



Transforming Child Support into a Family-Building System

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The ideas in this paper were shaped by discussions within the Partnership but do not necessarily represent the views of all members.

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ABOUT THE US PARTNERSHIP ON MOBILITY FROM POVERTY

With funding from the Bill & Melinda Gates Foundation, the Urban Institute is supporting the US Partnership on Mobility from Poverty. Led by chair David Ellwood and executive director Nisha Patel, the Partnership consists of 24 leading voices representing academia, practice, the faith community, philanthropy, and the private sector.

The Partnership's definition of mobility has three core principles: economic success, power and autonomy, and being valued in community. Our collective aspiration is that all people achieve a reasonable standard of living with the dignity that comes from having power over their lives and being engaged in and valued by their community.

Contents

Executive Summary	iv
Background	1
Our Vision and Proposals for a Family-Building Child Support System	4
Empower Both Parents to Decide How to Support Their Children	6
Why Does It Matter?	6
What Changes Do We Propose?	7
Offer Comprehensive, Family-Building, and Coparenting Services	7
Change the Narrative by Reframing and Rebranding the Child Support System as a Family Resource Program and Recognizing that Men Want to Be Good Fathers	8
Create a Registry for All Noncustodial Contributions	9
What Outcomes Would Result from Empowering Both Parents?	9
Next Steps for Governments and Philanthropy	12
Completely End the Role of Child Support Enforcement as a Cost-Recovery Program for Government	13
Why Does It Matter?	14
What Change Do We Propose?	14
What Outcomes Would Result from Ending Cost Recovery?	14
Next Steps for Governments and Philanthropy	15
Apply Reasonable Standards to Child Support Orders and Enhance Fathers' Capacity to Pay	17
Why Does It Matter?	17
What Changes Do We Propose?	20
What Outcomes Would Result from Applying Reasonable Standards to Child Support Orders?	21
Next Steps for Governments and Philanthropy	21
Evaluating the Strategy	23
Notes	25

Executive Summary

Without children, my life would “probably be meaningless. Mainly they are the reason why I am here, man. Because sometimes when I feel like giving up, I think about my children and it gives me the strength to carry on.”

—Joel, unemployed father of children ages 15 and 2¹

Child support is a vital tool for delivering money to children living in poverty, yet it frequently goes unnoticed in discussions of mobility from poverty. Annually, state and tribal child support programs, in partnership with the federal Office of Child Support Enforcement (OCSE), collect more than \$30 billion in child support payments on behalf of more than 15 million children, including about 5 million children living below the poverty level. The child support program serves more than one in five children in the United States, including one in three children living in poverty.² For families living in poverty who receive child support, it makes up 41 percent of their family income on average; for custodial families who receive child support and live at or below 50 percent of the federal poverty level, child support makes up 65 percent of family income on average.³ Research suggests that a dollar received from child support may have a greater effect than other sources of family income on children’s school performance and behavior, indicating that it may have special salience for children.⁴ The program lifts roughly a million children out of poverty each year. Yet it could do far more to spur mobility from poverty if a transformation within the system that has already begun—from a cost-recoupment system to a family-building institution—is brought to full fruition.⁵

Although the child support program works relatively well for children whose noncustodial parent (hereafter “father”)⁶ has a steady paycheck and the financial ability to meet court-ordered obligations, it often fails to effectively serve children whose fathers live in poverty and have difficulty securing and maintaining employment. For these families, the child support system often operates in an overly punitive way. In keeping with their state standards, judges frequently require fathers with low and unstable earnings to pay unrealistically high amounts of child support. Fathers who fail to meet their obligations have seen drivers’ and professional licenses stripped and credit scores affected,⁷ potentially damaging prospects for current and future employment.⁸ In some states, fathers who have fallen behind on their child support obligations have been jailed for nonpayment. These actions only exacerbate the financial challenges facing low-income fathers, further diminishing their capacity to pay.

When parents (typically fathers) live apart from their children, ensuring that financial support flows to children and the parents with whom they live (typically, mothers) is vital. But when fathers lack the capacity to meet their court-ordered obligations, punitive sanctions are not in the best interests of the father, the mother, or the child. Strong sanctions may motivate some fathers to keep current on their court-ordered payments, yet evidence suggests that this compliance may come at the cost of a father's relationship with his child because of tensions that arise between him and the child's mother. Fraught coparenting relationships can fracture critical father-child bonds and can harm children who are exposed to parental conflict. Increasingly, research suggests that many noncustodial fathers want to support their children and yearn to be more than simply a paycheck. They want to be engaged with their children and seek to be a positive force in their lives.⁹ A large majority (85 to 98 percent) of unmarried parents of young children, *both fathers and mothers*, say they want the father to be involved.¹⁰ But our child support system does not sufficiently acknowledge or encourage fathers' love for and desire to be engaged with their children. Instead, the current system assumes that fathers lack an innate desire to care for their children and need external incentives to remain involved. This is particularly true for unmarried fathers who were never married to their children's mothers and therefore often lack the legal right to visit or have a decisionmaking role in their children's lives. The lack of legal rights stems from the fact that custody and parenting time are rarely adjudicated when a child support order is set.

More than half of all children will live apart from one parent by the time they reach 18, and children in poverty are more likely to experience father absence than other children.¹¹ Child support must be a key part of any strategy to truly move the needle on mobility from poverty, as it is the only institution our nation has devised to ensure financial resources flow from parents to children they do not live with. Further, despite its origins as a welfare-cost recoupment mechanism for the government, the system has been evolving over the past decade into a family-building institution. This evolution reflects the recognition that children need more than money; they require love, care, and guidance. But critical aspects of that transformation remain nascent.

To become a family-building institution, the nation's child support system must formally embrace broader goals. Because the capacity of low-income fathers to pay is often very low, the system should do more to enhance fathers' ability to provide support. It must also encourage stronger father-child bonds and facilitate more positive coparenting relationships. Although these ideas are not new, meaningful progress toward these broader goals has been slow. The Flexibility, Efficiency, and Modernization in Child Support Programs Final Rule issued by OCSE in December 2016 encourages states to find ways to build fathers' financial capacity to pay but does not allow states to expend child support program resources to this end. It does allow for spending on outreach activities that encourage responsible fatherhood and positive coparenting. Yet the rule includes neither positive coparenting nor enhancing fathers' ability to pay as formal goals of the program. The rule also addressed some of the more punitive aspects of the program, mandating changes in some areas and recommending change in others. Yet the transformation of our

nation's child support system remains incomplete. More must be done to build on the substance and spirit of the Flexibility, Efficiency, and Modernization in Child Support Programs Final Rule.

We propose an ambitious, three-point strategy to complete the transformation of child support into a truly family-building institution. The following ideas apply to all who live apart from their children but are especially vital for low-income fathers, who face special challenges because of their often low and unstable incomes and the fact that they often lack the legal right to visit or make decisions regarding their child.

- 1. Recognize that both parents have important roles in supporting their child's well-being and development.** To encourage healthier relationships between fathers and their children and improve coparenting between fathers and mothers, we recommend empowering parents to work together to decide how best to support their children; reframing the child support system as a family resource program rather than a punitive enforcement system; and allowing fathers' in-kind, noncash, and direct cash contributions to be credited toward their formal child support obligation if both parents agree.
- 2. Completely end the role of child support as a mechanism to recoup welfare costs for the government.** Because of the sharp and ongoing decline in the Temporary Assistance for Needy Families (TANF) rolls, only 5 percent of the child support collected is now retained by the government. While only 1.4 million of the 14.5 million families served by the child support system in 2016 were receiving TANF,¹² most noncustodial parents in the child support system owe arrears, and one-quarter of the \$100 billion owed is owed to the government. Cost recoupment can have a huge impact on the fathers affected, who are disproportionately low income and people of color. Qualitative research has shown that the program loses legitimacy when payments go to the government and not the child, or when fathers face virtually insurmountable state-owed arrears.¹³ Quantitative research shows that such practices are associated with lower rates of compliance with a child support order.¹⁴ Following the lead of Colorado, Minnesota, and Vermont that have already ended the practice, we propose that all child support payments go to the children they are intended to support.
- 3. Apply reasonable standards to child support orders and make enhancing fathers' capacity to pay an explicit goal.** Build on the portions of 2016 rule that mitigate the more punitive aspects of the program¹⁵ by limiting child support orders to a reasonable share of the father's disposable income and ensuring that sanctions are levied only after consideration of the father's ability to pay. To more fully embrace the goal of strengthening fathers' ability to pay, OCSE could allow funds to be used to support job training and other services to help fathers secure and maintain employment. Engagement from multiple sectors, and not just the child support system, will be required to truly transform the employment and earnings prospects of low-income fathers. Yet investing child

support dollars in this way could ease fathers' distrust of the current system and improve their view of child support as a family resource program.

Building a father's capacity to pay while embracing the broader goals of strengthening father-child bonds and forging more positive coparenting relationships is likely to produce more, not fewer, economic resources for the roughly 5 million low-income children now aided by child support system and the many more whose mothers currently choose not to participate. Our strategy reflects an understanding that children are a key source of meaning and identity not just for mothers, but fathers too.¹⁶ Embracing these goals could spur mobility from poverty through improved economic security and enhanced social and emotional well-being for both parents and children. Box 1 summarizes the expected impact of investing in completing the transformation of the child support system into a family-building institution.

Impact on Three Dimensions of Mobility

The Partnership's definition of mobility has three core principles: economic success, power and autonomy, and being valued in community.

Investment: We propose completing the transformation of the child support system into a family-building institution that engages both parents with dignity as it encourages them to support their children's economic well-being and emotional development, ends the cost-recovery aspect of the child support system, and establishes reasonable child support orders while providing job training and other support to enhance fathers' abilities to pay. Although only 5 percent of collections are now retained, forgoing cost recovery would entail significant cost to the federal government and states, in part because of loss of federal matching funds. Still, most of the over \$100 billion in noncustodial parents' state-owed arrears will never be collected. In fiscal year 2015, only \$1.6 billion of state-owed support, both current and past due, was collected. Unpaid debt, and the sanctions applied by the current system, poses barriers to fathers' employment; it also may strain coparenting relationships and weaken father-child bonds. The direct costs of the proposed coparenting programs run about \$1,000 per client per year.

Impact:

- **Economic Success:** We expect to see increased employment and earnings for noncustodial parents; greater compliance with child support orders; and improved social, emotional, and cognitive outcomes for children that may eventually boost their educational attainment, employment, and income in adulthood.
- **Power and Autonomy:** We expect lower arrearages, fewer noncustodial parents to lose their driver's and professional licenses or be incarcerated for failure to pay, and stress and better mental health for parents and children. Further, we expect parents to experience greater skill and satisfaction in their roles as parents and as coparents.
- **Being Valued in Community:** Noncustodial parents will feel an increased sense of the importance of their role in their children's lives and higher perceived standing in the community and in society.

Background

The child support program, established in 1975 under Title IV-D of the Social Security Act and overseen by the Office of Child Support Enforcement (OCSE) within the US Department of Health and Human Services, was created to ensure that fathers, not the government, assumed financial responsibility for the support of children they did not live with.¹⁷ To this end, it has enjoyed considerable success: in 2015, the child support program collected \$32 billion in child support payments on behalf of nearly 16 million children, including about 5 million children living below the poverty level. The child support program helps locate parents, establish paternity, set and modify support orders, and monitor and enforce these obligations.¹⁸ Any custodial parent—usually a mother with custody of a child whose father lives elsewhere—can use these services for a token fee.¹⁹

However, families who receive cash assistance through the Temporary Assistance for Needy Families (TANF) program are required to cooperate with child support enforcement and assign their rights to child support payments to the state.²⁰ The state retains a portion of the child support obtained on behalf of TANF families to repay the federal government for its share, and most retain the state's share as well. States can also retain any payments on arrearages generated while the family was on TANF and charge interest on those arrearages.

Although the child support program works relatively well for children whose fathers have a steady paycheck and the financial ability to meet court-ordered obligations, it fails to effectively serve many children whose fathers have difficulty securing and maintaining employment and lack the capacity to pay their court-ordered obligations in full, and for whom substantial arrearages often accrue. Such fathers also often lack the legal right to visit or make decisions about their child because most were unmarried when their children were born (custody and visitation are typically adjudicated along with child support only in cases of divorce).

For these fathers, the child support system often operates highly punitively. States routinely assign fathers with low and unstable earnings unrealistically high orders, with little regard for how they will support themselves. Low-income fathers' burden is also disproportionate when compared to those with higher incomes. In 1999, the most recent year of this analysis, nonresident fathers with incomes in the lowest quartile of the income distribution were expected to pay more than a quarter of their income for child support, on average, but nonresident fathers in the other three quartiles of the income distribution typically paid less than one-fifth of their income.²¹ Among fathers with the lowest incomes, those assessed a greater share of their income were less likely to comply than fathers with more reasonable orders.²²

Collection tools such as wage withholding can be useful if fathers have a steady paycheck and enough earnings to meet their obligations. But many lack these resources. This is reflected in the fact that most fathers with child support orders are in arrears. For these men, the program can mandate withholding of up to 65 percent of take-home pay if certain conditions apply. Sanctions applied to those who cannot meet their obligations can be debilitating as well. States must report unpaid child support to credit reporting agencies. Fathers who fail to pay after receiving notification have seen driver's and professional licenses stripped. In some states, fathers who have fallen behind on payments have been jailed for nonpayment. The program can also seize tax returns, bank accounts, and levy property liens.²³ These punitive measures can exacerbate the financial challenges facing low-income fathers, further limiting their capacity to pay.

Research shows that most noncustodial fathers want to be engaged with their children and be a positive force in their children's lives, beyond merely providing financial support.²⁴ Reflecting the perspective of large numbers of low-income noncustodial fathers asked about their relationships with their children, one father said, "Mainly [my children] are the reason why I am here, man. Because sometimes when I feel like giving up, I think about my children and it gives me the strength to carry on."²⁵ Even among unmarried parents of young children, who are especially likely to be disadvantaged, a very large majority of both fathers and mothers say they want the fathers to be involved.²⁶

Unfortunately, our child support system does not sufficiently acknowledge fathers' love for their children or encourage their direct engagement and emotional involvement with them. Instead, it assumes fathers lack an innate desire to care for their children and need external incentives to remain involved. For fathers with manageable child support orders, including many middle-class families, adhering to state child support guidelines can reduce conflict and result in more equitable agreements. However, evidence also suggests that sanctions intended to motivate fathers to keep current on their court-ordered payments may do so at the expense of positive coparenting, and a father's relationship with his children.

Soon after its inception, OCSE began shifting away from focusing on recouping welfare costs and toward engaging a much broader group of fathers, including those whose families never received welfare. More recently, OCSE has begun encouraging states and locales to offer referrals to parenting classes, job counseling or training, and/or debt management programs to improve fathers' capacity to pay.²⁷ Some states also have been developing innovative approaches to improve fathers' relationships with their children. We aim to build on this momentum.

To complete the transformation to a family-building institution, rebranded as a family resource system rather than an enforcement program, we propose that child support fully embrace the goal of building fathers' capacity to pay, but also building coparenting skills and strengthening father-child bonds. Children benefit from having more loving, engaged adults in their lives, and qualitative research has shown that that children are a key source of meaning and identity not just for mothers, but many fathers too, including

fathers living in poverty. Embracing these broader goals is likely to produce more, not fewer, economic resources for children.²⁸ Ensuring that our nation's child support system is a truly family-building institution could play a critical role in spurring mobility from material poverty through improved economic security but also enhanced social and emotional well-being for both parents and children.

Below, we summarize our vision and specific proposals. We then detail how governments and philanthropies can help accomplish these aims.

Our Vision and Proposals for a Family-Building Child Support System

Our vision and proposals capitalize on the strong stated desire among many noncustodial fathers to foster meaningful relationships with their children and to be recognized for their value as parents, not just paychecks.²⁹ We believe strongly that our approach could meaningfully improve the lives of the mothers, fathers, and children who interact with the child support system by helping parents better support their children through financial provision, positive coparenting, and stronger father-child bonds. Although the principles we endorse apply to all parents involved in the child support system, the need for change is acute for children living in poverty, due to the unique circumstances of their mothers and fathers.

Specifically, we envision a child support system that (1) values the cooperation and unique contributions of both parents toward their child's well-being by bolstering quality coparenting and building strong, resilient father-child ties; (2) ensures every dollar collected goes to the child, not the government; and (3) applies reasonable standards to child support orders and builds fathers' capacity to pay. To achieve those outcomes, we propose an ambitious three-pronged approach:

1. **Recognize that both parents have important roles in supporting their child's well-being and development.** To encourage stronger relationships between fathers and their children and improve coparenting, we recommend the following:
 - » Empowering parents to work together to decide how best to support their children. This goal can be achieved by offering coparenting training and mediation, and by creating and enforcing parents' collective child support and parenting-time agreement. To this end, states must ensure that custody and parenting time can be adjudicated along with the child support agreement for unmarried, as well as divorcing, fathers.
 - » Reframing the child support system as a family resource program rather than an enforcement system.
 - » Allowing a father's in-kind (i.e., parenting time), noncash, and direct cash contributions to be credited toward his formal child support obligation if both parents agree.
2. **End the role of child support enforcement as a cost-recovery program for government.** All child support payments would go to the children they are intended to support, not the government.
3. **Apply reasonable standards to child support orders and embrace the goal of enhancing fathers' capacity to pay.** Build on the new OCSE rule issued in 2016 by limiting child support orders to a reasonable share of the father's disposable income and ensuring that sanctions are levied only after consideration of the father's ability to pay.³⁰ To fully embrace the goal of strengthening fathers'

ability to pay, OCSE could allow its funds to support job training and other services to help fathers secure and maintain employment.

Each of these actions alone would be enormously positive; together, they could dramatically enhance families' experiences with the system, especially the experiences of families with the lowest incomes. In the next three sections we detail each aspect of our vision and how governments and philanthropies can help ensure that the nation's child support system is a truly family-building institution.

Whatever I produce, I give up. I try to be the best dad I can, afford the best things that I can, even at the sacrifice of myself. [I] pray and hope things change [but I'm] tired of being at the bottom so long that you can't see the top no more.

—Levi, homeless and unemployed, sells DVDs just to have enough to eat. He owes more than \$8,000 in arrears, and his wages are withheld to the point that he does not see the merits in working.³¹

Empower Both Parents to Decide How to Support Their Children

A central aspect of the transformation strategy is to empower both parents to support their children. To truly be a family-centered institution, child support should take full account of both parents in deciding what is best for the financial and emotional support of the child. The core of the transformation is to invest directly in improving coparenting relationships, and to offer guidance, mediation, and enforcement of parents' own decisions regarding both payment and parenting time. To further empower parents, the narrative about noncustodial parents (e.g., "deadbeat dads") must be changed. To that end, we must reframe and rebrand the program itself, moving away from the language of enforcement, which infers that noncustodial parents must be forced to support their children, toward a language of engagement. Finally, we recommend that if both parents agree, the system should credit noncustodial parents for the many ways in which research shows they seek to support their children but that currently do not count in the eyes of the child support enforcement system, including in-kind (e.g., parenting time), noncash, and direct contributions.

Why Does It Matter?

Behavioral science demonstrates that *how* actions are taken is at least as important as *what* actions are taken and that people respond to how they are treated.³² In the context of child support, this suggests that treating parents with dignity and recognizing their love for their children and their desire to be involved can change their participation completely. It means acknowledging that though not all fathers have the financial resources to ensure that their children will be economically secure, they can meaningfully contribute in other ways that are also consequential to their children's well-being and later-life prospects. It also reflects a recognition that 85 to 98 percent of unmarried parents (who are especially likely to be disadvantaged), *both fathers and mothers*, want the fathers to be involved,³³ and it acknowledges that better outcomes may result when families are allowed to drive their own solutions. To truly be a family-building institution, the child support system should recognize that many men, including men living in poverty, want to be good fathers to their children, and it should take full account of both parents in deciding what is best for the financial and emotional support of the child.

What Changes Do We Propose?

We recommend three strategies for better empowering both parents:

- Explicitly embrace the goal of strengthening coparenting relationships. To that end, offer training to help fathers and mothers improve their coparenting relationships and mediation so they can decide together how children should be supported financially and emotionally; and enshrine parents' decisions into law through an enforceable order, covering both financial support and custody and parenting time, with ongoing guidance and mediation as family situations change. Refer families to additional services and resources as needed.
- Reframe and rebrand the child support system as a family resource program rather than a punitive enforcement program and recognizing that men want to be good fathers.
- Create a registry that accounts for all types of contributions parents can and want to make, whether formal, direct, or in kind.

Offer Comprehensive, Family-Building, and Coparenting Services

The core of this leg of our strategy is for parents to develop comprehensive coparenting plans that address all aspects of their decisionmaking about their children, not merely the child support payment amount. This idea is modeled on coparenting courts such as the Minnesota Co-parent court, a demonstration project initiated by Judge Bruce Peterson between the Hennepin County Family Court, the child support enforcement agency, and community service providers.³⁴ The Co-parent court, which ran from 2010 to 2013, served low-income, unmarried parents in cases where the father had denied he was the father of the child and paternity had to be adjudicated in family court. It cost roughly \$1,000 per participant per year.³⁵

Every aspect of the Co-parent court focused on respecting and empowering both parents. For example, parents were summoned to court not with the intimidating traditional court summons for a paternity hearing, but with a plain language invitation to discuss their family, an enclosed color brochure, and a number to call with any questions. Parents who received the friendly invitation to the Minnesota Co-parent court were twice as likely to come to court as those who received the traditional court summons.³⁶ At an initial hearing, parents were invited to participate in gender-specific workshops that used the Together We Can coparenting curriculum. Most parents invited to participate completed the coparenting classes (69 percent of fathers and 78 percent of mothers).³⁷

At the end of the sessions, parents created a coparenting plan that included both financial support and parenting time. A trained facilitator guided the couple in reaching agreement.³⁸ The facilitator also made

referrals for assistance with housing, jobs, child care, chemical dependency treatment, domestic violence supports, or other services.³⁹ After parents completed their plan, they returned to court for the plan's adoption as a court order. More than half of families were able to agree on a coparenting plan.⁴⁰

An evaluation of the Minnesota Co-parent court found dramatic improvements in parents' perception of the quality of their coparenting relationship, and in the father-child bond, among parents who completed the program. Among mothers who were randomly assigned to participate in the Co-parent court, 63 percent reported a positive change in their coparenting relationship with the child's father, compared with 36 percent of mothers assigned to the traditional court process.⁴¹

Mothers in the coparenting court program reported that fathers had more frequent contact and spent more time with their children than those who did not participate in the program. Fathers randomly assigned to the program did not differ significantly from those assigned to the traditional court process, but fathers who *completed* the program did. Among fathers who completed the program, 69 percent reported improving their perspective on the importance of the father's role in a child's life, compared with 31 percent of fathers who were not offered the program. Fathers who completed the program were also significantly more likely to report they were doing well in other areas of their lives, including employment and "getting along in the world."⁴²

Although the Minnesota Co-parent court represents one of the most comprehensive models of a family-building approach to child support to date and has yielded promising results, other states and counties also offer positive models. For example, through a grant from OCSE, Oregon offered a similar model that provided mediation to help parents develop a parenting plan. The state also developed an online interactive tool⁴³ that lets parents develop a parenting plan that is enforceable when filed in court. A helpline is available for parents who need help using the online tool. Evaluation of Oregon's approach is ongoing.⁴⁴

Change the Narrative by Reframing and Rebranding the Child Support System as a Family Resource Program and Recognizing that Men Want to Be Good Fathers

Names can send powerful messages. Rebranding the program from "child support enforcement" to a "family resource program" provides a crucial reframing that creates the context in which family-building can occur. Behavioral science and other research on fathers' experiences indicate that changing the framing of child support from punitive enforcement to participatory decisionmaking could dramatically improve the quality of coparenting relationships and parents' bonds with their children; the economic, social, and emotional well-being of all fathers, mothers, and children; and fathers' payment of child support.⁴⁵

To augment individual state and county efforts to rebrand their own programs, the program must be rebranded at the federal level to powerfully signal that “business as usual” has changed. This reframing should take place in conjunction with the elimination of the cost-recovery aspect of child support, discussed later in this report. Otherwise, parents may be lured to the program with promises of support, only to be put at risk of incarceration or other harmful consequences.

Create a Registry for All Noncustodial Contributions

To further empower parents in supporting their children with all types of contributions, family resource programs could develop registries of children’s needs and parents’ varied contributions. These registries could work in various ways. They could function like wedding or other gift registries, whereby parents could direct their court-ordered financial contributions toward specific items on their children’s lists of needs, if both parents agree. The lists could include discretionary items, like a new toy, as well as the child’s portion of basic household expenses. Or, registries could track parents’ nonfinancial as well as financial contributions. For example, parenting time, in-kind contributions such as diapers and home repairs, and direct cash payments to the mother could be formally credited. Oregon’s child support program already provides a parenting time credit⁴⁶ to encourage parents to be more involved and to help fathers comply with their support orders.⁴⁷ Should parents agree to use the registry to establish a college fund for the child, and fathers were to contribute, states, the federal government, or private entities could consider providing some level of match. The match could be coupled with an extensive advertising campaign to help fathers feel more involved with their children’s financial support and later-life success. The value of the registries is (1) the autonomy and power they offer to the paying parent without stripping control from the receiving parents and (2) their framing of fathers’ contributions as going directly to the children, rather than the mother, who may use them in ways that do not directly benefit the child. (Low-income noncustodial fathers commonly fear this,⁴⁸ though evidence suggests that child support dollars received are not frivolously deployed.⁴⁹)

What Outcomes Would Result from Empowering Both Parents?

Evidence from child support innovations in Minnesota, Oregon, and San Francisco, as well as from behavioral science and in-depth interviews with noncustodial fathers, indicates that empowering parents through these three changes—offering comprehensive, family-building, and coparenting services; reframing the child support program; and creating a registry for all types of contributions—can yield a wide range of

positive results. While the proposed changes and potential outcomes are particularly salient for low-income families, many families engaged with child support could benefit.

- **Improve parents' feelings of autonomy, power, and social value.** The proposed changes embody the principles of autonomy and power because they equalize parental roles. Both parents are valued and important and have a role in making decisions about their children.⁵⁰ Fathers who completed the Minnesota coparenting program felt more optimistic and more appreciated for their important role in their children's lives than fathers who did not participate in the program. Fathers who completed the program reported a significantly improved sense of getting along in the world, along with improvements in other areas of their lives such as employment.⁵¹
- **Increase compliance with child support orders.** When parents feel valued as equal partners, they are more likely to comply with child support. In the Minnesota coparenting program, fathers who completed the classes and the coparenting agreement paid 21 percent more of their total child support owed than fathers who were offered the program but did not complete it.⁵² The Oregon child support program found that parents readily complied with their own written plans for parenting time, even though they were not included in the formal court order.⁵³ In addition, given the sporadic nature of employment among low-income fathers, research suggests that informal, in-kind, and noncash child support may better suit the life circumstances of low-income fathers and may thus encourage them to contribute more.⁵⁴ Behavioral science also suggests that fathers' compliance with child support orders would improve if they saw that their contributions were going into an account with their child's name on it.
- **Improve relationships between parents and their children.** A narrative that emphasizes men's desires to be good fathers enhances fathers' relationships with their children and the children's mothers by making clear to children that their fathers love them and by making clear to men that they are welcome in their children's lives as a parent, not just as a paycheck. Fathers are more likely to spend time with their children and build strong, positive bonds when they are able to contribute financially through reasonable arrangements and have flexibility and control (though we advocate that the custodial parent must agree) over how they support their children, through in-kind contributions, noncash, and direct payments, and targeting of financial contributions to items on a registry.⁵⁵ Research suggests that in-kind contributions in particular (i.e., new shoes and clothing) are especially meaningful to children and may thus strengthen the father-child bond.⁵⁶ Fathers who completed the Minnesota Co-parent court intervention were significantly more likely than fathers who were not offered the program to report being satisfied with the amount of time they spent with their child and their overall involvement in their child's life. Although the Minnesota example is a first attempt and more experimentation is needed, the results are promising.⁵⁷

- **Increase financial and social resources to children, helping them move out of poverty.** Numerous studies have shown that for children of all ages, having the supportive involvement of their fathers is associated with better educational, economic, behavioral, and emotional outcomes.⁵⁸
- **Increase father involvement and improve coparenting relationships.**
 - » Minnesota mothers reported significant improvements in the coparenting relationship compared with the mothers not offered the Co-parent court program.⁵⁹
 - » In San Francisco, City College and the child support agency came together in 2004 to address mothers dropping out of school for lack of child care. The two organizations worked with 100 mothers taking classes at City College and their children’s fathers who were delinquent in their child support payments. The fathers cared for the children while the mothers were in class and were given credit for access and visitation with their children. All the mothers graduated, a significant number of the fathers went on to graduate from City College themselves, the fathers paid child support more reliably, and many families reunited.⁶⁰ The program thus not only improved relationships between the coparents but promoted parental educational attainment.

The proposed changes would increase the transparency of the child support process and recognize the needs and contributions of both parents, which could improve the parents’ relationship. Fathers sometimes do not understand that mothers are required to initiate child support orders before receiving public assistance. This lack of knowledge can create unnecessary conflict in families and become a major issue when men feel targeted. As Kevin, a father of three with a substance use disorder who is living and working at a rehabilitation center, says of the mother of his youngest child, “She put child support on me two weeks after [my daughter] was born. I was already taking care of her. I’d already bought her clothing, baby crib. I bought her just about everything she needed before she was born, you know, while she was carrying her. But, for some reason she just, I don’t know, if [her mother] just wanted money or what it was. But I was, I was doing everything I thought [was] right.”⁶¹

- **Reduce the disproportionate impact of child support enforcement on fathers of color and their families.** The proposed changes that empower both parents could reduce the disproportionately punitive influence of child support enforcement on families of color. Fathers of color disproportionately face barriers⁶² in interacting with the child support system relative to white fathers, including limited access to jobs with living wages, housing instability, and current and past involvement with both the civil and the criminal justice systems.⁶³ In addition, African American mothers and fathers are more likely than parents of other races to support children outside the

formal child support system,⁶⁴ so recognizing all types of contributions from noncustodial parents could promote African American families' success in the child support system.

Next Steps for Governments and Philanthropy

Federal, state, and local philanthropy and government can help both parents feel empowered to decide how to support their children. The examples from Minnesota, Oregon, and San Francisco illustrate that positive actions are possible without nationwide changes, although they rely on special arrangements, such as Oregon's grant from OCSE. States and localities can rebrand their programs; states can authorize judges to approve coparenting plans, including adjudicating custody and visitation for unmarried parents as well as divorcing couples; and states can move child support programs out of district attorneys' offices.

Fully rebranding and reframing the child support system as a family resource program that allows parents to decide together how to support their children would require action from the federal government. Despite an emerging consensus among people working within the child support system about the value of the proposed ideas, other actors—state legislatures, federal officials, and Congress—must also be convinced. Philanthropy could fund demonstration projects in coordination with willing states and locales to build additional evidence that could help state and federal legislators join the consensus around the need for change.

Completely End the Role of Child Support Enforcement as a Cost-Recovery Program for Government

Before the child support system can credibly rebrand itself as a family-building institution, it needs to stop being a revenue source for government. On practical grounds, we must recognize that using money recovered from noncustodial fathers to fund the program is unsustainable. Reflecting the dramatic decline in the TANF caseload (as of 2017, only about 960,000 adult recipients remained on the rolls, down from about 4.6 million in 1994),⁶⁵ among the 14.5 million families served by the child support system in 2016, only 1.4 million were receiving TANF, though 6.2 million were former TANF families. The remaining 6.9 million families—nearly half the total—have never received cash assistance.⁶⁶ As a result of these trends, in fiscal year 2015 only 5 percent of the \$32.4 billion collected by state and tribal child support programs went to reimburse governments for welfare costs.⁶⁷

But there is another reason to end the practice: the crisis of legitimacy for the program it creates among fathers and mothers.⁶⁸ In 2016, families on TANF in 28 states received none of the child support paid on behalf of their children; in 20 states and Washington, DC, families received a portion of the child support paid on their behalf. Families in only two states received all the support collected on their behalf.⁶⁹

Cost recoupment plays an outsized role in the lives of some fathers—particularly low-income fathers, who are most likely to owe arrears to the state. Roughly one-quarter of the more than \$100 billion in past-due child support payments and interest on the child support debt is owed to the government, not to families.⁷⁰ Most of that past-due support is owed by a relatively small number of fathers who have disproportionately low incomes. A study of nine states found that 11 percent of noncustodial parents owed 54 percent of the total past-due amount; each of these fathers owed over \$30,000. Three-quarters of these fathers had no reported income or annual incomes below \$10,000, but only one in five noncustodial fathers with no child support debt had incomes this low.⁷¹ Within just three zip codes in Baltimore, 4,000 noncustodial parents (mostly fathers) collectively owe \$26 million to the state in child support arrears and interest.⁷² Qualitative research has shown that cost recoupment delegitimizes the formal child support system in the eyes of fathers, who resent that the state continues to “take its cut” even when the mothers of their children are no longer receiving welfare.⁷³

For these reasons, states should not only completely end cost recovery for current and future child support, but also write off existing state and federal-owed arrears. Cost recovery should be completely eliminated while funding levels for the program are maintained.

Why Does It Matter?

The current cost-recovery aspect of child support is problematic because it can reduce compliance with child support orders and undermine family building. When states retain payments, fathers are less likely to pay support, perhaps because the father's intrinsic motivation to support his children is disrupted when he sees that his support is going to the government rather than to his children.⁷⁴ The government's obvious financial stake in child support collections can undermine the credibility of its stated goal of supporting children and families. States recognize that most of the millions of dollars owed to them from low-income fathers with substantial arrears is largely uncollectable; nonetheless, the fact that the father owes that money represents a huge barrier to successful employment, family building, and self-sufficiency for the fathers involved.⁷⁵ Child support debt appears on fathers' credit reports and directly withholding take-home pay reveals his situation to his employer, which could feel stigmatizing.⁷⁶

The cost-recovery aspect of child support can also demotivate a mother to apply for public assistance, even if she and her child desperately need it. Since the mid-1990s the TANF caseload has dropped dramatically, partly because stricter eligibility rules and application procedures allow fewer families to access assistance, and partly because fewer eligible families even apply for aid.⁷⁷ One reason low-income mothers often voice for not seeking the cash assistance for which they are eligible is their deep reservations about cooperating with the child support system.⁷⁸

What Change Do We Propose?

We propose that state child support agencies voluntarily end the practice of retaining any child support payments. All child support payments would go to the children they are meant to support. States choosing to end cost recovery should carefully evaluate the costs and benefits of the change for both the state and the families involved.

What Outcomes Would Result from Ending Cost Recovery?

Ending cost recovery would support family building—and could be expected to increase payment of child support—by tapping into and honoring fathers' intrinsic motivation to support their children, removing artificial barriers to their employment, and positioning state agencies to credibly engage coparents in constructive approaches to support their families. Experimental research in Wisconsin found that when the full amount of child support paid went to the mother, paternity was established more quickly, noncustodial fathers were more likely to pay support, and custodial families received more support, all without significant

cost to the government.⁷⁹ Similarly, when the District of Columbia gave families receiving TANF more of the child support paid on their behalf and kept less for the government, fathers responded by paying more child support.⁸⁰

Colorado estimates that its decision to give all child support collected to the families will give these families about \$6 million annually in child support. In the first nine months after the pass-through was implemented (April to December 2017), total collections were 29 percent higher than the same nine months of 2016. Comparing December 2016 to December 2017, the number of cases that received a payment increased 17 percent, from 2,635 to 3,090. These families received an average of \$162 in child support in December 2017, an increase of nearly 26 percent over the same month in the previous year.

By increasing payment of child support, ending the cost-recovery aspect of the program could also increase fathers' involvement with their children. Additionally, ending cost recovery would substantially reduce child support administrative costs.⁸¹

Next Steps for Governments and Philanthropy

Ending the federal cost-recovery aspect of child support would require a change in federal law. However, states may voluntarily give up child support as a revenue source and use state funds to meet their federal obligations. TANF recipients are required to assign their child support income to the state, and states are required to pay a share of all child support collected on behalf of TANF recipients to the federal government. States have the option of providing some or all child support collected to the recipient family and using other funds to pay the federal share. In 2016 only Minnesota and Vermont chose to provide all the child support collected to the family.⁸² Colorado began doing so in January 2017.⁸³

To end cost recovery, states or the federal government would need to address the inherent loss of state revenue, a potentially heavy political lift, or develop a new mechanism to fund the program. The revenue that cost recovery generates is expected to continue declining as unrelated state and federal TANF policies and practices decrease the number of families receiving cash assistance. The loss to state revenue, however, includes matching funds from the federal government: for every dollar that comes from state general funds, child support collections, or user fees, the federal government provides roughly two dollars for the state child support budget.⁸⁴ In Virginia, for example, the state retains only 5 percent of child support collections, but the retained collections coupled with federal matching funds make up 52 percent of the state child support program budget.⁸⁵

The Colorado state legislature agreed to budget for the policy change after advocacy groups, executive leadership, and the governor's office convinced them that the change would allow the state to better

support families economically through reduced child poverty, stronger parent-child relationships, increased amount and frequency of child support payments, and increased paternity establishment and parental cooperation with the program.⁸⁶

Apply Reasonable Standards to Child Support Orders and Enhance Fathers' Capacity to Pay

For fathers to comply with child support orders, they must be able to pay what is required of them. In an ideal world, all men would be willing and able to fulfill reasonable child support orders, but in reality some fathers have limited means and will have trouble fulfilling even a modest order. When orders exceed a father's ability to pay, he is less likely to comply with child support orders, setting up a domino effect of negative actions and consequences.⁸⁷ We acknowledge the need for a system that ensures the transfer of regular economic support and compliance with child support orders. Nevertheless, rather than treating noncustodial fathers punitively, it is more effective and constructive—for the well-being of these men and their children—to apply reasonable standards when the initial order is established, modify orders when necessary, ensure that incarceration is not used to create another barrier between fathers and their families, and strengthen fathers' ability to pay.

If I'm not making anything and child support is taking everything, how can I pay for rent? How can I take care of my personal needs? How can I live? That's what makes it hard... I'm not saying that I don't want to pay child support, but I don't think it should be this high an amount.

—Nick, a 26-year-old father of one who works a temporary job unloading trucks for a linen company; the court ordered him to pay \$739 per month in child support and arrears of more than \$17,000⁸⁸

Why Does It Matter?

Low-income fathers who do not live with their children are eager to contribute to their children's material needs, but they struggle to do so for several reasons. Some face barriers to employment, including criminal records, insufficient education, drug and alcohol addiction, and mental health challenges.⁸⁹ Some have children with multiple partners, which translates to multiple child support obligations that—taken together—tax fathers' wages to a significantly higher degree.⁹⁰

Although child support enforcement efforts have increased dramatically in the past two decades, there is evidence that many low-income fathers cannot afford to consistently meet their child support orders. States are permitted to garnish up to 65 percent of fathers' wages, under certain conditions, when they are in arrears. Interest rates on child support debt vary, but were as high as 12 percent in 2013.⁹¹ Participation in the child support system often leaves fathers without sufficient resources for self-support or financial participation in the households in which they currently live, which may include a custodial child.

In some states, judges set orders based on assumptions about what the father can pay and assume that he has full-time, full-year employment.⁹² However, orders are rarely adjusted, even after large changes in fathers' financial situations.⁹³ Recognizing the potential burden, mothers may collude with fathers to evade or avoid child support or deploy it as a punishment or threat, corroding the coparenting relationship.⁹⁴ As a result, fathers may see their children less often.⁹⁵ The punitive nature of the system may lead men to spurn formal-sector employment to avoid garnishment. Noncustodial fathers with high child support debt are more likely to have fewer weeks of formal employment.⁹⁶

When fathers do not fully comply with child support orders, OCSE can deploy various collection methods and sanctions. In addition to garnishing wages—which is automatic in all cases—they can intercept parents' tax refunds, seize bank accounts, and place liens on property. States are required to report arrears to credit reporting agencies, which may affect credit scores and job prospects.⁹⁷ States can also withhold or revoke parents' driver's licenses and vehicle registration, and strip fathers of their professional licenses. Some states put nonpaying fathers in jail.

So, I just spent the last of my money buying my son stuff ... and [the child support system] still going to come after me and take my license? Now I got to drive with no license? So, I'm driving anyways. I got to drive. I've got to ... go find a [job] interview. If I get pulled over, that's a \$280 fine, another tack on my driving record. It's just crazy.

—Darvin, a 29-year-old father with two children, owes \$489 a month in child support; he decided to purchase items for his two sons rather than pay through the formal system, but he paid a steep price for this choice—the loss of his driver's license⁹⁸

Until recently, federal policy allowed states to consider incarceration as a form of voluntary unemployment, so arrears accrued while a parent was in prison or jail. These policies harm noncustodial fathers and may threaten their employment prospects.⁹⁹ There is no constructive reason to allow child

support arrearages and interest to accrue during incarceration. Incarcerating noncustodial fathers for failure to pay child support also can have devastating effects on fathers' economic success, dignity, autonomy, and community engagement.

Limited research suggests that incarceration for failure to pay child support is a substantial problem. Analysis of the Fragile Families and Child Wellbeing Study, a birth cohort study that is nationally representative of births occurring in large cities, finds that for children whose father had a child support order, roughly one in eight had seen their father incarcerated for child support, by mother's report.¹⁰⁰ Unpublished surveys of South Carolina county jails in 2005 and 2009 also estimated that one in eight people in jail had been incarcerated for failure to pay child support.¹⁰¹ Incarceration for failure to pay child support has long been seen by many as counterproductive to the father's ability to pay, as well as to the financial and emotional connection between father and child.¹⁰² It also places a strain on the nation's jails.

Removing incarceration as a form of child support enforcement would serve all parties. The effectiveness of this idea would be amplified by instituting a participatory justice approach in communities with high levels of child support enforcement. A participatory justice approach supports areas with high levels of poverty, crime, and criminal justice presence to build voice and agency regarding how safety is delivered in their communities.¹⁰³

Lloyd, a 42-year-old father of three, relates the following story about how incarceration for nonpayment of child support led to greater child support debt:

As a matter of fact, I was in jail two years ago for child support, because I was out of work and I had a relapse of the pancreatitis. So, I didn't go back to work. And I didn't file for medical leave, so they came and locked me up for child support. It was \$4,000. Forty-four hundred or six months in jail, so I had to do six months in jail. And then when I got out of jail, I owed \$13,000. Because you've got to pay while you're in there.¹⁰⁴

The OCSE rule released in December 2016 begins to address these problems. Before a state child support agency files a civil contempt action that could result in the noncustodial parent being sent to jail, the agency must determine whether the father is able to comply with the child support order.¹⁰⁵ The new rule also requires state child support agencies to increase their case investigative efforts to ensure that child support orders align with fathers' ability to pay.¹⁰⁶ Recognizing that unreasonably high orders result in lower rates of payment, the new rule is intended to increase regular payments. Included in this new policy are rules that forbid states from considering incarceration "voluntary unemployment" and require states to inform parents of their rights to an order adjustment while incarcerated.¹⁰⁷ However, fathers must request this adjustment; it is not granted automatically.

What Changes Do We Propose?

- Limit child support orders to a reasonable percentage of disposable income, especially for low-income fathers. Although it's not clear what the right percentage is, we propose evaluating a 20 percent standard for low-income fathers, based on research that fathers who owe more than 35 percent of their earnings have substantially lower compliance rates than do those who owe less than 15 percent of their earnings.¹⁰⁸ Research also shows that middle-income and affluent fathers typically are expected to pay no more than 20 percent of their income toward child support.¹⁰⁹
- Build on the new OCSE rule to ensure that sanctions are not levied without consideration of the father's ability to pay. For example, although the new rule requires states to notify incarcerated fathers of their right to request a review of their child support order, we propose going further by automatically suspending child support collections during incarceration.

A number of ancillary changes would enhance this proposal.

- Recognizing the positive employment effects associated with reasonable child support orders,¹¹⁰ this policy change could be coupled with tax incentives. For example, state earned income tax credit programs could be expanded to include noncustodial parents. New York and the District of Columbia already do this.¹¹¹ A recent evaluation of the New York noncustodial parent earned income tax credit found that the credit modestly increased the proportion of noncustodial parents paying their child support in full, with stronger effects observed in parents with low child support orders.¹¹²
- Ideally, limits on the amount of child support orders would be coupled with provisions that provide a floor of support for children, as child support is such a critical source of income for families who receive it, particularly families in poverty. For example, a policy of child support assurance could provide children with a small but stable amount of support, with state or philanthropic funding filling the gap between what is paid in child support and the assurance amount. Expanded child tax credits or a universal child allowance are other options for balancing the needs of fathers for reasonable child support orders with the needs of the children for consistent support.¹¹³ Development of these policies, too, would need to carefully consider issues of equity and political feasibility.
- Another innovation would be to forgive child support debt owed to the state and federal governments.
- Finally, to fully embrace the goal of strengthening fathers' ability to pay, OSCE could allow its funds to support job training and other services to help fathers secure and maintain employment. A

disproportionate share of children living in poverty have fathers who have difficulty securing and maintaining employment, which contributes to their struggle to pay child support.¹¹⁴ Research shows that referring fathers to needed services, such as job training, mental health services, and substance abuse treatment, can improve child outcomes.¹¹⁵ Ideally, services would include job search assistance, job readiness training, and work supports, such as transportation. This proposal may have a greater impact on mobility if combined with job guarantees and subsidized jobs to achieve an inclusive economy.¹¹⁶

What Outcomes Would Result from Applying Reasonable Standards to Child Support Orders?

Applying reasonable standards to child support orders would benefit not only low-income parents but also middle-income parents, who also often struggle with unaffordable child support orders. The proposed changes would be expected to produce the following benefits:

- **Increased compliance with child support orders.** As discussed above, research shows that parents want to support their children and are more likely to comply with child support orders when they do not exceed about 35 percent of their disposable income.
- **Increased employment.** Making child support orders affordable not only eliminates the incentive for parents to avoid the labor market out of fear of wage garnishment but also increases the incentive for parents to work so they can financially support both their children and themselves. Using OSCE funds for employment services would further promote fathers' employment and capacity to pay child support. Programs that support fathers through employment services; fatherhood or parenting workshops; and case management, including the Texas Non-Custodial Parent Choices¹¹⁷ program and the New York Strengthening Families through Stronger Fathers Initiative,¹¹⁸ have increased fathers' rates of employment and child support payments. There are many benefits of helping fathers to secure employment, such as increasing incomes and psychological benefits linked to working,¹¹⁹ including feelings of effectiveness and social value.

Next Steps for Governments and Philanthropy

States already have the authority to apply reasonable standards to child support, and new federal rules require state child support agencies to take additional steps to ensure that child support orders align with a parent's ability to pay. Any state could begin immediately to limit child support orders or forgive debt owed

to it. Private entities could encourage states to set reasonable child support orders by providing funding, at least initially, for child support assurance payments or employment services and could fund research to evaluate the results of the innovation. OCSE would need to change its rule to allow states to use program funds for services aimed at increasing fathers' capacity to pay child support. In the meantime, private entities could fund demonstration programs to gather more data on the costs and benefits of such services and to help OCSE determine whether and how to change the rule.

Evaluating the Strategy

Each element of the proposed strategy is ripe for evaluation. States with sufficient political will and resources already have the ability and authority to implement innovative approaches that respect the value of both parents and empower them to decide how to support their children; to stop using child support payments as a state revenue source; and to limit child support orders to no more than 20 percent of income and avoid punitive sanctions. The boldness of these ideas, though, likely means that they would need to be implemented initially as demonstration projects.

The current variation in approaches, as well as the future implementation of the proposed changes and innovations, creates ample opportunities for natural experiments in which outcomes are compared across states with different policies or compared before and after a state changes a policy. Deliberate experimental research designs in which people are randomly assigned to participate in a new program or policy change are also a possibility. Evaluations should encompass not only *what* changed in a child support program—the bold changes to policy—but also *how* changes were instituted—the simple tweaks, like changing intimidating court notices into welcoming invitations that treat both parents with respect and dignity.

State or federal agencies may conduct or contract for research themselves, depending on capacity, or universities or private research organizations could lead research in coordination with a state or set of states. Some jurisdictions, such as Oregon and Hennepin County, Minnesota, are already doing so. Philanthropic investments could fund evaluations of policy and practice changes as well as support the implementation of those changes. For example, philanthropic funding may provide for coparenting training and materials or underwrite the costs of forgoing child support revenue to the state or providing employer tax incentives. Some of these philanthropic investments could be structured as pay-for-success transactions. Under this model, private investors initially cover the costs and, if rigorous evaluation shows that the changes are successful, the governments pay the investors back; if they are not, the investors absorb the cost and governments pay nothing.¹²⁰

Evaluations should assess the impact of the innovations on a range of outputs and outcomes, both short and long term, as listed in table 1. In addition to quantifiable measures of outcomes, such as the effects on state costs, compliance with child support orders, parental employment, and consistency of child support payments, evaluations should measure qualitative outcomes such as family experiences of the child support system and feelings of autonomy, power, and social value. Implementation evaluations will help ensure that evaluation results tell us not only whether the initiatives are achieving their goals but also the steps along the way that supported or hindered success. That information will be vital in helping other states determine whether and how to implement their own innovations to transform child support.

TABLE 1

Summary of Strategies and Outcome Measures

Strategy	Outcome Measures
<ul style="list-style-type: none"> ■ Recognize both parents as having important roles in supporting their child’s well-being and development, and empower parents to work together to decide how best to support their children. <ul style="list-style-type: none"> » Offer coparenting trainings, mediation services, and the creation and enforcement of parents’ collective child support and parenting-time agreements. » Reframe the child support system as a family resource program rather than a punitive enforcement program. » Allow a father’s in-kind, noncash, and informal contributions to be credited toward his formal child support obligation if both parents agree to it. ■ End the role of child support enforcement as a cost-recovery program for government. All child support payments would go to the children they are intended to support. ■ Apply reasonable standards to child support orders and enhance fathers’ capacity to pay. Limit child support orders to a share of the father’s disposable income that he is reasonably able to pay. Use OCSE funds to support job training and other services to help fathers secure and maintain employment. 	<ul style="list-style-type: none"> ■ Participation in the formal child support system; establishment of paternity ■ Compliance with child support orders (compliance, frequency, and amount of payment) ■ Fathers’ time or other active involvement with their children ■ Children’s education, economic, behavioral, and emotional outcomes, in the short and long terms ■ Fathers’ and mothers’ feelings about their coparenting relationship ■ Fathers’ and mothers’ education and employment outcomes ■ Fathers’ and mothers’ feelings of autonomy, power, and social value ■ Cost to federal and state child support programs

The child support system, which serves more than one in three US children living in poverty, is uniquely positioned to garner a broad range of parental resources—material, social, and emotional—on behalf of children and to promote mobility from poverty for parents and children alike. Federal and state governments, alone or in partnership with philanthropy, can build on the growing momentum to transform this system and allow fathers to act on their innate desires to engage with and support their children.

Notes

- ¹ This and all subsequent quotes come from Timothy Nelson's unpublished analysis drawing on data from interviews with 429 fathers across the country. Also see Elizabeth Clary, Pamela Holcomb, Robin Dion, and Kathryn Edin, "Providing Financial Support for Children: Views and Experiences of Low-Income Fathers in the PACT Evaluation" (Washington, DC: US Department of Health and Human Services, Administration for Children and Families, Office of Planning, Research and Evaluation; and Mathematica Policy Research, 2017).
- ² Office of Child Support Enforcement (OCSE), *Preliminary Report Fiscal Year 2015* (Washington, DC: US Department of Health and Human Services, OCSE, 2015).
- ³ OCSE analysis of the 2014 Current Population Survey-Child Support Supplement (unpublished).
- ⁴ Laura M. Argys, H. Elizabeth Peters, Jeanne Brooks-Gunn, and Judith R. Smith, "The Impact of Child Support on Cognitive Outcomes of Young Children," *Demography* 35, no. 2 *Men in Families* (1998): 159–73; Paul R. Amato and Joan G. Gilbreth, "Nonresident Fathers and Children's Well-Being: A Meta-Analysis," *Journal of Marriage and Family* 61, no. 3 (1999): 557–73; Virginia W. Knox, "The Effects of Child Support Payments on Developmental Outcomes for Elementary School-Age Children," *Journal of Human Resources* 31, no. 4 (1996): 816–40; J. Graham, A. Beller and P. Hernandez, "The Effects of Child Support on Educational Attainment," in *Child Support and Child Well-Being*, edited by Irwin Garfinkel, Sara McLanahan, and Philip K. Robins, 317–54 (Washington, DC: Urban Institute Press, 1994).
- ⁵ Maria Cancian, Daniel R. Meyer, and Eunhee Han, "Child Support: Responsible Fatherhood and the Quid Pro Quo," *Annals of the American Academy of Political and Social Science* 635, no. 1 (2011): 140–62.
- ⁶ We sometimes refer to fathers and noncustodial parents interchangeably. Although most noncustodial parents are fathers, mothers may also be noncustodial parents who pay child support to custodial fathers. In 2015, 82 percent of custodial parents were women, according to the OCSE annual report. We prefer "mothers" and "fathers" because these terms emphasize their relational roles as parents, rather than their transaction roles as custodians or payers. We avoid "noncustodial" and "custodial" except where it is needed for clarity, and we completely avoid "payee," "payer," "obligee," and "obligor."
- ⁷ Barry Paperno, "How Delinquent Child Support Affects Credit Scores," *creditcards.com*, August 11, 2016, <https://www.creditcards.com/credit-card-news/delinquent-child-support-credit-score.php>.
- ⁸ Barbara Kiviat, "The Art of Deciding with Data: Evidence from How Employers Translate Credit Reports into Hiring Decisions," *Socio-Economic Review* (2017).
- ⁹ Kathryn Edin and Timothy J. Nelson, *Doing the Best I Can: Fatherhood in the Inner City* (Berkeley: University of California Press, 2013); J. McHale, S. Salman, and M. Coovert, "Improvements in Unmarried African American Parents' Rapport, Communication and Problem-Solving following a Prenatal Coparenting Intervention," *Family Process* 54, no. 4 (2015): 619–29; Ebony L. Ruland, Alisha M. Hardman, Emily H. Becher, and Mary S. Marczak, "Co-Parent Court: A Problem-Solving, Community-Based Model for Serving Low-Income Unmarried Co-Parents," *Family Court Review* 54, no. 3 (2016): 336–48.
- ¹⁰ Paula England and Kathryn Edin, *Unmarried Couples with Children* (New York: Russell Sage Foundation, Project MUSE, 2007).
- ¹¹ Sara McLanahan and Christine Percheski, "Family Structure and the Reproduction of Inequalities," *Annual Review of Sociology* 34 (2008): 257–76.
- ¹² OCSE, *Preliminary Report FY 2016* (Washington, DC: US Department of Health and Human Services, OCSE, 2018), tables P-53, P-55, P-56, and P-57.
- ¹³ Kathryn Edin, "Child Support in the Age of Complex Families," *Issues in Science and Technology* (2018): 38–45; Maureen R. Waller, "Reconciling Formal and Informal Systems of Paternal Support," in *My Baby's Father: Unmarried Parents and Paternal Responsibility*, 111–36 (New York: Cornell University Press, 2002).

- 14 Chien-Chung Huang, Ronald B. Mincy, and Irwin Garfinkel, "Child Support Obligations and Low-Income Fathers," *Journal of Marriage and Family* 67 (2005): 1213–25; Daniel R. Meyer, Yoonsook Ha, and Mei-Chen Hu, "Do High Child Support Orders Discourage Child Support Payments?" *Social Service Review* 82, no. 1 (2008): 93–118.
- 15 OCSE, "Final Rule Resources: Flexibility, Efficiency, and Modernization in Child Support Programs Final Rule" (Washington, DC: US Department of Health and Human Services, OCSE, 2017).
- 16 Edin and Nelson, *Doing the Best I Can*; J. McHale, S. Salman, and M. Covert, "Improvements in Unmarried African American Parents' Rapport, Communication and Problem-Solving following a Prenatal Coparenting Intervention," *Family Process* 54, no. 4 (2015): 619–29.
- 17 Social Services Amendments of 1974, Pub. L. No. 93-647, § 101, 88 Stat. 2337, 2351-61.
- 18 OCSE, *Preliminary Report Fiscal Year 2015*.
- 19 Although any child living apart from a parent is eligible for the child support program, researchers estimate that the child support program serves between 50 and 60 percent of all children eligible for child support. See Timothy Grall, *Custodial Mothers and Fathers and Their Child Support: 2011* (Suitland, MD: US Census Bureau, 2013).
- 20 42 USC §§ 654(5) and 608(a)(3). Families who must assign their child support rights to the state include those receiving TANF benefits, those whose children have been placed in a foster care home, and some families receiving Medicaid.
- 21 M. A. Pirog, B. Elliot, and T. Grieshop, "Presumptive state child support guide lines: A decade of experience," Poster presentation at the Association of Public Policy and Management Annual Research Conference, Washington, DC, November 2001.
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