

## **WEBINAR - October 23, 2014**

### **ENHANCING SAFE ACCESS TO CHILD SUPPORT**

Co-Hosted by the [Office of Child Support Enforcement](#) and the [Family Violence Prevention and Services Program](#), with support from the [National Resource Center on Domestic Violence](#)

#### **Responses to questions from the Public Chat**

Note: The following responses generally use the term “victim” to refer to the person who has experienced domestic violence. We recognize that no one term can adequately define a person and this term is used for ease of reading.

#### **Q - On the bubble chart, what is the meaning of "Child Support Prevention"?**

**Response** - The prevention bubble is focused on educating teens and young adults about the responsibilities and realities of parenthood and preventing the need for child support services. This can be done in partnership with teen pregnancy prevention, public schools, and community family stabilization services as well as other community and faith-based organizations. Here are two fact sheets from the OCSE Website that go into greater detail about prevention.

<http://www.acf.hhs.gov/programs/css/resource/preventing-the-need-for-child-support>

<http://www.acf.hhs.gov/programs/css/resource/partner-with-the-child-support-program-to-raise-awareness-about>

#### **Q - Do any state child support programs consider domestic violence situations when allowing for debt compromise among parties?**

**Response** - Some state child support programs do not take an active role in debt compromise between parents. In those states, all elimination of debt owed to the custodial parent is a matter strictly for the courts to determine. In states where the child support program takes some role in debt compromise or retroactive support negotiations between the parties, many have policies and procedures in place to reduce the likelihood that a parent to whom child support is owed will forgive past due support or forgo retroactive support based upon manipulation or intimidation of the parent who owes support. In some state child support programs this is very clearly spelled out for cases where there has been family violence reported by the custodial parent. In these states, child support staff will consult privately with the victim to assess safety risks and then may provide a buffering role by informing the parent who has the obligation to pay that the state’s policy or state’s position is to not forgive debt and the state is requiring that this issue be heard by the court. This approach puts the issue before a judge to rule on the merits of the request and can relieve some of the pressure a victim may be feeling. State policies may also recognize that support orders have not always been set based on actual income, and some orders are not affordable. Unmanageable debt resulting from inaccurate orders can exacerbate family stress and conflict.

**Q - What is the yellow light approach? I didn't catch it all.**

**Response** - The yellow light approach takes an individual case approach to child support case work and uses the input of the victim to determine what safety tools to use and how to proceed when providing child support services. The first step is educating the victim about safety options when pursuing child support and explaining, step by step, what actions the child support agency will be taking when conducting child support case processing. This allows the victim to have a meaningful context in which to gauge the level of risk at each stage of the child support process and consider their safety needs. The child support agency can also use the victim's input to determine certain actions they may or may not take on case, for example: a victim may believe that suspending the other parent's driver's license for nonpayment would greatly increase the likelihood of harassment or harm, and the child support agency could then suppress that enforcement action to reduce potential risk to the victim.

At minimum, all states have policies and procedures in place for flagging cases with a family violence indicator that prevents the survivor's address and other contact information from being disclosed. Most states have procedures in place for increased safety procedures and personnel in court settings when family violence has been disclosed and this often includes separating parties during negotiations and offering security escorts. This may also include separate scheduling of appointments in offices and/or alternative locations for appointments with one or both parties. Likewise most states have developed procedures to make referrals to community resources/domestic violence programs.

More recently a number of states have enhanced this yellow light approach by:

- **Adopting comprehensive family violence policies developed in collaboration with state or national domestic violence experts.** These policies may include special provisions for communicating with parties on family violence cases, segmenting family violence cases to a select group of case workers, and requirements to regularly reassess safety concerns with the victim prior to administrative or legal actions taken by the child support agency.
- **Expanding the training requirements for child support staff to promote greater understanding and skills to recognize and respond to family violence.** This may include training on the use of dv screening questions as well as a focus on increased communication with victims about the child support process/actions and basic safety planning associated with child support processes.
- **Increasing the options for disclosure of safety concerns and developing strong referral resources for survivors.** This may include regular domestic violence resource coordination meetings between local child support, domestic violence, legal aid, and civil and criminal protective order units and adopting a "warm" or supported referral approach that involves a person to person referral or the co-location of DV resource staff in the child support office.

- **Implementing legal practice training and standards for child support attorneys and legal staff.** This training is used to emphasize the state's interest in safe, workable child support orders, collaborating with local domestic violence programs to house legal advocates in child support courtrooms, and coordinating with state and regional court administrative offices to expand DV training opportunities and expectations for judicial officers hearing child support cases.

**Q - How are fatherhood programs are involved in pilot sites or other jurisdictions exploring parenting time?**

**Response** - In the 5 current Parenting Time Opportunities in Child Support (PTOC) pilot sites, local fatherhood programs are not currently involved. In some other jurisdictions, there has been engagement of fatherhood programs in partnership with local DV coalitions - working together to address parenting time. Baltimore is one jurisdiction where fatherhood and family violence programs have worked together. The National Responsible Fatherhood Clearinghouse hosted a webinar on fatherhood and domestic violence collaborations last April and the slides can be found here:

[https://www.fatherhood.gov/sites/default/files/webinar/slides/nrfc\\_webinar\\_slides\\_4.16.2014.pdf](https://www.fatherhood.gov/sites/default/files/webinar/slides/nrfc_webinar_slides_4.16.2014.pdf)

**Q - Any suggestions for encouraging state child support enforcement to collaborate with their state domestic violence coalition?**

**Response** - If you are with the state or territory DV coalition, one of the simplest ways is to reach out to the child support director and ask for a meeting to discuss ways that you may be able to cooperate with them on helping victims of DV get child support safely. This might include offering to conduct training for child support staff or make presentations on DV at statewide training conferences. Providing the state child support agency with a listing of all DV programs in the state and how to make referrals to those programs is another very simple way to begin to collaborate. The Texas Council on Family Violence and the Washington State Coalition Against Domestic Violence are two state coalitions that have very successful and extensive collaborations with their state child support agencies and you may want to contact them for ideas. You can also contact Michael Hayes at OCSE, [Michael.hayes@acf.hhs.gov](mailto:Michael.hayes@acf.hhs.gov) for specific ideas for your state.

**Q - I am not sure if all State Practices are the same as CA. However, our local welfare agencies are the ones who determine if DV victims cooperate with Child Support. The practice seems to be if the participant claims there is DV, Good Cause is granted and Child Support does not get involved. Any ideas or suggestions on how to get increased participation?**

**Response** - If the goal prompting this question is to increase participation of DV victims in child support services, a good starting point is to get a count of how many victims claim and are granted good cause annually, both for Medicaid and TANF. Many states find that the numbers

of parents claiming good cause are much smaller than expected. The bigger challenge for some states are victims who don't claim good cause during the assistance application process (and it appears there are many reasons why they don't). In these situations, the child support agency receives a referral from the assistance agency and starts to process the case and the victim doesn't want to cooperate because they are fearful and have safety concerns. This puts the child support agency in the position of explaining the good cause process and sending the victim back to the assistance agency to process the good cause claim.

But, in either situation (parents who would like to pursue child support if they knew of the safety options or parents who don't think it's safe at all to pursue child support but who fail to claim good cause) a coordinated approach to educating parents about good cause for TANF and Medicaid assistance and child support safety options is key. The bottom line is that victims are the experts on their situation but can only make informed decisions about safety if they have multiple opportunities to learn about the child support process and *then* make decisions. This starts with educating assistance agency workers about the safety options available in the child support process. A child support agency might consider a simple customer education resource explaining safety options that assistance workers can distribute as part of the eligibility and application process. It's also important to educate family violence advocates about the good cause claim process and the child support safety options so they can help explain those to victims with whom they are working.

And finally, educating child support staff about good cause and how it works is important. It's also critical for child support staff to not automatically send a non-cooperative victim of family violence back to the assistance agency to claim good cause immediately, but first to explain the child support safety options - remembering that the majority of victims would like to pursue child support if they could do so safely. Lack of cooperation by a family violence victim can be a safety seeking behavior based upon a limited understanding of what safety options are available in the child support process. Because more and more parents are coming directly to the IV-D program for services, it's important for child support agencies to publicize child support safety options to all customers, not just those who are TANF or Medicaid referrals.

**Q - Have any child support agencies joined dv task forces, or other venues for engaging in the coordinated community response to addressing dv?**

**Response** - We are not aware that any agencies have joined or are part of coordinated task forces, but there some examples of child support staff who sit on coordinated or multi-agency task forces addressing DV.

**Q - How do we get a copy of the Bench Card?**

**Response** - All the resources mentioned during the webinar can be found at: [www.acf.hhs.gov/programs/css/family-violence](http://www.acf.hhs.gov/programs/css/family-violence). The bench card can be found here: [http://www.acf.hhs.gov/sites/default/files/ocse/domestic\\_violence\\_and\\_child\\_support.pdf](http://www.acf.hhs.gov/sites/default/files/ocse/domestic_violence_and_child_support.pdf)