

The Parental Responsibility Initiative for the Development of Employment (PRIDE) program is a collaborative effort involving the Temporary Assistance for Needy Families (TANF) and the Child Support Divisions of the North Dakota Department of Human Services, Job Service of North Dakota (JSND), and North Dakota district courts. The program implements federal and state law that allows an obligor who owes past-due child support to be court ordered or administratively referred to participate in certain work activities. The goal of the program is to help obligors obtain employment or overcome underemployment in order to meet child support obligations.

The PRIDE program originated as a pilot project in 2004 and was first offered in the Dickinson region beginning in 2005. By 2009, the program had expanded to include eight regions covering all of North Dakota. The federal Office of Child Support Enforcement (OCSE) and the Council of State Governments have recognized the PRIDE program with national program innovation awards.

This Action Communication provides general information about the PRIDE program and issues policy relative to Child Support Division's role in the referral process.

Applicable federal law:

42 U.S.C. § 666(a)(15)

Applicable state law:

N.D.C.C. § 14-08.1-05.1

Parental Responsibility Initiative for the Development of Employment, General

Federal and state laws provide that obligors in IV-D cases who owe past-due support may be referred or ordered to participate in certain work activities that the Child Support Division or court deem appropriate. The Parental Responsibility Initiative for the Development of Employment (PRIDE) program was developed to implement these laws.

The PRIDE program is a collaborative effort involving the Temporary Assistance for Needy Families (TANF) and the Child Support Divisions of the North Dakota Department of Human Services, Job Service of North Dakota (JSND), and North Dakota district courts. The PRIDE program helps obligors with IV-D cases find employment or overcome underemployment in order to meet child support obligations. Obligor who are referred to the program receive individualized assistance from an assigned PRIDE coordinator at JSND. The coordinator assists the obligor in identifying and meeting employment goals. The program also provides the obligor access to additional supportive services which may minimize or remove barriers to employment. The program is funded by TANF.

Referral Sources

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PRIDE program referrals can be completed administratively by a regional IV-D office or judicially ordered by the court. The program provides services only to obligors with IV-D cases. Therefore, if the court orders an obligor in a nonIV-D case to participate in the program, the obligor will need to apply for IV-D services. Referrals are entered on the automated system. Generally, JSND will provide PRIDE program orientation to the obligor within seven (7) days from the automated system generated referral date.

Administrative Referral

If an obligor fails to meet a child support obligation as ordered by the court, the regional IV-D office worker should consider whether a referral of the obligor to the PRIDE program is appropriate. If an obligor has multiple obligations, any or all obligations associated with an open IV-D case can be included in the administrative referral. However, prior to including in the referral a case that is assigned to another regional IV-D office worker, the regional IV-D office worker making the referral must first acquire permission from the assigned regional IV-D office worker to include the case. The regional IV-D office worker that enters the referral on the automated system will be identified as the referral contact for the PRIDE coordinator. Referrals are appropriate in cases where the obligor is unemployed or is employed, but is not earning enough income to meet the child support obligation. The obligor must be willing to voluntarily participate in the program. In determining whether a referral is appropriate, the regional IV-D office worker should take the following steps:

- Review the obligor's payment history.
- Review the obligor's employment history.
- Review the obligor's PRIDE program participation history (i.e., determine if the obligor has been referred to the program in the past and has not complied with program requirements).
- Discuss the PRIDE program with the obligor and determine if the obligor will voluntarily participate in the program.

In addition to the steps above, the regional IV-D office worker should consider the following:

- Has the obligor made independent efforts to seek employment that have been unsuccessful?

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- Does the obligor have employability barriers that may be minimized or overcome with the assistance of the PRIDE program (e.g., education level or disabilities)?
- Would the obligor benefit from other supportive services available through the PRIDE program (e.g., obtaining a bus pass or work boots)?

If it is determined a referral is appropriate, the regional IV-D office worker must enter the referral on the automated system. Upon entry of the referral, the automated system will generate an email notification to the PRIDE coordinator indicating that a referral was entered for the obligor.

Court Referral

A referral of the obligor to the PRIDE program can be ordered by the court through the Order to Show Cause (OTSC) process. (See AC-CO-14-03) The regional IV-D attorney who appears at the OTSC hearing may request the obligor be court ordered to participate in the program. It is within the discretion of the court whether the referral is ordered. If the referral is court ordered, the obligor is to report to JSND for orientation and complete all requirements given to the obligor by the obligor's PRIDE coordinator. The PRIDE coordinator will oftentimes attend OTSC hearings and briefly meet with obligors who are court ordered to participate in the program immediately following the hearing.

If the court orders the obligor to participate in the PRIDE program, the regional IV-D office worker who was present at the hearing in which the order was issued is responsible for ensuring the referral is entered on the automated system as soon as reasonably possible. (Note: This includes a regional IV-D office worker from a helper region, if applicable.) The referral entry date establishes for the

TANF Division a date on which supportive services can be paid. Therefore, if the referral entry is delayed, it may result in issues that require manual intervention. If participation is ordered in multiple civil files, the regional IV-D office worker entering the referral must include in the referral all civil files in which the participation was ordered. The regional IV-D office worker that enters the referral on the automated system will be identified as the referral contact for the PRIDE coordinator.

In some regions, a state's attorney or an assistant state's attorney, instead of a regional IV-D attorney, may appear at the OTSC hearing. This takes place most often in outlying counties. In these cases, there may not be a regional IV-D office worker present at the hearing in which the order for PRIDE participation is

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entered. The regional IV-D office that is servicing the outlying county where the OTSC hearing occurs must take steps to ensure that the PRIDE referrals in these cases are entered on the automated system in a timely manner. For example, the regional IV-D office servicing the outlying county should communicate with the clerk of court in the outlying county and ask that the regional IV-D office be notified, within a certain amount of time following the hearing, if an obligor is ordered to participate in the PRIDE program. This includes cases in which the regional IV-D office servicing the outlying county where the hearing occurs is the helper region.

Example: The obligor's IV-D case is serviced in Region A, but is being enforced in an outlying county that is serviced by Region B, the helper region. In this outlying county, a state's attorney appears at the OTSC hearings. At the OTSC hearing, the obligor is ordered to participate in the PRIDE program. It is the responsibility of Region B, the helper region, to take steps to ensure that this referral is entered on the automated system in a timely manner.

Program Services

The PRIDE program operates under a case management approach. Upon referral, an obligor is assigned a PRIDE coordinator who will guide the obligor through the orientation process and assess the skill level and needs of the obligor. The coordinator will assist the obligor in the development of an employment plan based on the individual needs of the obligor and support the obligor in meeting employment goals through work activities.

The PRIDE program offers a variety of services, depending on the individual needs of the obligor, including the following:

- Skills and abilities assessment to match participants to employers' needs.
- Identify employability barriers (e.g., disabilities, substance abuse issues, and job retention issues).
- Identify employment goals.
- Employment plan development.
- Identify steps to overcome barriers.
- Monitor and set future meetings or discussions.
- Refer the obligor to other supportive services (e.g. vocational rehabilitation

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services).

- General Educational Development (GED) referral and assistance with testing fees.
- Online employment registration for job search activity.
- Notify the obligor of job workshops or fairs.
- Transportation cost assistance and other assistance necessary to start and maintain employment.
- Identify job leads.
- Assist in job search and development.

If an obligor who is participating in the program obtains employment, the PRIDE coordinator will notify the regional IV-D office so that an income withholding order can be issued to the employer, if appropriate. The coordinator will monitor, or “track,” the employment for a six (6) month period.

Use of Additional Enforcement Measures During PRIDE Program Participation

Prior to pursuing any additional enforcement measures that may be available in a case in which the obligor is enrolled in the PRIDE program, the regional IV-D office worker should consider what effect those measures may have on the obligor’s ability to participate in the program. For example, if the regional IV-D office worker identifies property of an enrolled obligor that may be appropriate for lien placement, the regional IV-D office worker should consider what effect a lien on the property may have on the obligor’s participation in the program. If it is unclear whether the

enforcement measure would have an effect on the obligor’s participation, the regional IV-D office worker should consider contacting the PRIDE coordinator to discuss the obligor’s current status in the program and the obligor’s employment plan moving forward.

Similarly, the regional IV-D office worker should be aware of the enforcement measures already in effect in an enrolled obligor’s case and how those measures might affect the obligor’s ability to participate in the program. For example, if an obligor’s driver’s license has been administratively suspended by Child Support Division and the obligor is subsequently enrolled in the PRIDE program, the regional IV-D office worker should review the case to determine if the conditions are met for authorizing the issuance of a temporary restricted driver’s license or, if the obligor

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desires to enter into a payment plan, determine whether it is appropriate to waive or reduce the down payment for the plan. (See GC-13-02 and AC-CO-09-10)

Program Compliance or Noncompliance

An obligor who successfully becomes employed and retains employment for the entire six (6) month period will be deemed to have been compliant with PRIDE program requirements and will be exited from the program.

If the obligor is noncompliant with program requirements, the PRIDE coordinator will indicate the noncompliance on the referral on the automated system, along with the reason for the noncompliance, and the referral will close. Noncompliance is determined at the discretion of the coordinator. A determination of noncompliance can be made for a variety of reasons. For example, if the obligor fails to communicate with the coordinator and fails to show up for appointments, the coordinator may close the referral due to noncompliance. In order to alert the regional IV-D office worker that the referral has been closed, the coordinator must provide notice to the regional IV-D office worker (e.g., via electronic mail).

If a referral is closed due to noncompliance, the regional IV-D office worker should consider alternative enforcement measures. If the referral was court ordered, the regional IV-D attorney may consider bringing the obligor's noncompliance to the attention of the court for further disposition. Failure to comply with the court order could result in the imposition of sanctions by the court through the contempt process. (See AC-CO-14-03)