



ADMINISTRATION FOR
CHILDREN & FAMILIES

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INFORMATION MEMORANDUM

IM-15-02

DATE: October 21, 2015

TO: State and Tribal Agencies Administering Child Support Enforcement Plans under Title IV-D of the Social Security Act and Other Interested Parties

SUBJECT: Safe Access to Child Support Services: Scope of the Issue

INFORMATION:

The existence of domestic violence in the child support caseload has been acknowledged as a given for decades, but until recently, scant research has been conducted on the incidence of domestic violence between parties in the child support system. The Child and Family Research Partnership (CFRP) at the University of Texas conducted the first large-scale study to gather information on domestic violence, paternity, and child support participation. The CFRP study was based on a representative sample of approximately 1,200 mothers and 300 fathers with a non-marital birth in the state of Texas. The sample was split between parents surveyed three months after their child's birth and a sample of parents three years after their child's birth.

For the first time, child support program administrators have data specific to domestic violence experienced by custodial parents in the IV-D program and the data highlights several critical issue areas for child support agencies' attention. Unless otherwise noted, all research reference comes from CFRP and can be found at: www.childandfamilyresearch.org.

1. **Underreporting of domestic violence in the child support system is significantly more prevalent than previously estimated.** Thirty-seven percent of custodial parents with formal child support orders in the CFRP Paternity Study reported domestic violence by the time their child was 3 years old - a rate more than four times greater than the rate of family violence indicator (FVI) flags on custodial parents in the Federal Case Registry (FCR). The rate of custodial parent FVI flags on the FCR is 8 percent.
2. **Many victims do not have a formal child support order and would like one.** Almost half of mothers (43 percent) who *do not* have a formal child support order and who are not receiving any informal support three years after their child was born report domestic violence with the father of their child. Previous research reported that 90 percent of

domestic violence victims would pursue child support if they could do so safely¹. The high rates of domestic violence among mothers who are not in the system may be attributable to uncertainty about protections available or fears about lack of protections within the child support system, fears about losing custody or their abuser being granted visitation that does not include safety measures (e.g, supervision, neutral exchange), and the potential for further violence from the father related to pursuing child support.

3. **Additional safeguards are needed for in-hospital voluntary paternity procedures.**

Nearly one in ten unmarried mothers completing a voluntary paternity acknowledgment at the hospital report being injured by the father during pregnancy. When expanded to include being put at risk of physical or emotional harm, approximately one in five unmarried mothers experienced relationship violence from the father of their child.

Among the 20 percent of unmarried fathers who are abusive, half come to the hospital for the birth of their child, and 85 percent of those fathers execute a voluntary paternity acknowledgment with the mother. Medical clinicians perform regular domestic violence screening as part of pre- and post-natal care but those screening activities do not appear to carry over into medical records practices and the potential for coerced “voluntary” completions of paternity acknowledgments.

One of the primary reasons that victims either stay with their abuser or return to their abuser after leaving is the lack of financial resources to live independently. The core purpose of the child support program, ensuring families receive consistent and reliable support, is ideally aligned to promote victims’ ability to safely leave violent relationships and establish safe, independent living situations for themselves and their children. When victims do not know what protections are available to them in the child support process, victims go without critical financial support. Not only can consistent financial support help victims leave an abusive relationship, but knowledge of the dynamics of domestic violence can help child support professionals understand customers, lead to improved case processing, and increase safety for parents and staff.

A short list of best practices for enhancing safe access to child support includes:

- establishing and maintaining partnerships with domestic violence service providers;
- providing multiple opportunities using multiple modalities to promote disclosure of domestic violence and related safety concerns;
- developing safe and confidential responses to domestic violence disclosures and meaningful referrals for expanded services;
- enhancing legal practices to promote safety-informed establishment and enforcement of orders;
- training for all child support and judicial/administrative hearings staff using domestic violence training curriculum specifically tailored to the child support process; and
- expanding public education and outreach about child support processes to promote informed, empowered decisions by victims.

¹ Pearson, J. and Thoennes, N. “New directions for child support agencies when domestic violence is an issue.” *Policy and Practice*, 58 (2000): 29-36.

There is no “one size fits all” plan that works in every setting, and as such, states, local, and tribal child support agencies have flexibility in crafting a domestic violence plan that is appropriate for their unique legal and administrative settings. OCSE’s **“Enhancing Safe Access to Child Support Services: IV-D Program Inventory and Planning Resource”** is designed to be a logical, practical first step in developing a comprehensive domestic violence plan. States have previously crafted practices on the placement and removal of a Family Violence Indicator (FVI). But FVI policies should not be viewed as a complete domestic violence policy or plan. A domestic violence plan explains the child support agency’s overall approach to identifying and responding to domestic violence at various stages of case processing.

INQUIRIES: Please contact Senior Program Specialist, Michael Hayes at Michael.hayes@acf.hhs.gov

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