

## **I. Policy Rationale**

Over half of IV-D caseloads are low-income families who rely on child support for up to a quarter of their total income. As these current and former welfare recipients leave TANF, they will increasingly rely on child support dollars. Unfortunately, the noncustodial parents responsible for providing these payments are often too poor to support themselves much less fulfill a child support order. Federal, state, and local child support agencies have attempted to increase compliance among these fathers in two ways: lowering orders to better meet ability to pay and addressing the underlying reasons for non-payment with by connecting low-income NCPs to employment services. The first strategy, although successful in increasing compliance, results in significantly lower receipts by poor families. In order to promote the long-term fulfillment of child support orders by low-income NCPs, I propose that the OCSE support a program model that combines court-enforced mandatory participation orders and wage-growth. Beyond accomplishing OCSE's goal to provide families with a "reliable source of income," this program model will advance the on-going mission of the Administration for Children and Families to foster healthy families and responsible fatherhood.

## **II. Evidence**

### **Why court-enforced mandatory participation orders?**

The majority of past responsible fatherhood demonstrations relied on the voluntary enrollment of noncustodial fathers who claimed they could not afford to pay child support. Even in the Parents Fair Share demonstration, where participation was "mandatory," NCPs faced no consequences for not following through with program enrollment or completion. So past demonstrations tell us that both voluntary and un-enforced mandatory participation orders are ineffective means for recruiting and retaining participants. A promising alternative is to use the court system to strictly enforce participation orders by threatening NCPs with probation or jail for noncompliance. However, enforcing these orders will require a commitment by the courts to follow-up with delinquent payers and many courts keep these cases low on the list of prosecuting priorities. One way to assure that low-income NCPs receive the attention they need is to establish separate child support dockets known as "fathering courts." The longest-running fathering court is in Jackson County, Missouri and since its creation in 1998, has increased child support collections by more than \$2 million. Similar court-based programs that use jail as the threat for not participating have also seen success.

### **Why wage-growth?**

Low-income non-custodial fathers are a particularly disadvantaged group. In addition to being low-skilled and low-educated, they often have criminal records and suffer from many poverty related problems such as poor health. All of these characteristics are barriers to finding high-paying jobs. Past responsible fatherhood demonstrations have failed to address these underlying problems, instead providing most fathers with job-search services that at best find them a minimum wage job. As a result, post-program earnings were below poverty level. In order to enable these fathers to support themselves and their families, employment programs need to move them beyond low-wage jobs and into permanent, higher-paying positions.

### **III. Policy Recommendations**

#### **1) Apply for OCSE grant money to implement Fathering Courts**

While the success of Fathering Courts depends heavily on judicial support and initiative, the OCSE has both the financial resources and marketing power to support existing courts and encourage their replication nationwide. Specifically, the OCSE should allocate Special Improvement Project (SIP) grants to Fathering Courts. This will require both notifying existing Fathering Courts of the opportunity for SIP funding and encouraging additional Fathering Court pilots by renewing the 2005 SIP Priority Area 2: Improving Judicial/Administrative Child Support Enforcement Processes. In addition to allocating grant money, the OCSE should also widely publicize the success of the Jackson County Fathering Court by featuring it in the next edition of the Compendium of State Practices and Good Ideas in Child Support Enforcement and publishing an explanatory article in the monthly "Child Support Report." More importantly, the OCSE should use its recently strengthened judicial partnerships to influence courts more directly. The office should consider hosting another judicial-child support symposium in order to showcase Fathering Courts.

#### **2) Host Symposium with the Department of Labor**

Using the series of Judicial-Child Support symposiums as a model, the OCSE should work with the Department of Labor to bring together child support agencies and workforce boards, non-profits, and any other agency that can provide employment services to low-income NCPs. The OCSE has already begun to encourage child support-workforce collaboration by designing and disseminating a "Better Outcomes Through Collaboration" Seminar Curriculum that instructs child support enforcement administrators on how to collaborate with both workforce investment and TANF agencies. By hosting a large symposium, the OCSE could strengthen emerging partnerships and directly encourage workforce agencies to adopt a wage-growth, rather than "work-first" approach to serving with low-income NCPs.

#### **3) Launch a Series of New and Improved Responsible Fatherhood Demonstrations**

Using the partnerships and ideas generated from the OCSE/Department of Labor and Judicial Symposiums, the OCSE should use Section 1115 grants to fund another series of responsible fatherhood demonstrations. These demonstrations should differ from their predecessors in two main areas. First, orders for participation in the program should be mandatory and enforced by the courts. Secondly, employment service providers should be held to high standards and must be dedicated to the goal of wage-growth, rather than mere job placement. These two stipulations should eliminate recruitment and retention problems and more successfully enable fathers to support themselves and their children.

#### **4) Secure Additional Funding Sources for Responsible Fatherhood Programs.**

Although the OCSE already provides IV-D and their partner agencies with SIP and Section 1115 grants, it should increase their access to federal grant money. With the continuation of the Healthy Marriages and Responsible Fatherhood Initiative, \$50 million dollars is available for fatherhood programs. In addition to connecting agencies that service NCPs to existing grants, the OCSE should support expanding responsible fatherhood grants by supporting the Bayh-Obama Responsible Fatherhood Bill. Section 106 of this bill awards grants to state to conduct demonstration projects to promote economic opportunities for low-income parents. The bill was referred to the Senate Finance committee but never made it back to the floor and now must be reintroduced. The OCSE should lobby for the bill's reintroduction in order to secure crucial funding for programs that service their low-income NCP clients. However, in order to expand these funding opportunities to programs that specifically use mandatory court orders, the OCSE should also lobby to remove a provision in the bill that requires programs to allow NCPs to voluntarily participate before going through the court contempt process.