumptive child support guidelines
- Support includes current support and medical support
- Order may include retroactive support if allowed by law

Child Support Guidelines

- There is no federal child support guideline
- States — and tribes with child support programs — must use numerical formulas
- Formulas must include noncustodial parent's income. Most also include custodial parent's income
- If no evidence of actual income, guidelines may impute income based on certain factors
- States and tribes must review guidelines every four years, and must update the economic data

Modification

- Child support does not automatically change with changes in employment income
- Child support order does not automatically stop when employment ends
- A parent may request a modification if financial circumstances change
- Child support may be increased or decreased



Importance of Timely Requesting Modification

- Arrears can build quickly and automatically become judgments
- Many states charge interest on unpaid child support
- Noncustodial parents still owe arrears after their children are no longer dependents
- Low-income parents may have thousands of dollars in child support arrears. Reasons for the arrearage may include:
 - Parent's failure to request modification when unemployed
 - Court or agency based order on imputed – rather than actual income – because parent did not appear and produce evidence of earnings

Common Issues in Child Support Cases

- Parentage has not been established
- Location of alleged father or noncustodial parent is unknown
- Support order is based on imputed income because noncustodial parent did not appear and provide proof of income
- Noncustodial parent is unemployed, self-employed, or works off the books
- Parents live in different jurisdictions
- Noncustodial parent has multiple families/child support orders

State Support Collection

Federal law requires states to have enforcement laws, including:

- Income withholding
 - 70% of total support collections nationwide
 - Standardized forms to employers
- Reporting of arrears to Credit Bureaus
- Financial Institution Data Match (FIDM)
- State income tax refund intercept
- License suspension

Federal Support Collection

Federal law provides for federal enforcement remedies, including:

- Federal income tax refund intercept
- Passport denial
- Federal Criminal Nonsupport Prosecution
- Federal Administrative Offset

Intergovernmental Cases

- Such cases can be from other states, tribes, or foreign countries
- There are laws, agreements, and international treaties specific to cases between jurisdictions
- Case processing occurs without caseworkers or parents traveling to the other jurisdiction
- Tools — standardized forms
- Limitations — different laws, policies, procedures



Frequently Asked Questions

Question

Can a father be responsible for a child he did not know about?

Answer

Yes. Even if:

- The relationship ended before the mother knew she was pregnant;
- The mother never told him she was pregnant;
- The mother does not want him to spend time with the child;

He is responsible for support if he is legally established as the father.

If a man is unsure that he is the father, he should request a paternity test.

Question

My client said he did not know about this child support order.
Is that possible?

Answer

Yes.

- It is possible not to know of the order but the client should have received notice of the action.
- Due process requires notice of the support action
- State or tribal law may allow:
 - Personal service by sheriff or process server
 - Service by certified mail, return receipt requested
- Many individuals ignore court summons out of fear or misunderstanding
- Child support proceedings may go forward without the parent being present
- A copy of the order may be sent by regular mail to the address of record

Question

My client says he doesn't see the kids. Does he still have to pay support?

Answer

Yes. He has to pay support.

- Although there is an emotional connection between spending time with one's child and paying child support, there is no legal connection.
 - A noncustodial parent must pay support even if that parent doesn't get to see his or her child.
 - The custodial parent must comply with a parenting plan/visitation order even if the noncustodial parent does not pay support as ordered.

Question

Will the child support agency enforce the visitation terms of my client's support order?

Answer

No.

- The child support agency does not receive Title IV-D federal funding to handle access/visitation issues or any parenting issues.
- Some state child support agencies help establish parenting time plans when establishing a support order. However, no child support agency will take action to enforce a parenting plan or visitation order.
- The child support agency may refer your client to other resources, such as court services or dispute mediation services that help with parenting plans and access/visitation issues.

Question

My client's only income is from federal benefits. Can the child support agency garnish those benefits for child support purposes?

Answer

It depends.

- A child support agency can garnish certain public assistance benefits such as Social Security Title 2 Retirement and Disability Benefits for child support purposes. It may also garnish VA Retirement Benefits.
- Supplemental Security Income (SSI) cannot be garnished.
- With limited exception, VA Disability Compensation cannot be garnished.
- For more information, see:

<https://www.acf.hhs.gov/css/resource/garnishment-of-federal-payments-for-child-support-obligations>

Question

My client says she has a different job now and cannot afford to pay the amount in her child support order. How can she get her support order changed?

Answer

If it is a IV-D case, she can request the agency to review the order.

- Either parent in a IV-D case can ask the agency to review the support order at least every three years or whenever there is a substantial change of circumstances (such as loss of employment or incarceration).
- It is important for your client to contact the child support office as soon as possible.
- The agency will let your client know the result of its review, based on the support guidelines.
- Some child support agencies require the parents to file any modification action themselves.
- For more information, see:

<http://www.acf.hhs.gov/programs/css/resource/state-by-state-how-to-change-a-child-support-order>

Question

My client is a veteran who owes thousands of dollars in arrears, even though he is homeless and has not worked in years. His children are all now adults. Does he still have to pay the arrears?

Answer

Yes. However, the child support agency may be able to help him manage his arrears by reducing them or establishing a more realistic payment plan.

- Some states have laws or policies that authorize the child support agency to manage arrears owed to the state for past receipt of public assistance.
 - Arrearage management may include forgiveness of interest.
 - Arrears management may include a reduction of arrears owed to the State.
 - For more information, see:

<http://www.acf.hhs.gov/programs/css/resource/release-of-arrears-management-practical-resource-guide>

Answer (cont'd)

- Child support agencies may be able to establish an arrearage payment plan based on the veteran's ability to pay.
- Child support agencies may also be able to suspend certain enforcement if the veteran is cooperating with the agency to address his or her child support issues.

Promising Practices – Availability Varies by State

- Re-payment Plans – Child support agency works with parent to establish plan to pay current support and reduce arrears
- Arrears Management Programs – Child support agency agrees to reduce arrears when noncustodial parent regularly pays current support over time
 - All programs address child support owed to the State
 - Some address child support owed to the custodial parent, if the parent agrees

Promising Practices (cont'd)

- Limited Enforcement – Child support agency suspends enforcement if the noncustodial parent complies with requirements such as participation in job training or responsible fatherhood programs
- Job Services – Child support agency actively participates in job training or employment programs for noncustodial parents. For more information, see:
<http://www.acf.hhs.gov/programs/css/resource/work-oriented-programs-for-noncustodial-parents-with-active-child-support>

Promising Practices (cont'd)

- Suspension of Order upon Incarceration – By law, incarceration results in an automatic suspension of the current support order or is the basis for a modification
- Fatherhood Program – Child support agency or court requires participation in fatherhood program

For More Information

- Information for Parents

<https://www.acf.hhs.gov/css/parents>

- Information about State Laws and Policies

<https://www.acf.hhs.gov/css/irg-state-map>

Click on a state to learn about that state's child support laws and policies

- Contact Information

<https://www.acf.hhs.gov/css/resource/state-and-tribal-child-support-agency-contacts>

Click on a state for the address and main phone number of the state child support agency, as well as a link to its home page.

Addressing the Unmet Parenting Time Needs of Non-Residential Fathers

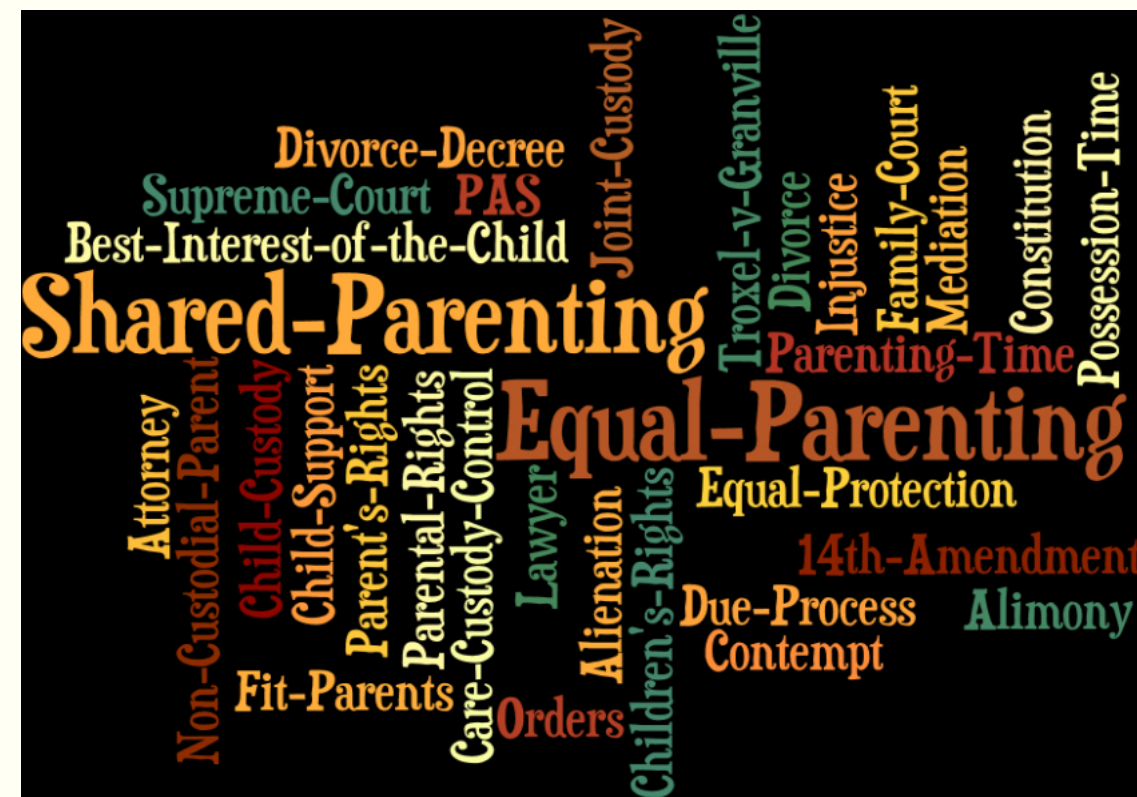
Ms. Debra Pontisso
*Chair,
Responsible Fatherhood
Roundtable*



ADDRESSING THE UNMET PARENTING TIME NEEDS OF NON-RESIDENTIAL FATHERS

[Updated] Presentation for Healthy Start Fatherhood Coordinators
October 27, 2021

Presenter: Debra Pontisso, MPA
Chair – Responsible Fatherhood Roundtable
Retired – Federal Office of Child Support



Healthy Start: An Opportunity to Support New Fathers

Healthy Start – Inclusive Father-Related Services. It is important to understand a father's current life circumstances (economic, emotional and social) about the pregnancy, etc., such as those who are:

- Unmarried but in a relationship with mom
- Unmarried but relationship is strained
- Teens/young adults still living at home
- Parent to other children
- Cohabiting
- Married

Referral to Community-based Services:

- Providing support and referral to services that will enable a smooth transition to parenthood.

Information Needs

- Information about the need & opportunity to voluntarily establish legal paternity at the time the child is born in the hospital/birthing center.
- Parenting time order: necessary to ensure that dad has access to his children if living apart from mother.
- General information on co-parenting and child development.
- General information on child support in the instance a case is opened.
- Information, referral, and follow-up to community-based family support, employment, and other services based on individual needs of fathers.

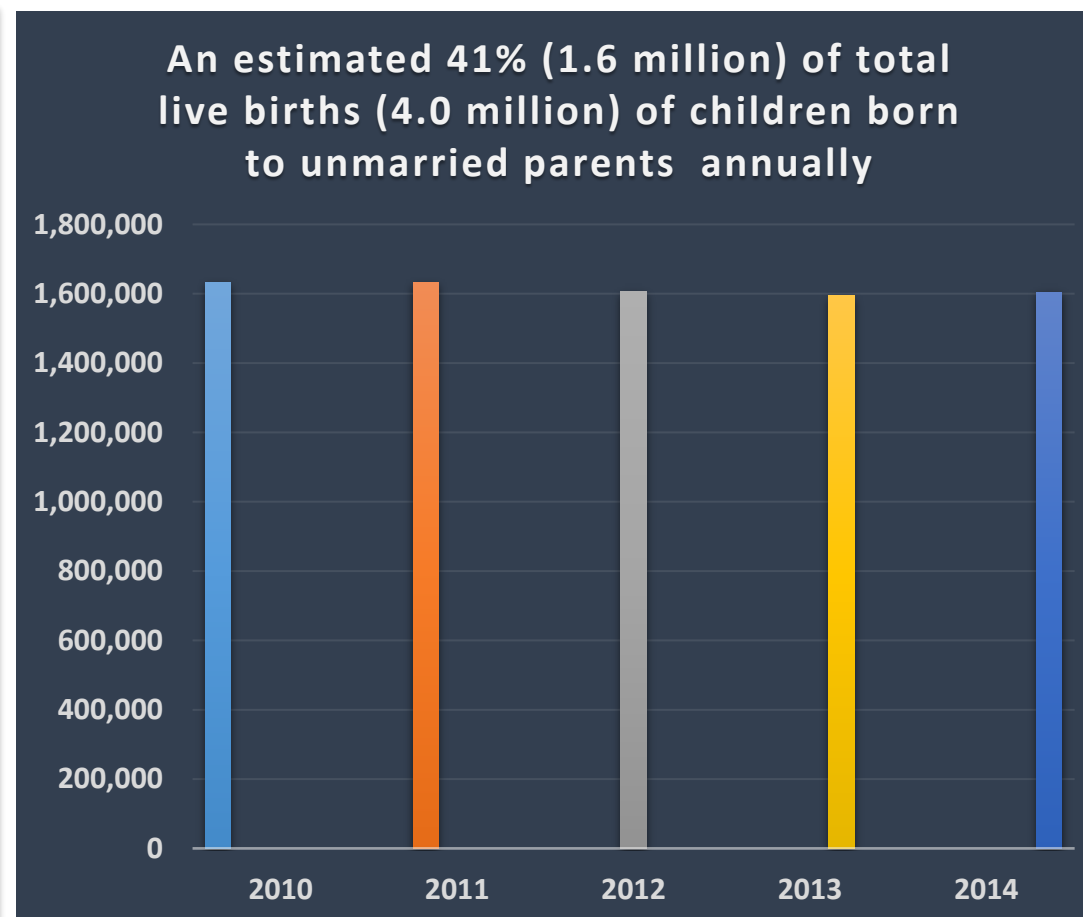
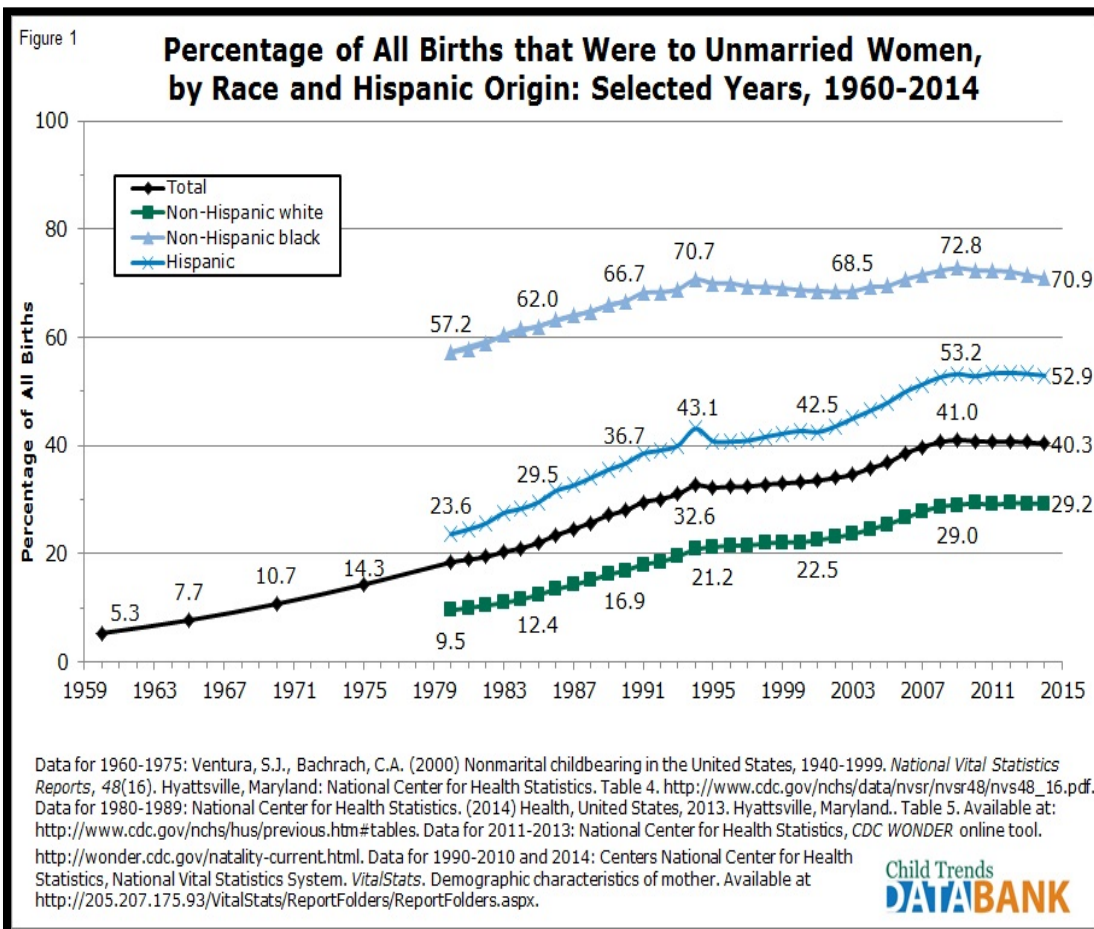
Reinforcing the importance of fathers in the lives of their children!



30 plus years and what we know...FATHER ABSENCE

- Across America, 35% of all kids — nearly 24 million children — are growing up in a single-parent family usually headed by the biological mother.
- Kids without caring, committed fathers are more likely to grow up in poverty. Absent fathers also increase a child's likelihood that they will perform poorly in school, struggle with their emotions, engage in risky behaviors and experience violence during their childhood.
- Families without fathers also suffer financially. Most of these single parents are women, and too many are facing financial hardships.
 - **In 2017, for example, 31% of single-parent families had incomes below the poverty line compared to just 7% of married couples with children.**
- Impact of Changes in Family Formation: As of 2019, 40% or 1.5 million of all live births were to unmarried women compared to 28% or 1.1 million in 1990.
- Unintended Consequence: father absence & adverse impact on child well-being.

Dramatic Increase in U.S. Non-Marital Births = Growing Need for Child Access Services for Unmarried Parents

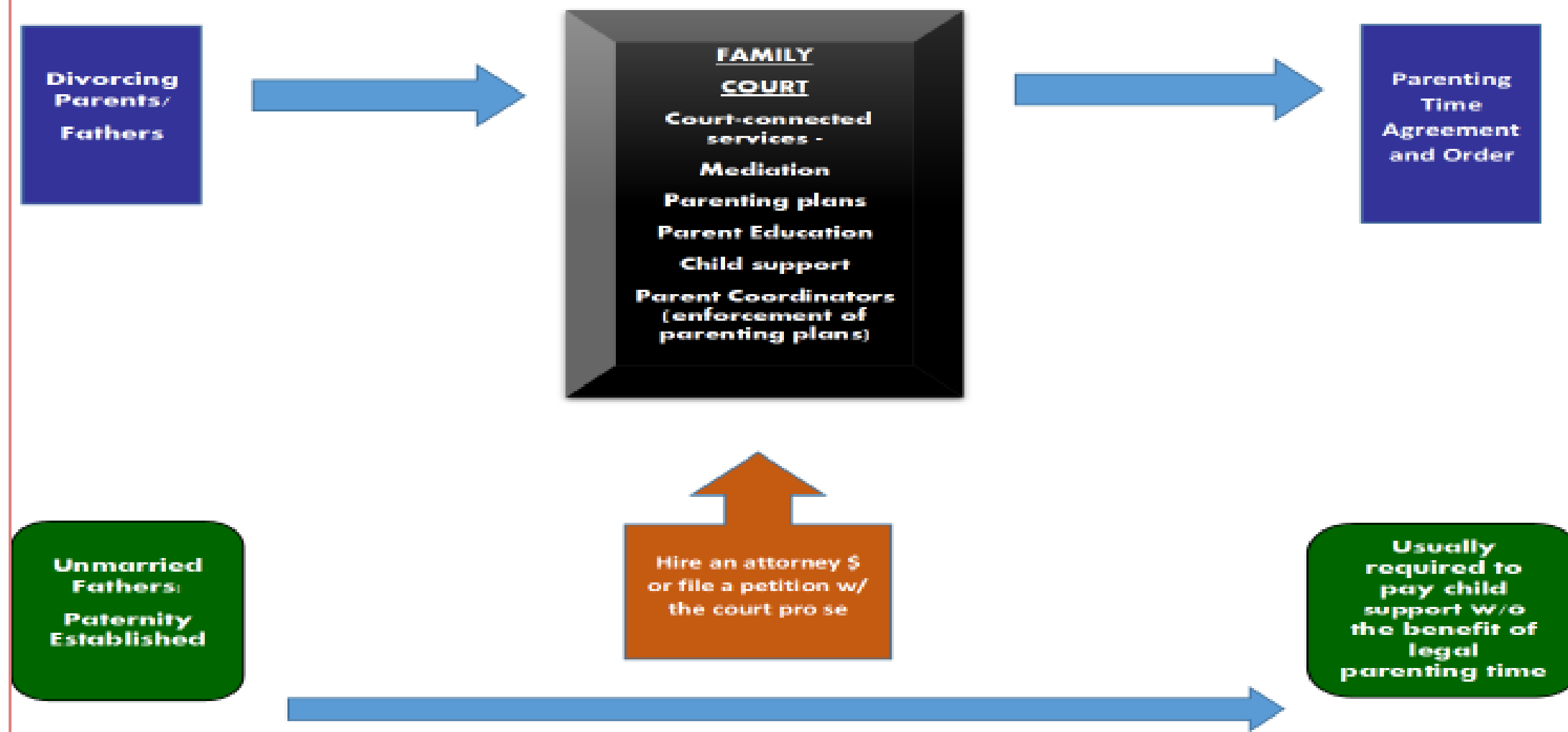


Establishing Legal Parenting Time for Unmarried Fathers



- Unwed fathers who voluntarily sign the paternity affidavit for their children (usually at the hospital when their child is born) mistakenly believe they have full parental rights to their children.
- In the majority of states, fathers must go to court to petition for a parenting time order assuming they have the money for a lawyer or if they have the “know how” to file a petition pro se with the court. Another obstacle discouraging fathers from filing for a parenting time order is based on their previous brushes with the law.
- If the custodial parent (usually the mother) forbids the father from seeing his child, there is little that can be done without a legal parenting time order.

Lack of Institutional “On Ramps” for Unmarried Parents



Obstacles & Unintended Consequences

Barriers

- **MOTHERS AS GATEKEEPERS**: Fathers denied access to children. This is particularly problematic if the mother re-partners.
- **FINANCIAL**: Low-income fathers cannot afford to hire an attorney to represent them in court.
- **MISINFORMATION**: Unmarried fathers are under the misconception that establishing legal paternity for their child automatically entitles them to legal parenting time rights. This is not the case.
- **NAVIGATING THE COURT- *Pro Se***: Even if fathers have the information and “know how” to approach the court for a parenting time order, many are understandably intimidated by the process; those with criminal records are even more reluctant.
- **LACK OF COMMUNITY-BASED SERVICES** to help unmarried fathers with parenting time issues.

Unintended Consequences

- Obstacles to non-residential father parenting time contributes, in part, to father absence or non-involvement in the lives of their children.
- Many of America’s children’s are adversely impacted (emotionally and financially) due to a lack of regular contact with and support from their non-residential fathers.
- Many fathers object to and/or refuse to pay child support if they are denied access to their children.
- Without a legal parenting time order, the courts are unable to enforce mothers to allow for father-child contact.

Ways that Community-Based Fatherhood & Family Service Providers Can Help

- **In-take:** Ask fathers if they have a need for help with child access issues ; screen for domestic violence to the extent you can.
- **Establish a Relationship with Local Family or Domestic Relations Court**
Administrative Staff: Learn the process for obtaining parenting time orders and ways that you can best assist fathers.
- **Help Fathers Navigate the Court – Pro Se:** Assist fathers in completing the necessary forms and walk them through the process. Accompany fathers, if possible, to the court hearing to determine parenting time.
- **Mediation Services:** If the court has mediation services, it is recommended that both parents voluntarily participate in developing a parenting time agreement.
- **Child Support Hearings:** Advise unmarried fathers required to appear in court for a hearing on child support to – at the time – mention to the judge that he would like a parenting time with his children.



Non-Residential Parenting Time re: National Child Support Caseload

- One-half (49.4 percent) of all 12.9 million custodial parents had a court order, child support award, or some other type of agreement to receive financial support from the noncustodial parent(s) in 2018;
- In 2018, 7.1 million custodial parents were without any type of legal child support agreement. When asked why a legal child support agreement was not established, the top reasons cited were that they did not feel the need to have a legal agreement (39.1 percent), the other parent(s) provided what he or she could for support (38.1 percent), and that they thought the other parent(s) could not afford to pay child support (29.6 percent);
- Among the 6.4 million custodial parents who had some type of order or agreement for child support in 2018, 50.0 percent of noncustodial parents had visitation privileges with their children but did not have shared legal or physical custody;
- An additional 30.6 percent of noncustodial parents had some type of joint-custody arrangement (physical and/or legal); and
- 19.4 percent had neither noncustodial parental visitation nor any type of joint custody.
- To download the full Census Bureau Report, go to:
<https://www.census.gov/library/publications/2020/demo/p60-269.htm>

National Child Support Enforcement Association (NCSEA)

Excerpt of NCSEA Policy Resolution:

Support of Establishing Parenting Time Orders

Go to:

https://www.ncsea.org/wp-content/uploads/2020/12/Resolution-Establishing-Parenting-Time-Orders_December-2020.pdf

- *Recent research sponsored by the Federal Office of Child Support Enforcement (OCSE) published in FY2018 finds that supporting a child financially and emotionally are interrelated, and that parents with parenting time orders are more likely to receive child support.*
- *Moreover, historical studies have shown that when parents owing support spend time with their children, they make more on time and in full child support payments.*
- *Researchers have also found that positive, engaged parenting and the receipt of child support are associated with lower levels of behavioral problems and improved academic achievement among children.*
- *With all these considerations, it is time to include establishing parenting time orders as an authorized IV-D [child support] program function that receives the program's federal financial participation funds.*

Federal [Child] Access and Visitation Grants to States: A Potential Funding Source



- Authorized as part of the 1996 welfare reform legislation (Personal Responsibility and Work Opportunity Reconciliation Act)

Statutory Goal: “to support and facilitate noncustodial parents’ access to and visitation of their children”

- **Funding:** Approximately **\$10 million** is appropriated **annually** for the Access and Visitation (AV) Program, which provides funding to all 50 states and 3 trust territories
- Since FFY 1997 to date, an estimated **\$250 million** has been made available to states and (3) trust territories for the provision of AV services

Federal Administration: Office of Child Support Enforcement (OCSE), Administration for Children and Families, DHHS

Funding of allowable services include, but are not limited to, the following:

- Mediation
- Development of parenting plans
- Parent Education
- Counseling
- Visitation Enforcement
 - (including monitored and supervised visitation, and neutral drop-off and pick-up)
- Development of guidelines for visitation and alternative custody arrangements
- Other services that lead to opportunities for increased non-residential parenting time

How it Works:

- Allocation of Funds: \$10 million in federal funds is divided among the states annually based on a funding formula contained in the statute.
- States are required to provide a 10% share (cash or in-kind).
- Every three years, States are required to submit to OCSE an application and plan for funding AV services.
- States have discretion on which services to provide, and which **agencies** and organizations provide the services as long as the proposed activities support the goal of the program.
- States are required to collect and submit to OCSE annually program data that includes a program outcome measure:

“# of non-residential parents who increased parenting time”

Additional Information

- The federal Office of Child Support Enforcement (OCSE) **ADMINISTERS** the Access and Visitation Grant formula-based block grant to states.
- However, it is a stand alone program and not part of the child support legislative mandate.
- Decisions as to which state agency would be responsible for administering the AV grant were made by the Governors of each state. In general, this includes State Offices of the Courts, State Child Support Agencies, and various other state entities.
- Funding formula: Based on a state's number/percentage of children living in single parent households.
- There is a guaranteed floor of a \$100,000 annual grant to states with small populations.
- State agencies usually issue a Request for Proposals for AV grant funds.
- **To check out the amount of AV grant funds your state recently received, go to:**
Pgs. 252-253 of the FY 22 ACF Budget Proposal to Congress
https://www.acf.hhs.gov/sites/default/files/documents/olab/fy_2022_congressional_justification.pdf

Creating On-Ramps for Fathers to Services Based on Individual Need

Healthy Start Information & Referral Service:

... to be effective, there needs to be a procedure which allows for and/or requires the follow-up and monitoring of fathers referred to services.



Congressional Legislation of Interest

Providing Adequate Resources to Enhance Needed Time with Sons and Daughters Act (PARENTS Act S.503)

Summary:

- The Senate passed The PARENTS Act on July 27, 2021, by voice vote. Authored by Senator John Cornyn (R-TX) and cosponsored by Senators Bob Menendez (D-NJ) and Ben Cardin (D-MD), The legislation would streamline a process to allow states to use existing child support performance incentive funds to establish voluntary parenting time arrangements without requesting a waiver from the Office of Child Support Enforcement.
- The Department of Health and Human Services (HHS) consistently approves those waivers, so it is an unnecessary administrative step.

Go to:

[https://www.congress.gov/bill/117th-congress/senate-bill/503?](https://www.congress.gov/bill/117th-congress/senate-bill/503?h=summary&h2=summary)

Strengthening Families for Success Act: Introduced in 2020; expected to be reintroduced in the 117th Congress

Summary:

- This bill reauthorizes, establishes, and revises programs related to healthy families, parenting time arrangements, and child support.
- This includes temporarily waiving certain state requirements under the Temporary Assistance for Needy Families program related to the enforcement of child support orders.
- The anticipated new version *may* include improvements to the federal Responsible Fatherhood and Healthy Marriage Grant programs.

Go to:

<https://www.congress.gov/bill/116th-congress/senate-bill/4844>

Federal Resources

To identify & collaborate with organizations in your community or state, go to:

Child Access and Visitation Programs:

- <https://www.acf.hhs.gov/css/contact-information/access-and-visitation-program-contacts>

Fatherhood Programs

- <https://www.fatherhood.gov/program-map>
- <https://www.fatherhood.org/fathersource-locator>

Community Action Agencies

- <https://communityactionpartnership.com/find-a-cap/>

Substance Abuse/Mental Health

- <https://findtreatment.samhsa.gov/locator.html>

Employment

- <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/find-american-job-centers.aspx>
- <https://www.careeronestop.org/>

Responsible Fatherhood & Healthy Marriage Grantees

- https://www.acf.hhs.gov/sites/default/files/documents/ofa/fy_2020_hmrf_list_of_grantees_by_state_508.pdf



Q&A

Please put your questions in
the chat box.

Post-Session Readiness Assessment

Survey

- Please scan the QR code or visit <https://link.nichq.org/FatherhoodLASession4> to complete the survey
- Your responses will help shape the future Learning Academy sessions!





Homework & Next Steps

Danisha Charles
Healthy Start TA & Support Center



Homework

- ☐ Complete reading the book, Your Journey to Co-Parenting by Dr. Jeffery Johnson and Monica Johnson.
- ☐ Be encouraged to develop teamwork and community learning among groups in completing homework assignments.

Your Journey To Co-Parenting

By Dr. Jeffery Johnson and Monica Johnson

The TA & Support Center is pleased to provide one copy of this book to each Healthy Start project participating in the Fatherhood Learning Academy.

To request a copy for your project, your Project Director must complete the request form by following the link in the chat box or scanning the QR code.



Healthy Start CoLab



- Connect with your fellow Learning Academy participants on the Healthy Start CoLab!
- If you do not have a CoLab account, please email healthystart@nichq.org



Next Healthy Start Fatherhood Learning Academy Session:

**Tuesday, November 23
from 2-4 pm ET**

Can be found on the EPIC website or
bit.ly/hs-deadlines-and-events

November 2021

Deadlines:

- Nov 5 [CLC Scholarship Application Due](#)
- Nov 15 HSMED-II Report (CSV or XML) Due

Events:

- Nov 3-5 [2021 Healthy Start Virtual Grantees' Meeting](#)
- Nov 15 TIROE CoP Learning Session #7 – *COP members only*
- Nov 17 Infant Health Equity Supplement Webinar – *IHE Supplement Recipients only*
- Nov 18 [Beyond COVID-19: Breastfeeding Webinar #2](#)
- Nov 23 [Fatherhood Learning Academy Session #5](#)

Thank You!

