

Discretionary Grants for Parenting Time Opportunities for Children in the Child Support Program

OCSE recently launched the Parenting Time Opportunities for Children, a pilot program to give child support agencies grants to develop, implement, and evaluate procedures to establish parenting time orders along with new child support orders. The goal is to learn more about how the child support program can safely and effectively give families opportunities to establish parenting time orders, thereby improving child well-being overall and related child support outcomes. This fact sheet introduces OCSE's Parenting Time Opportunities for Children grantees.



What are “Parenting Time Opportunities for Children” Grants?

To further the national child support program’s mission and goals, OCSE operates a number of competitive grant programs that provide federal funds for research and demonstration programs and special projects of regional or national significance relating to the operation of state child support programs.¹ In fiscal year 2012, OCSE used its grantmaking authority to establish the “Parenting Time Opportunities for Children in the Child Support Program (PTOC).

PTOC aims to improve the financial and emotional support of children in the child support system by increasing safe opportunities for them to build relationships with both parents. The parenting time grants focus on providing opportunities to create formal parenting time arrangements at the point of child support order establishment.

What are parenting time orders?

Parenting time is defined as the amount of time a child spends with each parent that is agreed upon by the parents in a parenting plan and/or ordered by a court. Children benefit when they have safe, positive, and consistent contact with both parents. Access and visitation programs, including those that address parenting time, are associated with increases in child support payment. While divorcing parents have more systematic access to establish parenting time orders in family court as part of divorce proceedings, parents who are not married to each other do not have regular access to these services. Several states have child support programs that incorporate parenting time agreements into their child support orders. Read more about them in OCSE’s companion fact sheet “Child Support and Parenting Time: Improving Coordination to Benefit Children.”

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Many of the child support projects focus on memorializing agreed-upon parenting arrangements, that is, encouraging the creation of formal, often legally binding agreements, where the parents agree to the division of parenting time.² Domestic violence safeguards and protocols are required by every grantee as safety is a paramount consideration in the development of parenting plans.

PTOC grants will fund 4-year projects that plan, pilot, and evaluate strategies to establish parenting time responsibilities at the same time as initial child support orders. Grantees will assure that their strategies are appropriate within the state's child support program structure and process; coordinate with the applicable state access and visitation program; and fully incorporate effective family violence safeguards into all grant activities. Grantees are integrating their strategies within existing state laws, structures, and programs. They will evaluate how strategies interact with any existing parenting time opportunity programs already operating within each state. Each grantee project will establish a minimum of 300 parenting time orders over the course of the project.³ Grantees will also manage an independent, third-party, site-specific implementation evaluation that documents program implementation and measures child support and parenting time outcomes.

The first year of the pilot is devoted to start-up—setting up an evaluation design, planning for data collection, developing the pilot program design, and testing. The pilot program and any related support or referral services are provided for the next 2 years, and the final year is devoted to evaluation, grant close-out, and sustainability work. Each 4-year grant is approximately \$400,000. Grants were awarded to the following recipients:

- San Diego County Department of Child Support Services (California)
- Florida Department of Revenue, Child Support Enforcement Program (Miami)
- Monroe Circuit Court (Indiana)
- Fairfield County Child Support Enforcement Agency (Ohio)
- Oregon, Department of Justice, Division of Child Support

What is the President's Budget Proposal?

The President's Fiscal Year 2014 Budget proposes to require state child support agencies to establish parenting time orders along with new child support orders after a phase-in period. Similar proposals were included in the Fiscal Year 2012 and Fiscal Year 2013 Budgets. These pilot projects will lay the groundwork for successful, safe implementation of the President's Budget Proposal, in collaboration with domestic violence stakeholders.

Coordination with State Access and Visitation Programs in PTOC Grants

In 1996, Congress established the State Access and Visitation (AV) grant programs, which OCSE operates.⁴ Each year, OCSE provides \$10 million in AV grants to states and territories to help support programs that assist noncustodial parents, including those not in the child support program, in gaining access to and visitation with their children.⁵ PTOC grantees are required to coordinate with the applicant's State AV program.

Almost all states use access and visitation funds to support parenting time in some capacity.⁶ State AV programs are broad and can include services such as parent education, mediation, supervised visitation, parenting plan development, parenting time coordinators, parent education classes, safe exchange, and counseling. While the AV grant program covers a range of services, many families involved in the child support system are not able to participate in the AV grant programs.⁷ The majority of AV funds are used by courts and child welfare agencies to fund supervised visitation when a child has been removed from a parent's custody.

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What is the Role of Domestic Violence Safeguards in PTOC Grants?

Safely supporting families who have experienced family violence is essential to any parenting time program. While most noncustodial parents are not violent or abusive, safety is a priority in implementing strategies to increase the time parents spend with their children. This is in part because increased opportunities for noncustodial parental involvement can pose challenges and safety risks, including the potential for increased family violence. There are many forms of family violence, and recognizing the characteristics or patterns in a family is critical to formulating safe and workable parenting time opportunities for children. Empowering parents who have experienced domestic violence and respecting their wishes are also important. In some cases, parenting time is not appropriate, and in others, supervised visitation may be a helpful and appropriate alternative. Many custodial parents who have experienced domestic violence may feel safer with structured parenting plans while others may not be able to safely develop parenting plans.

All PTOC grantees must have an OCSE-approved domestic violence protocol, including a preparedness and response plan to screen, prepare for, and address family violence. The screening plan must be comprehensive and use evidence-based practices and tools. All PTOC grantees must also develop and maintain a working relationship with a local domestic violence service provider and must consult or partner with a local or state-level family violence expert in creating their family violence plans and protocols. Additionally, PTOC grantees will build the capacity of program staff and partners to address family violence. Grantees are required to have a family violence coordinator as part of their staff team, and grant funds support these positions.

Who Are the PTOC Grantees?

California, San Diego County Department of Child Support Services

San Diego County Department of Child Support Services (SDCCSS) will establish a partnership with the Family Law Facilitator to assist parents in obtaining information about parenting time orders, for assistance in preparing motions and stipulations to file with the court, and for assistance in navigating the court system.⁸ This grant builds on a custody and visitation project currently operated by SDCCSS. Project participants will receive information about parenting time at multiple stages of their child support case, including prior to and on the day of the initial child support hearing. Information may include a dedicated phone number for assistance with parenting time, a video, information on parenting time workshops, and information on community-based parenting services. The YWCA of San Diego is a partner on this grant; all new child support cases will be screened by the YWCA, and those with family violence issues will not participate in this project. The evaluator is the San Diego Association of Governments.

Florida, Florida Department of Revenue, Child Support Enforcement Program

Florida's Department of Revenue contracts with the State Attorney's Office, Child Support Enforcement in Miami-Dade to provide child support services, including judicial establishment of child support orders, in Miami-Dade County and will continue to contract with them to implement this project to establish mediated parenting plans at the same time that child support orders are established. The project builds upon a prior Section 1115 grant on integrating access and visitation in child support enforcement. Florida law permits child support awards to be adjusted when there is a legally binding agreement for substantial parenting time sharing. In order to avoid subsequent legal proceedings, there is an incentive for parents to resolve the parenting time issues at order establishment. Parents who are eligible for the project, which includes having a child under the age of 5, will attend mediation prior to their initial child support hearing. Agreed-upon parenting time arrangements will be passed on to the judicial officer to be signed concurrently with the child support order.

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Grantees will collaborate with their partner, the Florida Coalition Against Domestic Violence, and parents with domestic violence issues will likely not be eligible for the mediation services in this project. The evaluation is being conducted by Justice Security Strategies, Inc.

Indiana, Monroe Circuit Court

This project integrates parenting time orders with the initial child support process beginning with paternity establishment, the first step in a child support case. When a new case to establish a child support order is opened by the Child Support Division of the Monroe County Prosecutor's Office, parents will be separately interviewed before the first hearing. If family violence is not identified at the hearing to establish support, the judicial officer will determine if there is agreement on parenting time, which would be reflected in the child support order. If the parties do not agree on parenting time, they will be scheduled for mediation and a follow-up parenting time hearing where the judicial officer will resolve any contested issues. Parents are screened for domestic violence at the initial hearing and again at mediation. Indiana has a statutory Parenting Time Guideline that will inform the process. Grant partners include Middle Way House, a domestic violence program, and the Children's Door, a supervised exchange program. The evaluator is EvalSolutions, Inc.

Ohio, Fairfield County Child Support Enforcement Agency

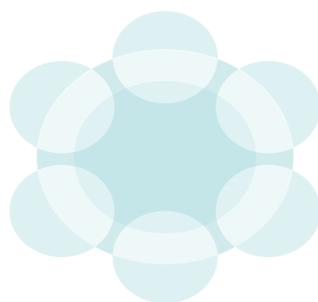
New child support cases that arise in Fairfield County will be screened, and where appropriate, the administrative child support hearing officer will facilitate dialogue between the parents to determine if there is an agreed-upon parenting time order. Parenting time agreements will not be facilitated where there is a history of family violence. If the parties agree, they will sign the parenting time agreement at the same time that the Administrative Order of Support is ordered. Both the support order and parenting time agreement will be provided to the court for adoption. Led by the Fairfield County Child Support Enforcement Agency, this grant includes creating a coalition of 12 founding agencies and stakeholders with multiple perspectives, including the state AV administrator, the Ohio Commission on Fatherhood, and Ohio Practitioners'

Network for Fathers and Families, to increase safe parenting time for children and offer other supportive services. The family violence partner is the Child Advocacy Center of Fairfield County. Ohio University is the evaluator.

Oregon, Department of Justice, Division of Child Support

Under Oregon's existing legal framework, child support orders may be established judicially or administratively (and administrative orders have the effect of a judicial order when filed with the court). Although parenting plans included with an administrative order may be used to calculate the amount of the child support obligation, they are not legally enforceable unless a parent initiates a separate legal custody action. In order to facilitate more parenting plans, Oregon's project uses technology in the form of online interactive parenting plans and a webpage. This project builds upon a series of recently developed parenting plan models: the existing models allow parents to choose a parenting plan schedule that best fits the needs of their situation, the ages of the children, and the outcomes that would be best for their children.⁹ This includes a safety-focused parenting plan.¹⁰ Once completed, parents may print out the parenting plan for private use, or may provide the plan to the child support office to assist in calculating the initial administrative child support order. Later in the project, the system will allow direct e-filing of signed parenting plans (in separate custody actions) to the court. In addition to the interactive parenting plans, the project will provide mediation for parents who need assistance in developing parenting plans, including those who have experienced domestic violence. This project will work closely with the existing AV grant. The family violence partner is Multnomah Family Court Services. The evaluator is the Center for Policy Research (CPR).

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References

- ^{1.} 42 U.S.C. §652(j).
- ^{2.} The grants do not provide assistance for parenting time modification or enforcement.
- ^{3.} Parents who already have child support orders are not eligible to participate in this grant program.
- ^{4.} 42 U.S.C. §669(b).
- ^{5.} In fiscal year 2008, the AV program served 85,237 total clients and assisted in establishing 21,334 parenting plans.
- ^{6.} <http://www.acf.hhs.gov/programs/css/grants/access-visitation>
- ^{7.} In some states, AV programs primarily provide services to individuals in the child welfare system.
- ^{8.} The Family Law Facilitator is an office maintained by the court that was established under California law to assist unrepresented parents with family law cases and issues. It is staffed by attorneys and paralegals to provide help to parties in answering questions, completing forms, and navigating through the legal process.
- ^{9.} <http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/parentingplan.page>
- ^{10.} <http://courts.oregon.gov/OJD/OSCA/cpsd/courtimprovement/familylaw/parentingplansafety.page?>

