

Roundtable on Domestic Violence

Child Support Program and Parenting Time Orders: Research, Practice & Partnership Project

Meeting Synthesis

Prepared by:

Jessica Pearson, Ph.D.
Director
Center for Policy Research

September 2013

This report presents a summary of the presentations and discussions at the symposium held by the Office of Child Support Enforcement on March 28, 2013. The symposium was conducted by the Center for Policy Research under Contract No. GS10F0416S/HHSP233201100400G with the Office of Child Support Enforcement, U.S. Department of Health and Human Services. The report presents the views and opinions of the symposium participants and does not necessarily represent the views, positions, nor policies of the Department of Health and Human Services or its agencies.

This report was produced under the direction of Jennifer Burnszynski, Project Manager, and Warren Johnson, Contract Officer Representative, Office of Child Support Enforcement, Administration of Children and Families, Vicki Turetsky, Commissioner.

Contents

Introduction

Purpose

Executive Summary

Participants

Agenda

Summary of Proceedings

Presentations by Domestic Violence Experts

Presentations by Child Support Experts

Presentation by Parenting Time Expert

Summary of Key Roundtable Themes

Reporting from Small Group Discussions

Moving Forward

Attachments

**A Child Support and Fatherhood Initiatives in the Administration's
FY2014 Budget**

B Participant List

C Roundtable Agenda

D OCSE's Fact Sheet on Family Violence Collaborations

E Small Group Handouts

Introduction

The Roundtable on Domestic Violence was held on March 28, 2013. The Roundtable was convened by the Center for Policy Research (CPR) pursuant to its contract with the federal Office of Child Support Enforcement (OCSE) for the “Child Support Program and Parenting Time Orders: Research, Practice & Partnership” Project. The purpose of the Roundtable was to identify methods and strategies for addressing domestic violence in child support cases where parenting time is also being established in light of the President’s Budget Proposal described below.

The Roundtable included 24 invited participants, six members of the organizing committee and six federal observers. Lonnie Weiss of Weiss Consulting facilitated the Roundtable. The following is an overview of participants and the agenda, a discussion of key themes, and a summary of proceedings.

Purpose

There is currently no systematic mechanism for families to establish parenting time agreements for children whose parents were not married at the time of their birth. Parents who divorce may establish shared parenting time agreements through the family court system at the same time their child support order is established. Parents who have not married do not receive these services at the time their child support order is established. To address this unmet need, particularly for low-income and vulnerable communities, **the Administration’s FY 2014, FY 2013, and FY 2012 Budget Proposals all include a provision aimed at promoting access and visitation through requirements of child support programs. The FY 2014 Budget Proposal includes the following:**

The proposal also requires states to establish access and visitation responsibilities in all initial child support orders, just as custody arrangements are typically settled at the same time divorces are finalized.

Federal resources are made available to states that choose to include parenting time responsibilities in initial child support orders beginning in FY 2014 and all states are required to include parenting time responsibilities in all new child support orders beginning in FY 2019. This phase-in approach will allow some states to begin immediately and will provide an opportunity for all states to learn from the lessons of “early adopters.”

The proposal also would encourage states to undertake activities that support access and visitation, while implementing domestic violence safeguards, which are a critical component of this new state responsibility. (Please see Attachment 1 for “Child Support and Fatherhood Initiatives in the Administration’s FY2014 Budget.”)

The Child Support Program, authorized under Title IV-D of the Social Security Act, is funded through federal financial participation; therefore, state child support programs would draw down 66 percent matching funds to support this new activity. The parenting time provisions of the Budget Proposal are part of a larger package of changes that would increase support to families, including modernization to encourage states to give child support collections to families that have used TANF assistance, rather than retaining payments for cost recovery purposes.

Although the Budget Proposal is not yet law, the main purpose of the Roundtable was to identify safety considerations and means to address them as a critical component of the policy development and implementation process. The Roundtable introduced the ideas set forth in the Budget Proposal so that OCSE could obtain feedback on key implementation issues, cognizant of the fact that this was an initial conversation and many more would follow should the Proposal eventually become law. Attention to domestic violence and safety will be core requirements of any new services, and key features of any OCSE guidance regarding parenting time. Indeed, safety is very important in *all* child support processes and predictable and consistent child support processes minimize risk and the possibility of family violence. As stated in the Budget Proposal, any implementation would be gradual and permit a phase-in period. Thus, the purpose of the Roundtable was to inform future policy and procedures that would support a safe, structured approach to parenting time. Rather than replicating existing problems in family courts, safe and effective implementation of the Budget Proposal may help inform systems across the board, including making systems more accessible to parents and more responsive to domestic violence.

While the purpose of the Roundtable was to specifically address safety considerations in implementing the Budget Proposal, a full discussion of implementation must listen to the voices of both parents--mothers and fathers--and children regarding their needs and hopes for parenting time opportunities. Like the Roundtable, this report does not include the perspectives of parents who face systematic barriers to spending time with their children, nor of children who were not able to spend time with both of their parents. As previously noted, it is most often families that are typically more disadvantaged (in which the parents were not married) that do not have direct access to parenting time services.

Executive Summary

The Roundtable provided an initial opportunity for participants to inform legislation, implementation and operationalization of the Budget Proposal. This discussion existed against the back-drop that parenting time is typically not addressed for parents in the child support system. At the same time, parents who were not married to each other at the time of their childrens' birth do not have easy access to family court services, *pro se* resources and/or staff support available to divorcing parents arising out of their involvement with family court proceedings. (Parents in the child support system who want parenting time assistance are typically referred to family court, a process that may be time consuming, complex and expensive.) The Budget Proposal recognizes the challenges that parents, especially those that

were not married to each other, may have in accessing court systems and services and presents an alternative.

Several key themes and issues emerged, which will be discussed in the “Summary of Key Roundtable Themes” below. These include:

- The pervasiveness of domestic violence and the safety risks that arise for victims;
- The varied nature of domestic violence and appropriate responses;
- The varied nature of child support programs and appropriate parenting time policies;
- The importance of distinguishing between voluntary versus mandatory services;
- The need for simple, user- friendly information and services;
- The use of standard versus individualized parenting plans;
- The appropriate use of mediation;
- The reality of resource shortages;
- The importance of “wrap around” services; and,
- The need to encourage meaningful collaborations between child support agencies and domestic violence programs.

These key issues were informed by a related interest in making the existing family court more accessible to parents in the child support system and more responsive to domestic violence. Similarly, many of the issues raised highlighted the importance of recognizing the needs of domestic violence victims throughout the *child support* systems and processes.

Another common theme that emerged from participants was the complexity of establishing parenting time within existing child support programs and the multiple considerations that should influence future policy in this area. For example, Child Support agencies may use coordinated or integrated processes to establish parenting time and child support orders. While any new systems to address parenting time should be easy to understand, many family law and child support systems are highly complex. The Roundtable provided essential input into identifying these considerations and began the conversation of possible methods of implementing the Budget Proposal if it becomes law.

One issue raised was the absence of a one-size-fits-all solution and that many strategies to implement parenting time opportunities might need to be developed and tailored to unique state, tribal, or local child support systems. At the same time, there are challenges to having an individualized, differentiated (treating different forms of domestic violence differently and giving all parents a unique parenting plan) approach in a high-volume, automated child support system. Thus, the needs for structure and flexibility are in tension, as reflected in the Summary of Key Roundtable Themes.

Participants

Participants were selected by OCSE and CPR for their expertise and national leadership in one of three fields: domestic violence, child support, and/or parenting time. Many Roundtable attendees

had expertise in several fields, and the invitees and organizers were individuals with policy and research experience. (Please see Attachment 2 for a full list of participants and their affiliations.)

Agenda

The agenda was designed to maximize participation and interaction. The morning session began with a welcome and remarks by the White House Advisor on Violence Against Women Lynn Rosenthal and a review of the Roundtable's purpose by OCSE Commissioner Vicki Turetsky. This was followed by participant introductions. Attendees were invited to make very brief informational remarks on targeted subjects pertaining to domestic violence, child support, and parenting time. Following the brief presentation, all participants were invited to make very brief remarks after each topical block. The afternoon session was devoted to large and small group discussions. Three broad topics were singled out for small group discussion: identification of parents who have safety issues; the development of safe parenting plans; and needed research to inform the development of successful, safe policy and practice. Jennifer Burnszynski, Director of the Division of State, Tribal and Local Assistance in OCSE, and Commissioner Vicki Turetsky provided closing remarks. (Please see Attachment 3 for the agenda)

Summary of Proceedings

The three content areas of the Roundtable were domestic violence, child support, and parenting time. The coordinating committee selected ten individuals to offer very brief remarks (most presentations were three minutes) in one of the three main content areas based on their professional experience and expertise. These remarks set the stage for input and discussion among participants. This section provides highlights of some of the remarks.

Presentations by Domestic Violence Experts

Several of the participants with expertise in domestic violence had attended the Wingspread Conference on Domestic Violence and Family Court in 2007, which was comprised of 37 domestic violence researchers and practitioners discussing how to better serve families experiencing domestic violence. Roundtable participants were reminded that the Wingspread Conference highlighted that families experiencing domestic violence are not all alike; that families need different interventions and services based on the risk and protective factors for each family identified through screening, triage and assessment; that family courts need additional resources to perform screening and assessment duties and to link them to appropriate services; and that professionals across disciplines and fields should increase collaboration.

Drawing on the experiences of domestic violence victims in family court, experts noted a number of patterns that make service delivery challenging. They include the following: there is little agreement about the meaning of commonly used terminology (*e.g.*, domestic violence, high conflict, and best interest); there is a lack of clarity on the roles and functions of professionals in

the family court system, including custody evaluators; and there is no standardized protocol or tool to determine the nature and context of domestic violence. As a result, family court practitioners make decisions in the face of uncertainty. Interventions and services offered to victims may not provide what the victims really need. The nature, meaning, and effect of domestic violence varies greatly among families that experience it. Meaningful intervention requires identifying domestic violence and understanding its characteristics and implications so that a third party is able to determine which dispute resolution processes will be safe or productive for a given family.

Safely pursuing child support is a key issue for domestic violence victims. Past research with domestic violence victims finds more than 90 percent of parents want to pursue child support if it can be done safely. Child support agencies have developed ways to pursue child support with heightened safety for victims. Known as “yellow light” procedures, they include address confidentiality, advance warning of the initiation of certain enforcement remedies, and the avoidance of some remedies. Many child support agencies have collaborated with domestic violence advocacy groups to develop these “yellow light” procedures. Among the topics they have jointly addressed are: determining ways to inform clients about domestic violence and create a climate conducive to disclosure; training child support staff on domestic violence; and integrating domestic violence awareness in child support agency policy and procedures. (Please see Attachment 4 for OCSE’s Fact Sheet on Family Violence Collaboration).

Presentations by Child Support Experts

In order to inform potential implementation of the Budget Proposal, it helps to understand the complexity and variety of state and local child support programs, also referred to as IV-D programs. Child support is a large program that crosses all three branches of government, affects one in every four children in the nation, and plays a vital role in lifting families out of poverty. The program is administered by different agencies across the country—usually a social services agency, but it may be the attorney general’s office instead, and occasionally the department of revenue. Services can be provided by counties, state, or tribes. Courts may be involved, and in some states play the lead role, while other jurisdictions conduct most child support business through administrative procedures. Therefore, a large number of parents involved in the IV-D system may never go *to court* to address child support, as child support issues may be addressed through administrative system. Most child support systems are also highly automated, with automatic case triggers informing workers when something needs further action. Child support order amounts are determined by presumptive formulae that are adopted on a statewide basis.

Child support professionals noted that the Budget Proposal is guided by research that shows that financial and emotional supports are interrelated: fathers who are involved with their children are more likely to pay child support, and fathers who pay child support are more likely to stay involved in their children’s lives. Parents with custody or visitation arrangements are more likely to receive needed child support. Programs designed to improve parental contact are also associated with improved child support outcomes and improved educational and behavioral outcomes for children. While child support and parenting time are usually legally separate,

parents often perceive that emotional and financial support are connected, and should go hand-in-hand. Even without a formal parenting plan, many mothers and fathers continue to see one another and want their children to have connection with both parents. Thus, parenting time is important for families in child support programs.

One child support expert described how the Texas child support system addresses parenting time on a statewide basis. The child support program in Texas is administered and operated at the state level under the direction of the Office of the Attorney General (OAG). Since 1989, Texas state law mandates that every new child support order incorporate a parenting time order. The standard parenting time plan details when the child spends time with each parent and is used on a presumptive basis in the absence of an alternative plan agreed to in advance by the parents or one developed by the court. Even after the standard order is entered, the parties can deviate from the schedule as they wish. The standard schedule is simply a default plan that can be enforced in the absence of agreement. The standard order has specific provisions – and a separate process – for families with a history of domestic violence, including the use of supervised exchanges and visits, step-orders or the gradual introduction of parenting time, or no parenting time. During the past few years, the OAG has developed a strong relationship with the Texas Council on Family Violence that includes a contract for the Council to help with the development of safe child support and parenting time policies, a statewide training program on domestic violence for child support staff, and the development and release of public information and materials about domestic violence.

Presentation by Parenting Time Expert

In order to inform potential implementation of the Budget Proposal, it helps to understand the existing ways in which parenting time issues are addressed. Historically, parenting time (especially where contested) is typically resolved in family courts. Married parents typically resolve issues of custody and visitation through divorce proceedings, while unmarried parents may have to take additional steps to access the courts by filing legal proceedings. Custody and visitation standards are state-specific and detailed in state laws. Nationwide, the standard governing these decisions is the “best interest of the child,” which is usually defined, or enumerated, in state law, and may vary considerably based on the state. “Best interest” statutes, or case law, typically include domestic violence as a factor in decision-making, yet it may be given different weight depending on the jurisdiction. Some statutes or case law may require conditions on parenting time, such as supervised exchanges and visitation. Because parents in family court typically do not have attorneys, courts often refer parents to court-based or court-affiliated services that offer mediation, custody evaluators, parent education classes and parenting coordinators. However, the economic downturn has led to many cuts in funding for family court services and mediation and facilitation services are struggling to survive.

A handful of state or county child support programs have been doing work in parenting time, often in partnership with courts and OCSE-funded “Access and Visitation” grant programs. One speaker described different approaches already in use to address parenting time issues for parents in the child support system, and the speaker’s perspective on the strengths and shortcomings of

each approach. The approaches include standard visitation schedules, third-party assistance, and self-help resources. Each approach also addresses domestic violence in different ways.

Standard visitation schedules are often used on a presumptive basis. These parenting plans tend to be a one-size-fits-all approach, with the standard plan spelling out how the child's time will be divided with each parent during regular, vacation and holiday time periods. These are low-cost ways to address parenting time in many cases. In jurisdictions with standard visitation schedules, parents are informed about domestic violence at multiple times during the order establishment process and asked to disclose any safety concerns which can trigger heightened attention to safety and modifications of the standard plans. Texas and some Michigan counties follow this type of approach.

A neutral, third-party assistance approach utilizes mediators or facilitators to help parents create parenting plans. Mediation and facilitation may be expensive and is only available in limited settings. It can also be difficult to identify and serve parents that want help. However, mediation and facilitation often leads to the production of a customized parenting plan with high levels of parental satisfaction and understanding of the plan. Mediators and facilitators actively screen for safety issues and can adjust the format of the mediation and the resulting parenting plan to take safety into account. Since these are typically voluntary interventions, a victim of domestic violence does not have to participate or reach an agreement. Third-party assistance is used in numerous jurisdictions including DuPage County, Illinois; Oakland County, Michigan; and some Colorado counties.

Self-help approaches provide resources that parents may access on their own to assist them with the development of parenting-time plans. Parents must access and use self-help services and resources on their own and they can be complicated to use. In addition, turning a plan downloaded from the internet into a court order typically requires that the parent file a petition with the court and pay a filing fee. However, self-help resources have the potential to serve a large number of parents with minimal cost. They can also provide more opportunities to customize parenting plans based on an individual's needs. Parents must self-identify any issues with domestic violence and independently choose to take advantage of safety-focused plans or enhancements. Child-support involved self-help resources include Oregon's online, Interactive Parenting Plan and Texas' Access and Visitation Hotline.

Additionally, a few programs offer holistic services, including parent education, mediation, job search assistance, case management, and referrals to a variety of community agencies, such as family violence service providers. This may be an expensive approach; however, once parents enroll in the program, it receives high levels of parent satisfaction. This approach is used in Hennepin County's (Minnesota) Co-Parent Court.

Summary of Key Roundtable Themes

Several key themes emerged from the Roundtable, which will be discussed in turn below.

- **Pervasiveness of Domestic Violence and the Safety Risks that Arise for Victims:** A key Roundtable theme was the pervasiveness of domestic violence. Participants discussed the prevalence and commonality of domestic violence. A 2010 survey of 9,086 women found that 35.6 percent of these women reported rape, physical violence, and/or stalking by an intimate partner during their lifetime (Black et al, 2011). Low-income females, or those earning less than \$7,500 annually, experience higher rates of family violence than do women in households earning \$50,000 or more per year (Catalano, 2007). Concerns arising from these realities include the lack of reliable screening and identification tools, the lack of automated information on domestic violence arrests and restraining orders, the lack of court-based and child support personnel to identify and assist victims of domestic violence, biases by the professionals involved with family law and child support matters, and non-disclosure by victims themselves. It is challenging to reliably identify domestic violence and address it in family law settings.
- **Varied Nature of Domestic Violence and Appropriate Response:** Participants noted that domestic violence is varied and that victims differ in their experiences and perceptions. Making informed decisions requires knowing the features and characteristics of the violence being perpetrated, each victim's circumstances and resources, and the impact of the violence on parenting and the well-being of the children. As a result of these differences, appropriate responses to domestic violence are also varied. One issue that emerged during the Roundtable was how to incorporate flexibility, choice, and options for survivors in a parenting time intervention and avoiding one-sized-fits-all parenting time policies and programs.
- **Varied Nature of Child Support Programs and Appropriate Parenting Time Policies:** Child support programs are structured very differently with respect to the use of administrative versus judicial approaches and state versus county-level administrative formats. Because of the varied nature of child support programs, creating parenting time policies that are flexible, account for local variations, capitalize on local capacities, and respect local sensibilities was a key theme of the Roundtable.
- **Importance of Distinguishing Between Voluntary Versus Mandatory Services:** The complexity of voluntary versus mandatory parenting time services arising out of initial child support order establishment was a key consideration raised in the Roundtable. By their nature, budget proposals set out broad parameters that are further defined in legislation, regulation, and other guidance and technical assistance. As currently envisioned, the Budget Proposal would require child support programs to address parenting time in all new child support order. For some orders, this may mean specifying that no parenting time is appropriate, or only supervised visitation. Therefore, the proposal puts a requirement on states to establish a process. For example, states may choose to coordinate child support and parenting time order establishment processes, or

may integrate parenting time order establishment into existing child support processes. However, the degree to which parents themselves may choose to participate in any process or not is not specified at the proposal level. At this stage, OCSE recognizes how important it is for domestic violence experts to provide guidance on the nature of the services parents are offered. Participants discussed the role of child support programs in offering opportunities to establish parenting time, and in particular whether parental participation in parenting time establishment would be voluntary or required. Participants discussed the spectrum of participation and discussed methods of “opting in” or “opting out” of services for domestic violence victims. Participants underscored the need to ensure that domestic violence victims would receive information about the consequences of participation and would be able to make informed decisions about the appropriate level of participation.

- **Need for Simple, User Friendly Information and Services:** Participants discussed the importance of parents in the child support system receiving up front, user-friendly, information on the process of establishing parenting time. This may also include information on the developmental needs of children of different ages, standard parenting plans as models, the dynamics and impact of domestic violence, and ways to incorporate safety in parenting plans. Some approaches to inform parents include written materials mailed in advance, outreach by community partners, and frequent caseworker contact, such as phone calls in advance of hearings. Parents would also benefit from access to services to help them understand their options, write-up their agreements, and navigate the court systems, while noting that these services may be staff and time-intensive.
- **The Use of Standard Versus Individualized Parenting Plans:** Participants engaged in a lively discussion over the use of standard and presumptive orders and described the safety considerations that favor and oppose their use. As background, under the Budget Proposal, parents would not be required to establish any *particular* parenting time arrangement (and could determine that parenting time is not appropriate). The Budget Proposal affords parents an opportunity to resolve parenting time issues, but exists in the context of state laws regarding custody, visitation, and standard or presumptive orders. (And, there are many situations in which parenting time is not appropriate). Several states rely on standard parenting time plans. Among their benefits are the examples they provide on how the child’s time can be divided between parents during regular, holiday and vacation time periods as well as the specifics on child exchanges and other parenting time mechanics. While standard plans offer a starting point for discussion, “standard” or “presumptive” orders often don’t apply when parents agree on an alternative plan, disclose domestic violence and/or in many other situations. Some parents may benefit from memorializing informal arrangements, as this may help parents manage their co-parenting relationship and reduce conflict, ambiguity, and uncertainty about parenting time arrangements. Some domestic violence victims may feel safer with structured, formal, predictable, simple parenting time arrangements (which may be safer than having parents figure it out alone “on the front porch”). Others felt strongly that the prevalence of domestic violence necessitates individualized attention, as do other concerns such as

the mental health of the parents, substance abuse issues, and developmental needs of children.

- **Appropriate Use of Mediation:** Roundtable participants discussed mediation and other alternative dispute resolution techniques that can be used to determine parenting time. These techniques may produce customized parenting plans with high levels of parental satisfaction, increase parental understanding of the parenting plans, and can empower victims of family violence. Appropriately trained mediators and facilitators also have a variety of approaches designed to ensure that a victim of domestic violence feels safe during the sessions, including the option for telephonic mediations, keeping the parties in separate rooms while the mediator shuttles back and forth, and facilitating a dialogue between the parents and watching for any power imbalances. While there was some concern about mediation and ensuring sufficient attention to domestic violence, offering mediation to parents in the child support system was suggested as one option (to complement a full range of other options), so that parents can choose how to pursue parenting time. Empowering the victim and honoring the autonomy of victims was a key theme in this discussion.
- **Reality of Resource Shortages:** Roundtable participants viewed resource shortages as an impediment to policy development and implementation, and a current issue affecting many of their programs. For example, state and local budget cuts present problems for child support agencies, domestic violence programs, and courts, including court-based and court-affiliated services and programs. These shortages limit the resources that are available, especially staff-intensive services. At the same time, the Budget Proposal provides significant federal funding (in the form of the 66 percent federal financial participation) for the expansion of child support into this area and has the potential to assist over-burdened courts, increase the safety for participants in child support programs, and open new opportunities for collaboration.
- **The Importance of “Wrap Around” Services:** The Roundtable participants discussed the importance of supportive services—including parent education, supervised exchange, supervised visitation—and other important parenting plan components (*e.g.*, the ability to modify and enforce parenting time plans and other accountability systems). Supporting wrap-around services and other parenting plan components exists in the context of maximizing available community resources. Many participants spoke favorably of parenting education, especially where infused with appropriate domestic violence perspectives. The importance of adequate supervised visitation services was also stressed. Although the Budget Proposal does not fund modification or enforcement of parenting time provisions in initial child support orders, there was support for making modification easier and providing safety-sensitive enforcement resources to parents as a necessary component of implementation of the Budget Proposal.
- **Need to Encourage Meaningful Collaborations between Child Support Agencies and Domestic Violence Programs:** Collaboration between the domestic violence community and child support agencies is important because the domestic violence community can

offer feedback on developing parenting time policies, approaches, screening tools, plans that enhance safety, and ways to support victims. Successful collaboration can improve victim safety, lead to more trust of child support programs, and bring improvement to child support programs. The Roundtable provided an important initial conversation between domestic violence experts and child support experts on implementing the Budget Proposal (as Congress considers the proposal) and many hoped that the collaboration would continue.

Reporting from Small Group Discussions

After the informational presentations and open discussion, the larger group broke out into four small groups: one discussed the identification of domestic violence; two discussed parenting plans in cases of domestic violence; and the fourth discussed needed research. (Please see Attachment 5 for the small group handouts). Each group was given a series of specific, targeted questions, described on the handouts.

The group discussing the identification of family violence focused on how programs can best identify parents who face safety issues, the advantages and disadvantages of various identification methods, how to effectively identify and assess various types of family violence, and what resources and collaborations are useful for individuals or agencies involved with the identification of family violence. The groups exploring parenting plans discussed how parenting plans can safely be established in cases with family violence, the elements of a parenting plan that enhance safety, and what types of plans work for whom and under what circumstances. Finally, the small group tasked with discussing research generated ideas on the types of research that needs to be done to inform safe, successful policy and practice in the area of parenting time for the child support population.

Each group reported the highlights of their discussions to the larger group. The themes from the small group discussions included:

- **Encourage Effective Approaches to Identify Domestic Violence:** Identification of domestic violence was a key consideration of the Roundtable. Participants stressed that identification of domestic violence is complex and requires multiple strategies. Effective approaches combine universal notification with multiple opportunities for disclosure, active screening tools and consultations with relevant court records. The method/type of screening utilized within the child support context is likely different when you take on screening for purposes of parenting time establishment. Others noted that we should assume that disclosure will occur later in the process (i.e., not at an initial screening), and that parents benefit from being provided multiple opportunities to disclose. Other participants stressed that screening is challenging and is unlikely to be reliably conducted in a one-time contact. Model screening includes behaviorally specific questions that cover current and past experiences, while high rates of non-disclosure makes the match between victims and dispute resolution processes even more challenging. To successfully implement the President's Budget Proposal, it is essential to identify

effective methods and approaches to domestic violence screening, and to collaborate with experts in this area.

- **Encourage Adoption of Parenting Plans with Safety Components:** Ranges of parenting arrangements exist, including co-parenting, parallel parenting, supervised exchanges, supervised access, and no access. Time-share ranges also exist along a spectrum from “flexible” arrangements by agreement of the parents to very detailed, specific arrangements. While the small groups agreed that knowledge of prior violence is not dispositive of the type of process that is appropriate or the type of substantive parenting time plan that is appropriate, there was no consensus on the type of parenting plan that is appropriate for families with a history of domestic violence. For some, a detailed plan may be safe, for other victims, unsafe. Standard visitation plans may provide useful examples for families. Other families may benefit from the development of more individualized plans keyed to family needs or child development. In addition to supervised visitation, graduated approaches to visitation in cases of domestic violence may be appropriate for some families. Participants noted that it is important to consider who the parenting time decision-maker would be, such as an existing family court program or third-party facilitator. There was some support for mediation as well as for forms of third-party assistance to help parents develop plans. Domestic violence training will be critical for third-parties who may assist families with the development of parenting plans, either through an existing family court program or a new service established for the child support population. Culturally appropriate method(s) that take into account the varying levels of parental functionality, complex family arrangements including multiple children by different partners, and the different types of violence victims have experienced were all identified as important. These groups also stressed the importance of providing families with up-front, understandable information on parenting plans. The groups agreed that providing families a range of options and choices has benefits.
- **Support Needed Research:** This group recommended that research be conducted on the characteristics of the child support population and their parenting-time needs, the experiences of parents with parenting plans (including those with histories of domestic violence), the impact of various parenting plans on child outcomes, the strengths and weaknesses of the current system of informal and self-styled approaches, and user satisfaction. The group also supported the validation of various screening tools. There was consensus that national leaders and policy makers would benefit from more research.

Moving Forward

In light of the President’s Budget Proposal to increase the services offered by the child support program, the purpose of the Roundtable was to begin a process of informing future OCSE policy on safe implementation of parenting time programs. To continue the collaborative process, OCSE will circulate this Synthesis to all participants and encourage its review by their respective

members, constituencies and colleagues. CPR is also preparing a final report for the “Child Support Program and Parenting Time Orders” Project that OCSE will release.

In addition to these previously initiated activities, OCSE anticipates encouraging and facilitating future engagements and collaborations between domestic violence experts, the child support community, and parenting-time professionals. This may include, for example, cross-disciplinary conversations at existing meetings of the three professional groups represented at the Roundtable, parallel inter-professional exchanges initiated at the local level, and/or webinars and conference call discussions. OCSE also anticipates continuing to encourage training and technical assistance opportunities on family violence for child support professionals, and identify any opportunities for additional research on questions pertaining to parenting plans and methods of plan establishment. As Congress considers enacting the Proposal, OCSE expects to increase engagement with Roundtable participants and other stakeholders (such as state child support programs, fatherhood organizations, other family violence practitioners, etc.) to inform future implementation. Many future conversations and collaborations will develop in order to support a safe, structured approach to parenting time.

Attachment A
“Child Support and Fatherhood Initiatives in the Administration’s FY2014 Budget”

OFFICE OF CHILD SUPPORT ENFORCEMENT

An Office of the Administration for Children & Families

Child Support and Fatherhood Initiative in the Administration's FY 2014 Budget

April 15, 2013

The Child Support Enforcement Program touches the lives of one-quarter of the Nation's children, and plays an important role in helping parents work together to support their children. The program supports federal, state, and tribal efforts to foster parental responsibility, promote family self-sufficiency, by locating non-custodial parents, determining paternity, and establishing and enforcing orders for support. For every dollar invested in the program, \$5.12 in child support was collected in FY 2011.

Growing up in poverty and family economic insecurity can reduce a child's chances of reaching his or her full potential. The program has a commitment to increasing the reliability of support payments throughout childhood. A growing body of research supports strategies that can help strengthen the ability and willingness of noncustodial parents to support their children, by promoting responsible fatherhood, helping parents succeed in the workforce, and building ladders of opportunity for those willing to do the work to lift themselves up.

To promote strong families and responsible fatherhood, the Administration's FY 2014 Budget includes a multi-pronged **Child Support and Fatherhood Initiative** to modernize the Child Support Enforcement Program and to encourage non-custodial parents to support their children and play an active role in their lives. The Budget includes \$2.0 billion over ten years to fund a package of child support investments that promote family self-sufficiency and responsible fatherhood, and that recognize the essential role both parents play in providing financial and emotional support for children.

These policy changes will encourage non-custodial parents to take greater responsibility for their children while maintaining rigorous enforcement efforts. The Budget supports states in providing access and visitation services that can improve a noncustodial parent's relationship with his or her family and increases support for states that pass child support payments through to families rather than retaining them. The program will continue to evaluate the effectiveness of providing employment services aimed at increasing child support payments from non-custodial parents. The proposals support the President's commitment to supporting the critical role that fathers play in enhancing the intellectual, emotional, and financial well-being of their sons and daughters.

ADMINISTRATION FOR
CHILDREN & FAMILIES

U.S. Department of Health
and Human Services

370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Ensuring Children Benefit When Parents Pay Support

The FY 2014 Budget proposes to invest \$1.41 billion over ten years to encourage states to pass through current child support collections to TANF families, rather than retaining payments for cost recovery purposes. The benefits to families exceed their cost, and will result in an additional \$1.7 billion in child support payments received by families, reducing those families' reliance on other social services programs, including the Supplemental Nutrition Assistance Program (SNAP) and the Supplemental Security Income program (SSI).

- Under the proposal, states would no longer be required to reimburse the federal government for any part of current child support payments that the state distributes to the family, and states would be allowed to discontinue assigning child support payments to the state when a family is receiving TANF assistance (\$551 million over ten years).
- To encourage states to take up family distribution options, the proposal also includes short-term funding to offset a significant share of state costs in implementing this policy (\$759 million over ten years).
- The proposal also provides limited resources to help states make necessary improvements to their systems technology to support the distribution changes (\$100 million over ten years).
- In addition, the proposal requires child support payments made on behalf of children in Foster Care to be used in the best interest of the child, rather than as general revenue for the state (\$254 million over ten years).
- It also prohibits the use of child support to repay Medicaid costs associated with giving birth—a practice retained by only a handful of states. Recovery of this debt from non-custodial parents can discourage the participation of pregnant women in Medicaid, discourage fathers' attachment to the formal labor market, and reduce child support payments to the family (cost neutral).

Promoting Access and Visitation

The President's Budget provides \$448 million over ten years to support increased access and visitation services and integrates these services into the core child support program. These services will not only improve parent-child relationships and outcomes for children, but they will also result in improved collections. Research shows that when fathers are engaged in the lives of their children, they are more likely to meet their financial obligations. This creates a double win for children—an engaged parent and financial security.

- As a first step in facilitating a relationship between non-custodial parents and their children, the proposed initiative would update the statutory purposes of the child support program to recognize the program's evolving mission and activities that help parents cooperate and support their children.
- The proposal also requires states to establish access and visitation responsibilities in all initial child support orders, just as custody arrangements are typically settled at the same time divorces are finalized.
- Federal resources are made available to states that choose to include parenting time responsibilities in initial child support orders beginning in FY 2014 and all states are required to include parenting time responsibilities in all new child support orders beginning in FY 2019. This phase-in approach will allow some states to begin immediately and will provide an opportunity for all states to learn from the lessons of "early adopters."
- The proposal also would encourage states to undertake activities that support access and visitation, while implementing domestic violence safeguards, which are a critical component of this new state responsibility.

Enforcement and Establishment

The FY 2014 Budget includes several additional proposals aimed at increasing collections and improving program efficiency, which would collectively save \$95 million over ten years. They include:

- Mandating data comparisons with insurance claims, payments, settlements and awards;
- Requiring employers to report lump sum payment for intercept;
- Closing a loophole to allow garnishment of longshoremen's benefits;
- Improving the processes for freezing and seizing assets in multistate financial institutions;
- Providing tribal child support programs with access to the Federal Parent Locator Service and other enforcement tools and grant programs currently available to state child support programs, as well as sustained support for model tribal computer systems;
- Modifying the threshold at which states become subject to performance penalty based upon their paternity establishment percentage to better reflect state performance;
- Requiring each state's use of procedures to review and adjust child support debt owed to the state, and to discourage accumulation of unpaid child support debt during incarceration;
- Revising title IV-D to consolidate and clarify various data matching, safeguarding and disclosure authorities; and
- Requiring states to pass UIFSA 2008, model uniform state law, to ensure efficient international case processing as required by the Hague Child Support Treaty.

In addition, this request includes several new no-cost proposals aimed at improving the child support collection process and allowing the child support program to implement models that get more men working and engaging with their children. These proposals include:

- Improving coordination between child support and Social Security benefits received by families;
- Increasing state flexibility to retroactively modify child support orders;
- Limiting interest charged on child support arrears; and
- Increasing state flexibility to determine when to report child support arrears to credit bureaus.

Taken together these proposals will strengthen the ability of both parents to support and care for their children as well as improve the performance of the child support program in meeting this goal.

ACF FY 2014 Congressional Justification

http://www.acf.hhs.gov/sites/default/files/olab/fy_2014_cj_final_web_4_25_13.pdf

HHS/ACF Budget in Brief

<http://www.hhs.gov/budget/fy2014/fy-2014-budget-in-brief.pdf>

ACF portion of President's Budget

<http://www.whitehouse.gov/sites/default/files/omb/budget/fy2014/assets/health.pdf>

Building Ladders of Opportunity, Office of Management and Budget

<http://www.whitehouse.gov/omb/budget/factsheet/building-ladders-of-opportunity>

**Attachment B
Participant List**

Participant List

Liberty Aldrich. Ms. Aldrich is Director of Domestic Violence and Family Court Programs for the Center for Court Innovation. She oversees the planning and implementation of the Center for Court Innovation Domestic Violence initiatives. In this capacity, she provides technical assistance to domestic violence courts, integrated domestic violence courts, family courts, and sex offender programs across the country. Prior to joining the Center, Ms. Aldrich was the director of legal services at Safe Horizon, where she represented domestic violence victims in family and supreme courts and federal immigration proceedings, in addition to supervising staff attorneys and program development.

Firoza “Chic” Dabby. Ms. Dabby is Executive Director of the Asian and Pacific Islander Institute on Domestic Violence. She has expertise on violence against Asian women, strategies for advocacy, community engagement, systems change, and movement building. She also has expertise on the psychological and economic effects of violence over the life course, trafficking, intimate homicide, child custody, battered mothers in the child welfare system, and sexual violence, particularly in conflict zones. She writes, trains, and presents extensively about these and many other issues. She serves as an advisor to the American Bar Association Commission on Domestic & Sexual Violence, Battered Women's Justice Project: Civil, Criminal and Defense Divisions, Domestic Violence Department of the National Council of Juvenile and Family Court Judges.

Kay Farley. Ms. Farley is Executive Director of Government Relations for the National Center for State Courts. She is responsible for monitoring and analyzing Congressional and Federal government agency activity that would impact state court operations, with particular emphasis on funding and children and family related issues. She is also responsible for informing state court leaders of national activities and assisting in the development and articulation of policy. She serves as liaison for the National Center for State Courts (NCSC), the Conference of Chief Justices (CCJ), and the Conference of State Court Administrators (COSCA) with Congress and Federal government agencies related to funding and children and family policy. Additionally, Ms. Farley staffs the CCJ/COSCA Government Affairs Committee, the CCJ/COSCA Problem-Solving Courts Committee, the CCJ/COSCA Courts, Children, and the Families Committees, and the COSCA Policy Committee.

Loretta Frederick. Ms. Frederick is Senior Legal and Policy Advisor of the Battered Women's Justice Project in Minneapolis. The project provides resources for advocates, battered women, legal and justice system personnel, policymakers, and others engaged in the justice system response to domestic violence. Since 1978, when she began her legal services family law practice, Ms. Frederick has consulted with and trained judges, advocates, attorneys, prosecutors, and law enforcement officers on domestic violence legal issues, both in the United States and internationally. She also serves as a faculty member for the National Judicial Institute on Domestic Violence.

Ramona Gonzalez. Judge Gonzalez is from La Crosse, Wisconsin. She has served as a State of Wisconsin Circuit Judge since April 1995. She has also served on the Family

Violence Department Advisory Committee for NCJFCJ, where she is on the board of trustees, and has been an active speaker and trainer for numerous organizations, including NCJFCJ. She has participated in or presented during numerous international conferences and meetings, and serves on the U.S. Judicial Advisory Council on International Family Abduction. Among her many awards and honors, Judge Gonzalez has received the President Award from the State Bar of Wisconsin.

Rebecca Henry. Ms. Henry is the Deputy Chief Counsel of the Commission on Domestic and Sexual Violence at the American Bar Association, where she is responsible for developing and implementing technical assistance programs for civil attorneys with a victim-centered domestic or sexual violence practice. In that role, she conducts on-site training and consultations for state, local and national programs, develops new print and electronic resources, oversees the National Domestic Violence Pro Bono Directory, researches and refers individual requests for assistance, and coordinates internal and national policy initiatives, including the *ABA Standards of Practice for Lawyers Representing Victims of Domestic Violence, Sexual Assault and Stalking in Civil Protection Order Cases*, and the Drafting Committee of the National Task Force to End Sexual and Domestic Violence, supporting VAWA Reauthorization in 2013.

Rosie Hidalgo. Ms. Hidalgo is Director of Public Policy, National Latina Network for Healthy Families, and Communities/Casa de Esperanza. She has worked in the movement to end domestic violence for the past eighteen years. As an attorney, she worked at legal services programs for low-income families in New York City and in Northern Virginia, providing representation in the areas of family law, domestic violence, child welfare and education. She received her undergraduate degree from Georgetown University and her law degree from New York University School of Law.

Suzanne Hollyer. Ms. Hollyer directs the office of the Oakland County Friend of the Court, which is an arm of the Circuit Court managing 54,000 domestic relations cases in the state's second largest county. In addition to managing the IV-D child support program for the county, the Friend of the Court also offers formal and informal dispute resolution services to parents who wish to resolve parenting time disputes. The Friend of the Court also offers mandatory pre-divorce education and parent education for parents who were never married. Mediation and supervised parenting time are also available through referral at no cost to families who have cases managed by the Friend of the Court. Further, forms and instructions are provided to all parents who wish to seek a hearing with the Friend of the Court to modify their custody or parenting time order. Parenting time and custody disputes are investigated and recommendations are made to the Circuit Court by Friend of the Court staff when requested by the assigned judge. Finally, parenting time and custody provisions of court orders are enforced by Friend of the Court staff through a variety of enforcement mechanisms, including make up parenting time, joint meetings and even contempt of court proceedings.

Marylouise Kelley. Ms. Kelley is Director of The Family Violence Prevention and Services Program, which administers the Family Violence Prevention and Services Act (FVPSA), the primary federal funding stream dedicated to the support of emergency shelter and related assistance for victims of domestic violence and their children. She participated in *Toward a Common Understanding* (2009).

Alicia G. Key. Ms. Key was named Deputy Attorney General for Child Support for the Texas Office of the Attorney General in January 2007, where she has served as the Child Support Director since her appointment on December 1, 2004. She returned to the OAG from the Office of Court Administration, where she served as Administrative Director from 2002-2004. Prior to that, she worked for over twelve years in the child support program in Texas, beginning as Title IV-D Master for the Eighth and Ninth Administrative Judicial Regions in 1989. Joining the Attorney General's Office in 1992, she served as the managing attorney of an Austin field office, then as General Counsel of the Child Support Division, from 1999 to 2002. Ms. Key has been a frequent writer and speaker on family law and child support issues. In addition, she has been a guest commentator for Sampson & Tindall's Family Code Annotated each year since 1997, and has been a member of the State Bar of Texas Family Law Section Formbook Committee since 1999. She served as President of the National Council of Child Support Directors, and is an advisor to the board of the Western Interstate Child Support Enforcement Council.

Pam Lowry. Ms. Lowry is Director of the Division of Child Support Enforcement for Illinois. She joined the Illinois child support program in 1991, performing fiscal and accounting duties. Over the years, she held many positions within the Illinois program including oversight of policy and training. She has been the IV-D Director in Illinois since 2005 and in 2009, the National Child Support Enforcement Association (NCSEA) recognized her as Outstanding Manager of the Year. In 2010, the Illinois child support program was recognized by NCSEA as the Outstanding Program. Illinois uses its Access and Visitation grant funds to co-locate mediators at the court in 5 counties who can address parenting time issues that arise when child support orders are established.

Virginia Baran Lyons. Ms. Baran Lyons is Program Specialist of the US Department of Justice Office on Violence Against Women. She oversees The Custody Project, which aims to improve the family court response to domestic violence by ensuring that family court decision-making accounts for the nature and effects of domestic violence.

Maureen McKnight. Judge McKnight is Chief Family Court Judge of Multnomah County Circuit Court, where she handles a variety of family law and juvenile law cases. She is also the lead judge for the Domestic Violence Court with responsibility for the criminal misdemeanor and restraining order cases that involve domestic violence charges. Judge McKnight has focused on systemic family law issues affecting low-income Oregonians, including access to justice issues, operation of the state's child support program, and the response of Oregon's communities to domestic violence. She has been a member both as an attorney and as judge on numerous workgroups addressing family law reforms and is

currently a member of the Judicial Department's Statewide Family Law Advisory Committee.

Linda Mellgren. Ms. Mellgren is a Senior Social Science Analyst in the Office of the Assistant Secretary for Planning and Evaluation for the Department of Health and Human Services (HHS). Her areas of policy and research work include child support, fatherhood, marriage and healthy relationships and the intersection of human services and criminal justice populations. Currently she is managing the National Center for Family and Marriage Research, the evaluation of the family strengthening grants for incarcerated fathers and their partners and HHS activities related to the Interagency Reentry Council. She has a MPA from the Maxwell School of Citizenship and Public Affairs at Syracuse University.

Sheila Murphy-Russell. Sheila Murphy-Russell is the Director of the DuPage County Family Center in Wheaton, Illinois. She holds a Master's Degree in Psychology, is a Licensed Clinical Professional Counselor and a Certified Alcohol and Drug Counselor. She has worked with DuPage County since 1993 at which time she worked with DUI and Domestic Violence offenders and developed an addictions program in the DuPage County jail. In 1998, with an Access and Visitation grant through Healthcare and Family Services (fka IDPA), she was instrumental in developing and implementing parent education, mediation, and supervised visitation services for the never married population. In 2002, she initiated a neutral exchange program and opened a child-friendly, satellite facility, the DuPage County Family Center, to better serve the families of DuPage. Currently the DuPage County Family Center employs 14 staff members and provides co-parent education (in the classroom and online), mediation, supervised visitation, neutral exchange and conflict resolution groups for over 500 never married parents in the parentage and divorce courts per year.

Johnny Rice, II. Dr. Rice is Senior Program Associate of the Supervised Visitation Initiative at the Vera Institute of Justice. He has experience serving low-income fathers and families in the areas of child welfare, youth development and criminal justice. He served as a consultant, speaker and faculty member for the Office of Violence Against Women (OVW), Futures Without Violence, Praxis International, and the National Network to End Domestic Violence. He serves as a National Steering Committee member for the Institute on Domestic Violence in the African American Community (IDVAAC) and participated in *Toward a Common Understanding* (2009).

Lynn Rosenthal. Ms. Rosenthal is the White House Advisor on Violence Against Women. From 2000-2006, she served as the Executive Director of the National Network to End Domestic Violence (NNEDV) where she represented 54 state and territorial coalitions whose collective membership included more than 2,000 local domestic violence programs. She played a major advocacy role in the reauthorization of the Violence Against Women Act in 2000 and 2005 and has assisted states and local communities with implementation of this groundbreaking federal legislation. She partnered with The Allstate Foundation to develop a highly successful national initiative to promote economic empowerment for

survivors of violence. Prior to her service at NNEDV, Rosenthal was director of the Florida Coalition Against Domestic Violence and, on her return to Florida in 2006, she developed the state's first comprehensive plan to help survivors of violence find housing. She most recently served as the Executive Director of the New Mexico Coalition Against Domestic Violence.

Karen Roye. Ms. Roye was appointed Director of the San Francisco Department of Child Support Services (SF DCSS). She has been a pioneer in introducing innovative programs and collaborations that revolutionized Child Support service delivery to Custodial and Non-Custodial parents in San Francisco. Today, SF DCSS provides a variety of service models that support parents such as: C-NET, Job Support, Jail Outreach, and Jobs Plus. SF DCSS has developed a parental empowerment portfolio of innovative services that includes Early Intervention, Family Violence Prevention, referrals to employment, and active collaboration's with local partners. Ms. Roye's goal is to create service delivery models that keep pace with the needs of families today so that children can continue to count on their parents for the financial and medical support that they need to be healthy, and successful. She currently holds a seat on the San Francisco Reentry Council, the Family Violence Council, and the Sentencing Commission. She has served on the California Board of Behavioral Sciences 2006 through 2008 and the San Francisco Chapter of the NAACP Board 2004 through 2008 and 2009 through 2012.

Peter Salem. Mr. Salem is the Director of Association of Family and Conciliation Courts, the leading interdisciplinary, international organization dedicated to the resolution of family conflict. AFCC has developed Practice Guidelines and Standards for family and divorce mediation, child custody evaluation, parenting coordination, brief focused assessment and court-involved involved therapists. AFCC's journal, Family Court Review, contains many leading articles on family conflict. AFCC has collaborated on several major conferences dealing with domestic violence and family courts including Wingspread (2007). Salem was also co-chair of Closing the Gap: Research, Practice, Policy and Shared Parenting, and participated in Wingspread Conference on Domestic Violence and Family Courts among others.

Andrew Schepard. Mr. Schepard is a Professor of Law at Hofstra University and Director of the Center for Children, Families and the Law. He is the founder of Parent Education and Custody Effectiveness (P.E.A.C.E), an education program for divorcing and separating parents on how to manage their conflicts over their children responsibly. He is editor of the Family Court Review, an interdisciplinary journal sponsored by the Association of Family and Conciliation Courts and a consultant to the Institute for the Advancement of the American Legal System (IAALS) at the University of Denver. He served as reporter for the Model Standards of Practice for Family and Divorce Mediation approved by the American Bar Association. He was a participant in Closing the Gap and many DV-mediation workgroups including Wingspread Conference on Domestic Violence and Family Court.

Maureen Sheeran. Ms Sheeran is the Chief Program Officer – Family Law of the National Council of Juvenile and Family Court Judges (NCJFCJ) where she oversees efforts to improve the judicial response to domestic violence and to improve outcomes for victims and their children involved in the family court or dependency systems. She developed the Resource Center on Domestic Violence: Child Protection and Custody in 1994. Since then, she created *Synergy*, a twice annual publication focusing on the needs of victims and children exposed to domestic violence and has provided leadership nationally on supervised visitation and exchange services including the development of *Guiding Principles – Safe Havens; Supervised Visitation and Safe Exchange Program*. She also serves in an advisory capacity for numerous organizations, has written numerous articles and was instrumental in a variety of ground-breaking national conferences on domestic violence. Prior to joining the NCJFCJ, Maureen was the Deputy Director of the Committee to Aid Abused Women in Reno, Nevada.

Arnold Shienvold. Dr. Shienvold is a founding partner of Riegler, Shienvold & Associates. He received his M.A. and Ph.D. in clinical psychology from the University of Alabama and has specialized in dealing with high-conflict families since he began his practice in 1980. He is a member of the American Psychological Association and is a fellow of the Pennsylvania Psychological Association where he serves on the custody evaluation task force. He is a past president of the Academy of Family Mediators and of the Association for Conflict Resolution.

Vicki Turetsky. Vicki Turetsky was appointed as the Commissioner for the Office of Child Support Enforcement in the U.S. Department of Health and Human Services Administration for Children and Families. As Commissioner, she oversees the child support program operated by each state and by many tribes. Ms. Turetsky brings more than 25 years of experience as a public administrator and advocate for low-income families. She is a nationally recognized expert in family policy, and has been instrumental in efforts to boost child support payments to families and to establish realistic child support policies that encourage fathers to work and play an active parenting role. Prior to her appointment, she served as the Director of Family Policy at the Center for Law and Social Policy, where she specialized in child support, responsible fatherhood and prisoner reentry policies. The author of numerous publications, she was a visiting lecturer at the Woodrow Wilson School of Public and International Affairs at Princeton University and has received several national awards. She also has held positions at the U.S. Corporation for National and Community Service, MDRC, Union County Legal Services in New Jersey, and the Minnesota Attorney General's Office. As a division director at the Minnesota Department of Human Services, she received one of the state's first "reinventing government" awards. She received her B.A. from the University of Minnesota and her J.D. from the University of Chicago Law School.

Nancy Ver Steegh. Dr. Ver Steegh teaches family law, domestic violence law and policy, and alternative dispute resolution at the William Mitchell College of Law. Her publications include articles about child custody and domestic violence, mediation and domestic violence, children and domestic violence, and mandatory divorce education. She has prior

experience working as a legal aid lawyer representing victims of domestic violence and she has trained police, prosecutors, and judges nationwide. She participated in and prepared the report for Wingspread Conference on Domestic Violence and Family Courts (2007). She is the incoming President of the Association of Family and Conciliation Courts.

Organizing Committee

Jennifer Burnszynski. Ms. Burnszynski is the Director of the Division of State, Tribal and Local Assistance in the Federal Office of Child Support Enforcement (OCSE), where she oversees program innovation and development, including competitive grants and cross-program collaboration. She also continues to lead a variety of planning and policy development activities to update medical child support policies. She previously served as the Senior Advisor to the OCSE Commissioner, where she coordinated OCSE's Federal budget and legislative activity and worked on a range of policy strategies to support collaborative family-centered approaches, and as a Senior Social Science Analyst in the Office of the Assistant Secretary for Planning and Evaluation. In her 15 years at HHS, she has worked on developing national child support legislation and managed major research on child support arrears, health care coverage among child support-eligible children and child support distribution policy, as well as national evaluations of fatherhood and family strengthening initiatives. She guided the establishment of the National Center for Family and Marriage Research, currently located at Bowling Green State University, and served as its first Program Officer. Her prior experience includes working for the Minnesota Legislative Commission on the Economic Status of Women, the Minnesota House of Representatives Research Department and the U.S. Department of Justice Office of Community Oriented Policing Services. She holds a B.A. in Women's Studies and Political Science from Gettysburg College and a M.A. in Policy Analysis from the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota.

Rasa Kaunelis. Ms. Kaunelis is a researcher at the Center for Policy Research in Denver. She monitors the collection of quantitative and qualitative data and performs data analyses for evaluations dealing with public policy problems and programs. She recently evaluated the effectiveness of a workforce program for parents in Massachusetts and outreach programs on paternity and child support for never-married parents in prenatal settings in Colorado, Illinois and Missouri. For the Parenting Time Orders and Safety Project, Ms. Kaunelis visited parenting-time programs for parents in the child support caseload in Texas, Oregon, Illinois, Ohio and Michigan.

Anne Menard. Ms. Menard, Executive Director of the National Resource Center on Domestic Violence, is an activist who has worked on policy, practice and research issues affecting domestic violence and sexual assault survivors since the mid-70s. In 2005, after serving as a senior consultant to the Family Violence Prevention and Services Program of the US Department of Health and Human Services, she returned as Director of the National Resource Center on Domestic Violence (NRCDV), a position she previously held from 1994-99. At the NRCDV, she directs technical assistance, training, resource development and special projects to support domestic violence intervention and prevention efforts in the U.S. Prior to this national level work, she led the Connecticut Coalition Against Domestic Violence for over six years, and, in the early 1980s, co-directed Connecticut's largest domestic violence shelter and was actively involved in grassroots sexual assault advocacy.

Adrienne Noti. Ms. Noti is a Special Advisor to the Director with the Division of State, Tribal, and Local Assistance at the Federal Office of Child Support Enforcement. At OCSE, she focuses on domestic violence issues to help ensure that domestic violence victims have the proper safeguards in place to safely obtain child support orders, reentry and incarceration issues for incarcerated parents, and access to justice issues. She is an attorney with more than a decade of experience as a public interest lawyer and has practiced in family courts in Washington, D.C., New York, and New Jersey. She has directed the Domestic Violence Advocacy Project at Rutgers School of Law – Newark and was a clinical law professor at American University's Washington College of Law where she directed the Women and the Law Clinic. She has taught undergraduate, social work, and law school classes focusing on family law, legal ethics, and domestic violence, and has written about these topics. Prior to joining the child support community, she was a Managing Attorney at the D.C. Bar Pro Bono Program.

Jessica Pearson. Dr. Pearson is Director of the Center for Policy Research (CPR), a private, nonprofit research agency in Denver, Colorado, that she founded in 1981. Her research includes some of the first national studies of mediation in custody and visitation disputes, parent education and supervised visitation. She has also done leading evaluations of new initiatives in the child support program including projects on hospital-based paternity, family-centered services, early intervention strategies, methods of avoiding and addressing child support debt, methods of identifying and addressing safety problems in the child support caseload, and parenting time. Dr. Pearson was co-principal investigator of the evaluation of a seven-state demonstration project on mediation and other ways of addressing parenting time problems in the child support caseload that resulted in the creation of the State Access and Visitation Grant Program. She was also principal investigator for OCSE-funded Responsible Fatherhood Programs in eight states that aimed to enhance the financial and emotional involvement of low-income, noncustodial parents in the lives of their children, and an OCSE-funded evaluation of Child Access and Visitation Programs in nine states that offered mediation, parent education and supervised visitation services to parents in the child support caseload. More recently, she worked with child support agencies in Colorado, Texas and Tennessee on projects to help child support agency clients with their access and visitation problems. Dr. Pearson currently directs the Parenting Time Orders and Safety project.

Lonnie Weiss. Ms. Weiss is professional meeting facilitator and designer with extensive experience supporting multi-disciplinary policy work on violence against women, child abuse and neglect, and child custody and visitation in domestic violence cases. In addition to co-facilitating the Wingspread Conference on Domestic Violence and Family Courts, she facilitated development of the Greenbook policy and practice recommendations for the intersection of domestic violence, child maltreatment and the family courts, and facilitated three Department of Defense military-civilian task forces on family violence issues.

Federal Attendees

Donna Bonar

Deputy Commissioner, Office of Child Support Enforcement, HHS

Madeleine de Boinville

Social Science Analyst, Office of the Assistant Secretary For Planning and Evaluation, HHS

Nancye Campbell

Senior Research Analyst, Division of Family Strengthening,
Office of Planning, Research and Evaluation, HHS

Shawndell Dawson

Senior Program Specialist,
Family Violence Prevention & Services Program, Family and Youth Services Bureau, HHS

Deborah List

Management and Program Analyst, Office of Family Assistance, HHS

Lauren Supplee

Director,
Division of Family Strengthening, Office of Planning, Research, and Evaluation HHS

Attachment C
Agenda

**Roundtable on Domestic Violence:
Child Support Program and Parenting Time Orders: Research, Practice & Partnership Project**

**March 28, 2013, 9:00 - 4:30
HHS Humphrey Building, Room 800/PH
200 Independence Ave. SW, Washington, DC 20201**

PURPOSE: To identify methods and strategies for addressing domestic violence in child support cases where parenting time is being established.

AGENDA:

- 9:00 Opening
- Welcome - Lynn Rosenthal
 - Purpose - Vicki Turetsky
 - Introductions
 - Safety at the Intersection of Domestic Violence, Child Support, and Parenting Time
- 10:30 Break
- 10:40 Information Sharing - Lightning Rounds
- Domestic Violence
 - The experience of domestic violence victims in family court
 - Pursuing child support and addressing safety
 - Key considerations in addressing parenting time and safety
 - Child Support
 - How the child support program works
 - Why parenting time is important for child support families
 - How one child support agency establishes parenting time and addresses safety on a statewide basis
 - Parenting Time
 - How parenting time and safety are handled for separating and divorcing parents
 - Approaches to parenting time and safety for parents in the child support system
- 12:00 Lunch
- 12:45 How Can We Address Safety Issues When Establishing Parenting Time?
- Open Discussion
 - Focused Small Group Discussions - Solutions and Strategies
- 3:00 Break
- 3:15 How Can We Address Safety Issues When Establishing Parenting Time?
- Small Group Reports
 - Discussion
- 4:00 Key Themes, Next Steps, and Close

Attachment D
OCSE's Fact Sheet on Family Violence Collaboration

Family Violence Collaboration

Family-centered strategies must not put women and children at greater risk of violence. Because the child support program serves both parents, often around a crisis point, it has a unique responsibility—and a unique opportunity—to reduce the risk of family violence and help family violence survivors pursue child support safely. Collaborating with programs that address fatherhood, domestic violence, and child welfare can simultaneously reduce family violence, increase father involvement, and improve child support outcomes.



Why should the child support program collaborate to prevent family violence?

More than 90 percent of women with current or former abusive partners want to pursue child support if they can do so safely.¹ The majority of families participating in the child support program are current or former cash assistance recipients—and research from the late 1990s indicates that 20 to 30 percent of women receiving cash assistance were in an abusive relationship.² Research also shows that the birth of a child, the establishment of an order, as well as support enforcement activities can be triggers for violence.

Most fathers are not violent, and most mothers want them to be a positive part of their children's lives. Trying to shut fathers out is not the solution. Fathers are an integral part of the households, neighborhoods, and communities of the custodial families served by the child support program. By incorporating family violence collaboration into the child support program, it can safely contribute to the economic well-being of custodial families, and mothers and children can be both protected and empowered.

Fatherhood and parenting programs have successfully served families at risk of family violence.³ By screening for family violence, providing safe opportunities to disclose family violence, and discussing the need to prevent family violence at multiple points, programs have been able to prevent family violence and improve child well-being. Collaborating with these programs can lead to improved child support outcomes as well.

How does the child support program work to prevent family violence?

The prevention, assessment, and treatment of family violence require a range of responses that include fathers as part of the solution and require collaborative relationships between the child support program and fatherhood, domestic violence, and child welfare programs. A number of states have had demonstration projects and multi-partner collaboratives to provide specialized services to domestic violence survivors and to improve coordination with child welfare agencies. States also use their Access and Visitation Grant funds to provide supervised visitation and safe exchange services. These services are designed to prevent and reduce family violence. In FY 2009, nearly 13,000 supervised visitations occurred under this program and over 5,000 safe exchange services were provided.⁴

Family Violence Collaboration

In the late-1990s, child support programs in collaboration with advocates, developed three options for working with domestic violence survivors: fully enforce support orders and deal with the risks (“green light”), apply for good cause in TANF cases or forego child support services in non-TANF cases (“red light”), or work with the individual to develop an enforcement plan that is tailored to the risks facing the victim of abuse, including addressing protection and selective enforcement options (“yellow light”). This three-pronged approach was first tested in four states: Massachusetts, Minnesota, Missouri, and Oregon.⁵ It has since been adopted by child support programs.

Child support programs can also help child welfare agencies locate and engage fathers and paternal relatives in child welfare case planning and placement decisions. The Adoption and Safe Families Act of 1997 gave child welfare agencies access to child support data to locate fathers, and the Fostering Connections to Success and Increasing Adoptions Act of 2008 expanded this authority to include siblings and other relatives. As a result, most state child support programs have improved their process of responding to child welfare agency requests. In a number of states, child support programs have partnered with child welfare agencies to individualize child support enforcement efforts to best meet the needs of children placed in foster care and support the child welfare case plan.

Examples of how state child support programs collaborate with other agencies and organizations to prevent family violence:

California—New domestic violence approach

What it does: The San Francisco Local Child Support Agency (LCSA) is undertaking a pilot project to identify and educate noncustodial parents who have been the perpetrators of family violence in collaboration with the Sheriff’s Department, Adult Probation, the District Attorney, Juvenile Probation, the Office of Economic and Workforce Development, Goodwill, Inc., and the SF Unified Family Court. The plan is to begin with a court order that requires the noncustodial parent to comply with anger management classes, parenting classes, and work force readiness programs if needed. The San Francisco LCSA co-locates with Probation Officers in its satellite office where noncustodial parents will receive their training from pilot partners and child support staff.

California (continued)

Results: The San Francisco LCSA has identified the caseworkers and attorney for this pilot and they have been trained in communication management by family violence experts. All of the partners mentioned above are on board and a mechanism to track the parents assigned to this pilot has been created.

Massachusetts—Domestic violence model

What it does: Massachusetts encourages parents to provide information about any safety concerns they might have so that staff can respond, explain child support services, and allow parents to make decisions about whether the services will be safe for them. All Massachusetts child support staff receive training on child support and safety issues, and staff with specialized training are available for consultation. In addition, Massachusetts works closely with the TANF agency and with community-based service providers to identify parents who might have safety concerns related to child support services.

Minnesota—Access and Visitation Program

What it does: Using Access and Visitation Grant funding, the Minnesota Department of Human Services Child Support Enforcement Division contracts with two non-profit organizations that provide supervised visitation and safe exchange services. The first organization receives nearly all of its referrals from the court system; the second receives referrals from child protection agencies and the courts.

Results: In FY 2010, these two organizations provided 359 supervised visits and served over 300 noncustodial mothers and fathers and their children.

Family Violence Collaboration

Nebraska—Better Service through Enhanced Partnering

What it did: The Nebraska Department of Health and Human Services Child Support Enforcement Office conducted a pilot project in collaboration with Nebraska’s Child Welfare Office to improve child support outcomes and reduce delays in establishing permanent placements for children by improving communication and information sharing between the two offices. Activities included employing dual system specialists, cross-training staff, refining and streamlining procedures, and improving work processes.

Results: The pilot resulted in fewer child support sanctions against parents for non-cooperation, increases in paternities established in one of the pilot sites, and a 10-percent reduction in the time until permanent placement.⁶

North Dakota—Child Support-Child Welfare Collaboration

What it did: North Dakota’s child support program identified several ways to improve results for families through increased collaboration with the state’s child welfare agency.⁷ A new automated process provides early notification to child support when a child is placed in foster care, ensuring child support payments are disbursed appropriately. The processing of child welfare requests for locating family members through the Federal Parent Locator Service (FPLS) was automated and streamlined. Staff revised criteria for referring foster care cases to child support, including not requiring child support services when placements were short-term or when children were expected to be reunified with parents within 12 months. Guidelines for the use of foster care excesses—amounts of current child support payments that exceed foster care payments—were developed and included an emphasis on using an excess to support independent living activities when the excess is on behalf of an older child and to support reunification of a younger child.

Results: The child welfare agency significantly increased its usage of the FPLS for locate information.

Pennsylvania—Expanding child welfare agencies’ access to information

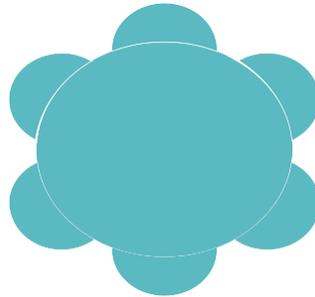
What it does: The Pennsylvania Bureau of Child Support Enforcement expanded its efforts to help child welfare agencies place vulnerable children with family members by giving the agencies access to its Paternity Tracking System. The system holds information on all voluntary paternity acknowledgment forms for children born out-of-wedlock in Pennsylvania since 1995.

Texas and Washington—Collaborations with domestic violence programs

What they do: Several state child support programs have collaborated with domestic violence organizations to make information available about how to pursue child support safely. The Office of the Attorney General of Texas partnered with the Texas Council on Family Violence to develop “Get Smart, Get Safe, Get Support”—an online tool to help domestic violence victims safely access child support services.⁸ In Washington, the state’s child support division collaborated with the Washington State Coalition Against Domestic Violence to post child support information on the coalition’s website.⁹ Child support staff were provided domestic violence training in each field office, with additional online training for staff unable to attend in person.

District of Columbia—Domestic violence collaboration

What it does: A child support enforcement specialist works out of the District’s Domestic Violence Intake Center office so that he or she is available to speak to domestic violence victims about opening a child support or paternity establishment case in Superior Court.



References

Examples provided in the *Promoting Child Well-Being & Family Self-Sufficiency* Fact Sheet Series are funded using child support program matching funds and other funding sources.

1. Jessica Pearson and Nancy Thoennes. "New directions for child support agencies when domestic violence is an issue." *Policy and Practice*, 58 (2000): 29-36.
2. Richard M. Tolman and Jody Raphael. *A Review of Research on Welfare and Domestic Violence*. Ann Arbor, Mich.: Project for Research on Welfare, Work, and Domestic Violence, 2000.
3. See for example, Philip A. Cowan, Carolyn P. Cowan, Marsha K. Pruett, Kyle Pruett, and Jessie J. Wong. "Promoting Fathers' Engagement With Children: Preventive Interventions for Low-Income Families." *Journal of Marriage and Family* 71 (August 2009): 663–679.
4. Office of Child Support Enforcement, FY 2009 Preliminary Access and Visitation Data.
5. Vicki Turetsky and Susan Notar. "Models for Safe Child Support Enforcement." *The American University Journal of Gender, Social Policy & the Law* 8, no.3(2000): 657-716; Ali Stieglitz and Amy Johnson. *Making Child Support Safe: Coordinating Child Support and Public Assistance Agencies in Their Response to Domestic Violence*. Mathematica Policy Research Inc. May 2001. <http://www.acf.hhs.gov/programs/cse/pubs/reports/mpr8548300/>
6. U.S. Department of Health and Human Services, Office of Child Support Enforcement Website. Abstracts for Section 1115 Demonstration Grants Awarded in FY 2006. http://www.acf.hhs.gov/programs/cse/grants/abstracts/fy2006_1115_abstracts.html
7. Barbara Siegel. "Getting it Right: North Dakota Child Support, Child Welfare Programs Collaborate to Improve Results." *Child Support Report*. 33(5):1. May 2009. <http://www.acf.hhs.gov/programs/cse/pubs/2009/csr/csr0905.pdf>
8. Texas Council on Family Violence website <http://www.getchildsupportsafely.org>
9. Washington State Coalition Against Domestic Violence website <http://www.getmoneysafe.org/childSupport.cfm>



Attachment E
Small Group Handouts

How Can We Address Safety Issues When Establishing Parenting Time?

Small Group Discussion

#1, IDENTIFICATION OF PARENTS WHO HAVE SAFETY ISSUES

PURPOSE: Provide guidance on how programs can best identify parents who face safety issues.

CRITICAL THINKING QUESTIONS:

- What are the advantages and disadvantages of different approaches to identifying safety concerns?
 - Universal notification, or explaining DV to everyone and inviting disclosure;
 - Providing multiple opportunities to disclose safety issues;
 - Active screening tools and techniques; and
 - Consultation of child support & court records?

- What disclosure-related issues arise?
 - What do we know about disclosure and non-disclosure using different techniques?
 - What do we do about non-disclosure and low rates of disclosure?
 - What do we do about non-disclosure, both when other indicators suggest safety issues and when there is no indicator?
 - How and by whom should disclosures of safety issues be assessed?

- How should identification and assessment practices vary for different types of violence?
 - How does the “level” or impact of violence inform the response?
 - For example, should responses be different for different types of disclosures, such as past violence and little current risk, fear that child support order may trigger violence, current threat of kidnapping, or lethal danger?
 - How should disclosures of different levels of violence impact the process for establishing parenting time orders?

- What types of resources, training and collaborations are needed to effectively identify safety issues?

How Can We Address Safety Issues When Establishing Parenting Time? Small Group Discussion

#2, SAFE PARENTING PLANS

PURPOSE: Provide guidance on how parenting plans can be safely established. What can be included in a parenting plan to promote safety? What works, for whom, and under what circumstances?

CRITICAL THINKING QUESTIONS:

- How is each of these approaches and techniques responsive to safety issues? What are the advantages and disadvantages of each of the following:
 - Statutory presumptions or court rules regarding parenting time;
 - Downloadable, fill-in-the-blank parenting plans;
 - Printed & web-based informational brochures;
 - Telephone hotlines;
 - Court facilitators and self-help centers;
 - Mediation and other types of related assistance;
 - Lawyers and legal services programs;
 - Parent education classes;
 - Referral to other community resources for parenting-time help; and
 - Court hearings with a judge?

- What are the different components of parenting time agreements? How is each responsive to safety issues? What are the advantages and disadvantages of each:
 - Standard parenting-time guidelines that spell out when the children will see each parent during regular, vacation and holiday schedules;
 - Parenting-time templates and fill-in-the blank plans that parents can use to spell out when the children will see each parent;
 - Customized plans that are developed for each family by a third party;
 - Step orders to gradually introduce a parent into a child's life;
 - Supervised exchanges to minimize contact between the parents;
 - Supervised visits to monitor parent-child contact during a specified period of time;
 - Developmental approaches that key parenting time to the needs of children of different ages;
 - unspecified, flexible visitation orders versus parenting plans that are detailed and well defined;
 - Telephonic visitation sessions; and
 - No contact orders?

- How should participation in parenting time programs be structured? How voluntary should it be? Under which circumstances should parents be able to opt-in or opt-out of setting parenting time orders?

- What types of resources, training and collaborations are needed to effectively identify safety issues?

How Can We Address Safety Issues When Establishing Parenting Time? Small Group Discussion

#3, RESEARCH, MEASUREMENT AND EVALUATION

PURPOSE: Provide guidance on what we need to know to inform safe, successful policy and practice.

CRITICAL THINKING QUESTIONS:

- What research is needed on parenting time order establishment and safety?
- How should parenting time policy be evaluated? How do we define effectiveness to fully include safety?
- What outcomes should be documented and how?
- How can programs be monitored for safety?
- How do we use and disseminate existing research, including research and evaluation that may focus only on a particular subgroup or structure, in designing and implementing parenting time programs?

How Can We Address Safety Issues When Establishing Parenting Time? Small Group Discussion Process

ROLES	GROUND RULES
<ul style="list-style-type: none">- Facilitator- Note taker- Chart writer- Time keeper- Reporter	<ul style="list-style-type: none">- Listen for understanding- Contribute your perspective

AGENDA:

- 5 min: Fill Roles and Agree on Ground Rules
- 45 min: Discussion
 - Use Critical Thinking Questions as suggestions
- 10 min: Highlight Circle
 - One critical point each person is taking from the discussion
- 5 min: Prepare Report

REPORT FORMAT:

- Major themes or concepts
- Differences to explore
- Practical next steps