



Program Model — Mandatory Participation

Child support agencies partner with courts to implement mandatory enrollment of noncustodial parents into their employment services program. Based on proven elements of problem-solving courts, this model focuses on accountability and resolving noncompliance, rather than on punishment. This partnership usually involves child support caseworkers and attorneys identifying parents that are pending contempt of court or show cause hearings and requesting the parent be ordered by the court to participate.

Judicial officers may or may not enter a finding of contempt. Findings vary from state to state and even across judicial districts within the same state. Outcomes may include one of the following:

- Find the parent in contempt and issue a court order to participate in the employment program.
- Find the parent in contempt and sentence the parent to jail time, but delay the sentence provided the parent participates in the employment services program.
- Do not find the parent in contempt, but order them to participate and continue the case.

Typically, regardless of the finding, review hearings are scheduled at pre-determined intervals to monitor compliance. More frequent review hearings is a promising practice. Waiving review hearings based on satisfactory reports by workforce providers is another. Also having the employment program present in related hearings to obtain real-time enrollment and provide initial supportive services, such as transportation assistance, can improve success.

The mandatory model on newly established cases is an early intervention approach for unemployed or underemployed noncustodial parents.

Key program elements:

- Child support led
- Judicial officers promote noncustodial parent employment services and understand the range of services and limitations
- Employment services staff in the court room for related hearings
- Child support staff perform pre-screening to ensure parents meet eligibility criteria
- Communication system between all partners for tracking compliance, participation, program management, and maintenance

Things to consider about this model:

- Requires less outreach or recruitment efforts to partners or parents
- Reinforces personal accountability and responsibility
- Reinforces child support's enforcement role
- Limits use as early intervention opportunity
- Doesn't allow for voluntary enrollment or for referrals from outside agencies or programs
- Dependent upon judicial engagement and authority to impose sanctions