

Child Support Report

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COMMISSIONER'S VOICE — EXPECTATIONS FOR 2018

A History Lesson on Perseverance and Common Goals



As we start the New Year, we face some challenges that are unique to this moment in history, as well as some that are perennial. In thinking about the future of child support over the next 12 months, I'm excited about the possibilities. Building on the hard work we've already done, we can take measurable steps to improve the program, maximizing our potential along the way. At the federal level, the first step in this process began with the internal strategic planning that's underway. We're reassessing our approach to four core principles: communication, collaboration, efficiency, and fiscal responsibility. You might be wondering where this will lead us. As I see it, we're beginning a journey of change, focusing on what we do best as a program while forging and building relationships with our partners in the human services professions.

Last month, I hosted an "Ask the Commissioner" event, where I welcomed Ask Me Anything-style questions from my staff. Sprinkled in to the question lineup were some lighter ones, like, "What's your favorite type of movie?" I had a ready answer. I'm a fan of historical and military films. A story about how someone dealt with adversity, uncertainty, or tough decisions can offer much more than encouragement. It can also help us refocus on the values that bind us in a common cause.

A benefit to living in the Washington, DC, area is that I'm surrounded by history. With that comes a flow of visitors to my house and opportunities for an impromptu visit to historic sites. One such place, Mount Vernon (which I seem to visit often), continuously inspires me to reflect on what has defined our country throughout its history.

One of my favorite stories from the early days of our country demonstrates the fundamental strength of shared values and perseverance to obtain a goal. In early 1783, George Washington and his revolutionary counterparts were finally looking at the war's end and a peace settlement with Great Britain. But trouble was brewing. There were power struggles within the Continental Army and many soldiers had not been paid for their years of service. This tension, combined with the uneasy transition from the old regime to a new order, would threaten the delicate peace they might now enjoy. Washington, while sympathetic to his men, was determined to keep together this new nation they had fought for.

continued

Mount Vernon — Photo courtesy of Wikimedia Commons and Martin Falbisoner

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In 2017, Lekan visited many state child support offices. Tangler Gray, director of the Georgia Department of Human Services, Division of Child Support Services, presented an appreciation plaque to him at her state's child support manager's summit in November.

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When Washington found out about a plot to secure the army's overdue service pay, he reacted carefully. The mutinous schemers wanted to schedule a gathering without him on March 11 to discuss using force to get what they wanted. Washington was determined to see peace preserved. He needed to convince the men to have patience with the slower work of government building, but he knew it would be difficult. Washington allowed them to have their meeting on March 15 instead, giving him time to consider the situation carefully and determine a course of action.

On March 15, 1783, the 51-year-old honored general and future president surprised the conspirators by showing up for the meeting. Washington's speech cut to the point. They had fought so hard for freedom; how could they plunge the country back into war now and against itself? He then put on a pair of eyeglasses, shocking everyone. Washington had been cautious to hide the fact that he even needed glasses; no one had seen him wear them before. Here was their leader who had survived countless dangers to help transform a group of diverse colonies into a young nation. Just like them, he had sacrificed and grown older in the fight to gain independence. Seeing him in this new light, the men realized that it was far better to wait for the work of democracy than to continue fighting. Washington had managed to keep the newly formed Union together with the renewed support of his people.

I love this story because it touches on several important ideas, especially that of working together through times of fundamental change. Obviously, we don't have the challenges that Washington did, building a brand new country after a bitter war. But we're looking at refocusing our activities. We face challenges that affect parents, states, and the larger child support community, but OCSE is still committed to serving our core mission. In times where we have to do more with less, we can remember Washington's wisdom to consider the bigger picture. Our values will drive our performance as we continue to ensure that parents get the financial and medical support they need for their children, and as we work to that end with federal, state, local, tribal, nonprofit, and private sector partners. In my short time here, I've learned that progress at the federal government is slow at times, but I'm looking forward to what the future looks like. I know we will make an impact on the families we serve, if we collectively work together.

Scott Lekan

2017 State Legislative Update

Since the [Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs](#) final rule was published in December 2016, many states and territories have been updating child support laws and regulations. Of the nearly 900 bills up for consideration in all 50 states, the District of Columbia, and Puerto Rico in 2017, legislatures acted on nearly 160 of them.

Through a partnership with OCSE, the National Conference of State Legislatures (NCSL) tracks legislation in its [Child Support and Family Law Legislation Database](#). In the article on page 5, NCSL Senior Policy Specialist Meghan McCann offers a high-level look at some of the key laws considered and enacted during the 2017 session.

New Census Data: Custodial Parents and Children

Nearly 70% of the parents who were due child support received some payments in 2015, although less than half received the full payments according to the U.S. Census Bureau's report, [Custodial Mothers and Fathers and Their Child Support: 2015](#). The 17-page report, published Jan. 30, includes demographic and income data about custodial parents and details about child support income for custodial parents living below poverty levels. The Census Bureau developed the report using data from the Child Support Supplement to the April 2016 [Current Population Survey](#). The survey provides demographic information about custodial parents, as well as child support and other income or program data for the 2015 calendar year.

More Children are Living with Their Fathers

The U.S. Census Bureau reports that the percentage of children living with just their fathers increased from 12.5% in 2007 to just over 16% in 2017, as announced in [this Census press release](#).



TRIBAL MATTERS

California Tribes Offer Paternity Establishment in New Locations

Janelle Mora, Student Assistant, Office of Communication and Public Affairs, California Division of Child Support Services

In California, families in 25 tribes can now establish paternity in the same place they apply for Temporary Assistance for Needy Families (TANF). In November 2017, the Department of Child Support Services' Paternity Opportunity Program gave the California Tribal TANF Partnership (CTTP) approval to officially assist parents who need to legally establish paternity.

California created the CTTP in 2003 to help Native American families become more self-sufficient. The partnership provides educational training, employment opportunities, and temporary financial assistance. By adding voluntary paternity establishment to the full list of available supportive services, tribal members throughout California can save time and money by making a single trip to one of the 10 currently approved CTTP locations.

The Paternity Opportunity Program has helped over 3.1 million parents since 1995.

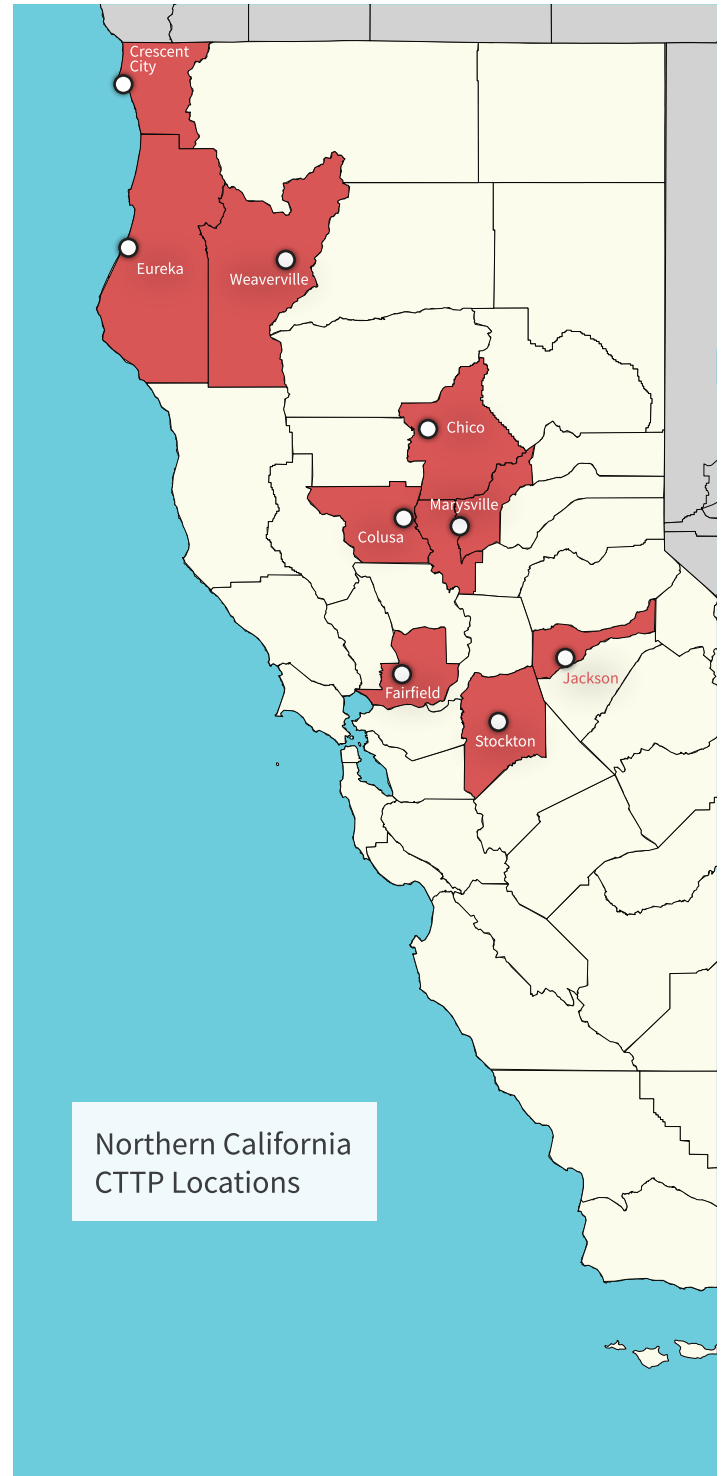
In 2014, Paternity Opportunity Program officials ramped up outreach and training efforts to increase awareness of the program and to train new agencies on the rights and responsibilities associated with paternity establishment. They provided training and resources to authorized witnessing agencies that help families complete [Declaration of Paternity](#) forms. In July and October 2017, program manager Kyla Kuryllo conducted training sessions for CTTP representatives.

Program officials are excited about approving their first CTTP locations and are eager to build more collaborative partnerships. In addition to Tribal TANF, the program works with other authorized witnessing agencies and individuals statewide, such as hospitals, county registrar offices, courts, people with notary public certifications, and local social services and child support agencies.

The Paternity Opportunity Program has helped over 3.1 million parents since 1995. Legally established paternity allows children access to benefits such as health insurance, Social Security, and inheritance rights. It can also give them more complete knowledge of their family medical history.

"I'm thrilled with the progress and positive impact [the program] continues to make in the lives of families throughout California," says Kuryllo. "The recent addition of the CTTP locations as authorized witnessing agencies is the beginning of a wonderful partnership between DCSS and the CTTP."

For more information on how this works or how it integrates with the Tribal TANF program, visit the [Paternity Opportunity Program webpage](#) or contact Kyla Kuryllo at kyla.kuryllo@dcss.ca.gov.



Preventing Teen Dating Violence

Christina Principe, Program Specialist, *Family Violence Prevention and Services Program, Administration for Children and Families*

Teen dating violence is a type of intimate partner violence that occurs between two people in a close relationship. [Antoinette Davis reported](#) in 2008 that it affected nearly one in three girls in the United States. Data from the [2003 Youth Risk Behavior Surveillance](#) found 1 in 10 high school students reported being purposely hit, slapped, or physically hurt by a boyfriend or girlfriend. To draw attention to this epidemic of violence, the U.S. designated February as Teen Dating Violence Awareness Month.

Deciding to end an abusive relationship can be very risky for a survivor. Domestic violence involves a pattern of controlling behaviors. When a survivor decides to take back that control, it is a direct threat to an abuser's power. The period after a survivor leaves an abuser is the most dangerous because the violence often escalates, especially if there are children in common. Victims generally need financial resources when they want to leave, but safety is a priority. Enforcing child support orders may pose risks for domestic violence survivors and their children. Contacts with the abuser, such as court dates or visitation exchanges, become opportunities for abuse.

There are resources available to child support caseworkers to help victims of domestic violence access child support safely.

- Learn more on the [Family Violence Prevention and Services](#) webpage.
- For information on the intersection of intimate partner violence and child support enforcement, visit the [Resource Center on Domestic Violence: Child Protection & Custody](#), and download the [newsletter on child protection and custody](#).
- To learn more, visit the Centers for Disease Control [Teen Dating Violence](#) website.
- To connect with domestic violence advocates who can offer in-person, state-specific training and technical assistance, reach out to [your state domestic violence coalition](#).

[LoveIsRespect.Org](#) is a project of the National Domestic Violence Hotline funded through the Family Violence Prevention and Services Act Program. The organization can connect teens with local domestic violence advocates for crisis counseling and referrals. It also offers a live chat option for teens. For information, call 866-331-9474 or text LOVEIS to 22522.

Collaborating Helped “Ruby” Break Out

Christina Principe

As a former domestic violence and sexual assault victim advocate at the local prosecutor's office, I worked with a 15-year-old pregnant teen who I'll call Ruby. Ruby's mother was arrested for physically abusing her and her younger sister. Ruby ran away from home and moved in with her boyfriend and his family. After some time, he started to become very controlling. He limited the time she could spend away from him or anyone in his family. He also tried to sabotage her efforts to finish high school. Ruby wanted out so she could be free from the abuse. She also wanted to be financially able to care for herself and her baby in a safe home environment.

Ruby was involved with child welfare and connected with other appropriate and much needed supports. A pro-bono lawyer from a local Children's Law Center represented the teen in her various cases, including her child support case. Ruby worked on a [safety plan](#) with her domestic violence peer support advocate, secured housing at a group home for pregnant and parenting teens, set up child care for her infant, and re-enrolled in high school. The collaborative efforts of the people providing Ruby's services — the child support enforcement domestic violence specialist, maternity and parenting teens group home representative, domestic violence peer support advocate, and local teen dating violence program worker — led to great outcomes for Ruby and her child.

It is important for our child support, domestic violence, runaway and homeless youth, and adolescent pregnancy prevention programs to work collaboratively to end the many forms of violence that affect youth. With teamwork, we can decrease the challenges that these abused youth face, build on their strengths and resilience, and reduce factors that lead to future violence and decreased health and wellbeing.

The [CDC's National Intimate Partner and Sexual Violence Survey](#) found that approximately 7% of women and 4% of men who ever experienced rape, physical violence, or stalking by an intimate partner had their first experience with partner violence before they were 18 years old. The [Understanding Teen Dating Violence 2016 Fact Sheet](#) states, “Dating violence can take place in person or electronically, such as repeated texting or posting sexual pictures of a partner online.”

2017 State Legislative Update

Meghan McCann, Senior Policy Specialist,
National Conference of State Legislatures



Child support and family law were again important topics for state governments during the 2017 legislative session. Of the nearly 900 bills up for consideration in all 50 states, the District of Columbia, and Puerto Rico, legislatures acted on nearly 160 of them.

These bills addressed a variety of issues, including custody and visitation, economic stability, enforcement of orders, family violence collaboration, guidelines, health care coverage, healthy family relationships, implementation and administration requirements placed on the agency, parentage and other family law issues.

Through a partnership with the federal Office of Child Support Enforcement, the National Conference of State Legislatures (NCSL) tracks introduced and enacted legislation in its [Child Support and Family Law Legislation Database](#). Here is a high-level look at some of the key laws from the 2017 session.

Of the nearly 900 bills up for consideration ... legislatures acted on nearly 160 of them.

Custody and visitation

Legislation in 13 states under this category focused on parenting time and child support, non-discrimination, restrictions on custody, joint custody, and grandparent and military parent custody and visitation. Colorado and Florida addressed child support and parenting time. Colorado required a stipulation of the parties and other requirements to set parenting time along with child support orders. Florida, similar to Texas, established a Title IV-D Standard Parenting Time Order that will be set alongside administrative and judicial child support orders.

Illinois, South Carolina, and Utah legislation addressed discrimination when awarding parenting time by prohibiting a parent's disability or blindness from influencing the terms of parenting time orders. Other states placed custody restrictions on perpetrators of domestic violence, instituted safety precautions for parenting time orders, and established rebuttable presumptions in favor of joint custody.

A handful of states enacted legislation providing for custody and visitation for military parents and an additional three bills in two states covered grandparent custody and visitation.

Economic improvement

Nine states enacted 10 bills to help noncustodial parents improve their financial stability. This legislation addressed fees and adjusted interest rates on past-due child support.

In addition, Maryland enacted a pass-through and disregard of child support payments for parents who receive Temporary Assistance for Needy Families (TANF) benefits. The new legislation allows Maryland to distribute the first \$100 of child support collected for a family with one child receiving TANF benefits directly to the custodial family instead of keeping it as reimbursement. The amount increases to \$200 for a family with two or more children receiving TANF benefits. See NCSL's [Child Support Pass-Through and Disregard Policies for Public Assistance Recipients](#) page for more.

Order enforcement

More than 50 bills were enacted in 27 states. As usual, income and benefit intercepts, asset seizures, and license restrictions were topics of nearly 20 of these enforcement bills. The hot topics of 2017, however, were incarceration and child support, and child support cooperation for public assistance benefits, including child care assistance and food stamps.

Following the new federal rule, 24 states introduced 59 bills on issues including reentry services, suspension and modification of a child support order during periods of incarceration, work release and diversion programs, and child of incarcerated parents sentencing and incarceration alternatives. Connecticut, Louisiana, North Dakota, Oregon, Rhode Island, and Utah passed legislation to suspend or modify child support orders during periods of incarceration, while Delaware, Illinois, Iowa, and New Jersey have pending bills that they will consider further this year.

Approximately 26 states require Supplemental Nutrition Assistance Program (SNAP) and Child Care Assistance applicants to cooperate with child support enforcement as a condition for eligibility. As of 2017, this group includes South Dakota, North Carolina, and Washington. South Dakota enacted legislation requiring SNAP applicants to cooperate while the other two enacted cooperation requirements for Child Care Assistance.

Family violence collaboration

The intersection between domestic violence and child support is a critical juncture. NCSL's [Child Support and Domestic Violence](#) brief details this intersection and the policy options to address it.

In 2017, legislation on family violence collaboration primarily focused on restricting the parental rights of sexual assault perpetrators. Six of the nine bills enacted terminated parental rights, or limited custody and visitation with a child conceived through sexual assault. NCSL's [Parental Rights and Sexual Assault](#) page provides details on the other states that previously enacted similar legislation.

Guidelines

Eight states enacted nine bills addressing child support guidelines. The legislation included the computation of child support obligations and updates to child support schedules, as well as income adjustments and termination of child support. Illinois added provisions related to the computation of basic child support obligations following the 2016 enactment of its Income Shares Model. South Dakota updated its child support schedule and specified rebuttable presumptions about a parent's ability to work.

While the termination of child support orders for children who are beyond the age of majority is a popular topic of state legislation, just one state enacted legislation in 2017. Maine removed age categories from the child support guidelines and allowed child support to continue for a child between the ages of 18 and 19 who is attending secondary school.

Health care coverage

Two states enacted legislation addressing health care coverage in child support. Maryland's definition of health insurance now includes medical, dental, and vision insurance, as well as prescription drug coverage under its guidelines. Oregon eliminated the requirement that health care coverage under the medical support clause in a child support order be private health care coverage and removed the authorization for the state Department of Justice to disburse payments to a collection agency.

Healthy family relationships

Minnesota enacted legislation that appropriates \$150,000 in both fiscal years 2018 and 2019 for a grant to offer co-parenting services to unmarried parents in a federally qualified health center in North Minneapolis. Grant-funded services will provide unmarried parents with parenting plan assistance, information on paternity establishment, and the benefits to the child of having both parents involved in the child's life.

Implementation and administration

Fourteen states enacted 21 bills to address implementation and administration of the child support program. In addition to appropriations and establishing committees and commissions, three states addressed criminal background checks of child support program employees. California and Louisiana required criminal background checks while Hawaii allowed for background checks on child support employees and contractors.

The [National Conference of State Legislatures](#) is a bipartisan legislative research organization that serves legislators and legislative staff in all 50 states and the territories. For more information about the child support project, visit the [child support and family law database](#) or contact Meghan McCann at meghan.mccann@ncsl.org.

An American Child Abroad

Wally McClure, Director, *Washington State Division of Child Support*, and Terry and Cecelia McClure, *Citizens on a Mission*

Since implementation of the [Hague Child Support Convention](#), the United States now has reciprocity with over 50 countries and Canadian provinces under the Convention and individual bilateral arrangements. Unfortunately, some parents who live overseas still have trouble getting child support for their children who are U.S. citizens. I'm sharing the story below because I would like to help find an effective way to address the child support needs of U.S. citizens who happen to be children who live in a non-reciprocating foreign country.

Last year I got an email from my brother and sister-in-law, Terry and Cecelia, who were on a church mission to the Philippines. In the town of Castillejos, they met a woman who we'll call Jasmine and her daughter, Emily. Jasmine asked Terry and Cecelia if they could help her obtain schooling for her daughter.

Cecelia said that Emily seemed nice but was very shy. Her classmates teased her because of the fair skin and red hair Emily inherited from her dad, an American we'll call Joe. Jasmine met Joe in 2004 while they were both working in Korea. They got married at the U.S. embassy and had Emily in 2005.

When Joe had to return to the U.S. several years later, Emily and Jasmine were not allowed to make the move with him. Initially Jasmine stayed in contact with Joe, but he eventually changed his phone number and address. Since the Philippines is 80% Catholic and has no divorce laws, Jasmine believed they were still married.

Seeking help

After Joe abandoned them, Jasmine took Emily back to the Philippines and moved in with her family. She said she tried to find Joe through the American embassy, but was not successful. Jasmine had photocopies of their marriage certificate, a copy of Joe's military ID, and a data sheet with his Social Security number on it. She even had a power of attorney and a letter Joe gave to the military claiming that Emily was his daughter so Jasmine could apply for Emily's U.S. passport. That made this a special case because Emily had her U.S. passport, her parents were married, and Jasmine had kept the documentation. Unfortunately, it wasn't enough.

Now almost a decade later, Jasmine explained to my sister-in-law that she wanted to send 12-year-old Emily to a private high school to further her education. But the \$500 cost of tuition and uniforms was more than Jasmine's income, and Joe wasn't sending any money. Cecelia used her phone to take photos of all the documents and told Jasmine she'd talk to a friend in the U.S. who might be able

to help. Cecelia and Terry emailed me, and I put them in touch with Carol in our Special Collections Unit.

Getting the ball rolling

Carol and our Intergovernmental Manager Kimberly looked at this unusual situation. Since no one knew where Joe was, they decided to open a Locate Only case first, but they needed an application for services. Jasmine didn't have email but a local municipal employee was kind enough to accept email on Jasmine's behalf. Carol sent Jasmine the application and an authorization to disclose confidential information via secure email so Carol could work through Terry and Cecelia. They made the five-hour trip back to Castillejos to help Jasmine read and complete the 14 pages of forms and instructions.

Emily and Jasmine's situation did not fit the forms very well so they left many spaces blank. Then they scanned the forms and Jasmine's documents and emailed the packet to the Washington child support office. Terry and Cecelia cautioned her not to count on receiving money.

Three weeks later Carol and Kimberly thought they had located Joe, so they needed Jasmine to complete more forms so they could request assistance from New Jersey where he lived. Carol, who was very helpful and reassuring, said she really needed just some information and real signatures. Terry and Cecelia made the trek back to Castillejos for the new paperwork. Two weeks later when they left the Philippines, they were grateful that their home state of Washington provided the resources to change the life of a child in need of a better chance.

A job well done, but more to do

Once we opened an interstate case with the New Jersey child support office, the staff there was very helpful. There was no support order so they had to go to court to establish one. It took a little time, and there were other details to iron out, like getting our payment card to work in the Philippines, but Joe has a good work history and makes a decent living. New Jersey is collecting support and Emily is attending school regularly. She has almost straight As, is involved in extra-curricular activities, is no longer bullied, and, if she keeps her grades up, may get help for college.

I'm sharing all this for two reasons. First, I want to recognize my brother Terry and sister-in-law Cecelia for going to such extraordinary lengths to help this family by putting everything together and giving me a shout. And I also give virtual medals to Carol, Kimberly, and the New Jersey child support staff and judge who all found ways to say yes instead of defaulting to no.

Second, I want to call attention to a challenge we have with international cases. Emily was lucky twice. First because Jasmine had all those documents and second because she ran into Terry and Cecelia. There are other

foreign-born kids who have a U.S. parent but aren't so lucky. Because Jasmine and Emily live in the Philippines (which does not have reciprocity with the U.S. either through the Hague Convention or a federal bilateral arrangement), it can be especially difficult for foreign parents of U.S. children living overseas to navigate the child support system.

This year I encourage the child support community to start a dialogue about how we can help children like Emily who are U.S. citizens living overseas and in need of child support. With the Hague Convention, we have made great strides in expanding the number of countries that will provide child support enforcement services for American citizens. For those countries not able or willing to join the Convention, we need to explore new ideas that will provide these American children access to our effective and comprehensive child support services. I am excited to see what we can accomplish in 2018.

If you would like to be part of this dialog, email Wally McClure at Wally.McClure@dshs.wa.gov.

SCAM — 'Clear Your Child Support'

OCSE recently learned about individuals attempting to defraud child support payers by guaranteeing that they would get the parent's child support arrears reduced if the parent paid them a portion in cash. These individuals are working under the title Clear Your Child Support and are seeking to buy child support debt.

This practice is a scam. If approached, parents should contact their local law enforcement or child support office.

Child Support Report

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