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Program Awareness & Outreach

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The Parent Support Program: A Problem-Solving Court Approach to Child Support Enforcement

By Aaron Arnold

Courts across the country are becoming increasingly dissatisfied with the normal routine of processing child support cases. Consider a typical scenario: a single mother files a child support petition. The father, without legal counsel and uncertain about appearing in court, skips the court hearing. The court finds the father in default and, lacking any information about the father's income or employment status, orders him to pay the amount requested in the petition. In the meantime, the father, who is unemployed and perhaps without a high school diploma, has trouble making his child support payments. Not realizing that he can request a modification of the support amount, he quickly falls behind, accumulating large arrears that he has little hope of paying. Discouraged, the father sees no incentive to find employment, and he makes few, if any, child support payments.

In this scenario, the court has, strictly speaking, done its job. It has processed the case in a manner consistent with the law. The child support order is in place and the case is off the court's docket, at least temporarily. And yet the child is still not being financially supported by the father, the mother is still raising the child with little paternal involvement, and the father is still unemployed and taking few steps to meet his child support obligations. What's more, the case will likely cycle through

court again and again, as the underlying problems that led to the father's failure to pay child support – chronic unemployment, lack of training or education – have not been addressed.

Facing this and similar situations thousands of times each year, courts are beginning to explore new ways of thinking about child support cases. In New York State, the Onondaga County Family Court and the Center for Court Innovation have teamed up with Syracuse University and the several community-based service providers to pilot a new problem-solving court approach called the Parent Support Program.

The Parent Support Program draws upon the lessons learned in successful problem-solving courts, like drug treatment courts and community courts, over more than fifteen years of experimentation and evaluation. Using an intensely collaborative approach, the Parent Support Program links non-custodial parents (NCPs) with court-ordered services, including employment counseling, case management, parenting education, and legal representation, that are designed to help NCPs find stable employment, develop stronger relationships with their children, and meet their child support obligations. At the same time, the program holds NCPs accountable through ongoing court monitoring. Failure to actively participate in the program and pay child support can be met with a range of graduated sanctions, including more frequent court appearances, community service, probation, or jail.

Early results are encouraging. In its first year of operation, the Parent Support Program received over 400 court referrals, more than double its first-year goal. Sixty-two percent of eligible participants completed program orientation and, of that number, 60 percent completed parenting education. Those participants who completed parenting education began job readiness and placement activities, with at least 40 percent placed in positions of employment. Looking ahead, the Family Court and program partners have enhanced participant monitoring by expanding the use of supervised probation in cases of noncompliance and strengthening communication between probation officers and program staff. These changes are expected to reduce noncompliance and further improve case outcomes.

First Steps: Building Partnerships

The Parent Support Program, like many problem-solving

court initiatives, grew from a common desire to improve the community's response to a pervasive problem, in this case non-payment of child support. As local stakeholders began to explore ways to work together to promote better child support outcomes, they discovered new opportunities for collaboration that, although obvious in retrospect, had not previously been recognized.

The first step toward a new approach came when the Center for Court Innovation learned about an existing program, the Parent Success Initiative (PSI), that since 1999 has been working to assist low-income non-custodial parents in Onondaga County to find and keep stable employment and develop enhanced parenting skills and parent-child relationships. The Parent Success Initiative, which most recently has been funded by a grant from the New York State Office of Temporary & Disability Assistance, is a partnership involving several local government and non-profit agencies. It offers participants a comprehensive service strategy involving:

- **Case Management**. Participants are assigned a primary case manager who is responsible for overall coordination of each case, including referral to appropriate services and the creation of a job development and placement plan.

- **Job Readiness, Placement, and Support Services**. Participants receive job readiness and skills training as necessary and are linked to job openings through direct job development assistance.

- **Parenting Assistance**. Participants are required to complete a 12-hour parenting and life skills education program involving group classroom activities, individual goal-setting and follow-up, and linkages to community supports.

- **Participant Supports**. PSI offers support for demonstrated needs, including legal representation and advice, continuing education and literacy classes, vocational training, job seeking skills, work-related clothing, transportation, and child care.

Participants come to PSI facing significant barriers to employment, as 39 percent enter the program with no high school diploma or GED, and 61 percent have an arrest record. Nonetheless, PSI has demonstrated remarkable success. Since 1999, the program has generated well over $2 million in new child support payments and placed hundreds of participants in positions of employment. In looking for new ways to approach child support cases, it was clear that PSI was a critical partner and an extremely valuable community resource.

Toward a Problem-Solving Court Model

Before the creation of the Parent Support Program, PSI was a purely voluntary program that recruited participants through word-of-mouth, radio and television ads, billboards, and referrals from cooperating agencies. Although PSI was able to produce impressive results with its voluntary clients, it was limited in its ability to reach non-custodial parents who were reluctant to enroll in such a program. PSI's successful clients were those whose internal motivation led them to enroll in the program voluntarily and follow through with the services offered. With over 2,000 new child support orders issued annually, however, it was clear that there were many non-custodial parents who could benefit from PSI's services but who would not seek out the services voluntarily. To address this problem, the Center for Court Innovation proposed using a problem-solving court model that would enable PSI to receive mandated referrals directly from the Onondaga County Family Court.

The problem-solving court model offered a powerful solution to PSI's voluntary recruitment problem. Problem-solving courts across the country use their judicial authority to link individuals to supportive services. They mandate drug and alcohol treatment for addicts, medical services for the mentally ill and domestic violence intervention programs for abuse victims, to name just a few examples. Moreover, research suggests that individuals who are ordered into treatment by a judge are more likely to complete treatment than are persons who enroll in services voluntarily.

Using the problem-solving model, the Onondaga County Family Court had the opportunity to link eligible non-custodial parents to PSI by making participation a term of the child support order. Court-ordered referrals would ensure that eligible non-custodial parents receive the support they need to meet their child support obligations and become more involved in their children's lives. Moreover, children of

non-custodial parents would benefit from increased financial support and stronger, more stable relationships with their non-custodial parent. Custodial parents would benefit by reducing delays in child support collection and the number of violations of child support orders.

The problem-solving court model is well-suited to promoting improved child support compliance. Every non-custodial parent subject to a child support order has passed through the courthouse doors, likely more than once. In addition to the 2,000 new child support orders that the Onondaga County Family Court issues each year, the court also hears 7,000 supplemental petitions and 1,800 violation petitions annually in cases where non-custodial parents fail to meet their child support obligations, putting each of these respondents at risk of incarceration. Given these circumstances, the Family Court and PSI were natural partners. PSI enabled the Family Court to do more than simply process cases in the conventional manner, only to see the same individuals return to court again and again with addressing the underlying issues. At the same time, the Family Court allowed PSI to deliver its services to hundreds of NCPs who would not have otherwise enrolled.

The Parent Support Program

After several months of planning and program design, the Center for Court Innovation and PSI produced a unique problem-solving model that came to be called the Parent Support Program. The program, which is currently funded by a grant from the U.S. Department of Health & Human Services, began operations on May 1, 2008. The major features of the Parent Support Program are:

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1. **Court-ordered participation.** Program staff screens non-custodial parents for eligibility, and the court, in its discretion, orders eligible parents into the program.

2. **Collaboration with community-based services.** Program staff meets with each court-ordered participant, conducts a basic needs assessment, and enrolls the participant in PSI. Depending on the participants needs, program staff also has the option of referring participants, on a voluntary basis, to other supportive services, including addiction treatment, counseling, housing services, and other community-based programs.

3. **Court supervision of services.** The Family Court not only orders eligible parents into the Parent Support Program, but also monitors the services on an ongoing basis. Program staff meet with the support magistrates regularly to review program performance, discuss the provision of services, improve information sharing, and discuss ways to streamline and improve the program. These meetings have proven essential to maintaining this unique collaboration and addressing the needs of each program partner.

4. **Compliance monitoring.** An essential feature of all problem-solving court programs is compliance monitoring. The court orders non-custodial parents to participate in the Parent Support Program with the expectation that they will follow through and take full advantage of the services being offered. In order to provide a strong incentive for full participation and ensure compliance, the court attempts to schedule participants (court congestion permitting) for review hearings, generally at 6 week intervals. At the review hearings, the participant appears before the court and program staff provide the court with a written report detailing the participant's compliance or non-compliance since the last hearing. Willful non-compliance can be met with a range of statutorily-permitted sanctions, including increased frequency of monitoring, additional services, community service, probation, or jail.

Throughout the participant's involvement in the Parent Support Program, program staff supplement the work of PSI by notifying the participant of appropriate job leads and working with the participant to address any other concerns that may arise. To reduce program costs, the Family Court and the Center for Court Innovation developed an innovative partnership with Syracuse University's Family Law & Social Policy Center, which provides law student interns to help with client intake, screening, job seeking, and data collection and analysis. These students receive a small fellowship grant that is applied to their tuition.

Finally, the Parent Support Program also provides walk-in services for individuals who do not qualify for program participation, including

custodial parents, family members, and non-custodial parents who fail to meet one of the eligibility criteria (e.g., county residence or income guidelines). The Family Court posts brochures and posters throughout the courthouse advertising the services of the Parent Support Program and PSI. In addition, judges and support magistrates actively encourage litigants to seek out the services offered by these programs.

Looking Ahead

The Parent Support Program has been in operation for roughly 18 months, and already the program is making a significant difference for parents and children. The program has increased the number of referrals to PSI significantly, enabling PSI to provide its comprehensive array of services to hundreds more NCPs. Moreover, the Parent Support Program has introduced the essential court monitoring component that has been shown to improve compliance and case outcomes in problem-solving courts across the country. In its first year, the Parent Support Program has provided parenting and life skills education to nearly 150 NCPs and placed dozens more in positions of employment. The program partners are continuing to work together in an example of unprecedented local collaboration to review program performance, strengthen services, reduce non-compliance, and further improve outcomes.

Other jurisdictions in New York State and beyond have expressed interest in

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developing similar problem-solving court models to handle child support cases. Not every jurisdiction will have a natural partner like PSI to build upon. Each of these jurisdictions will have to draw on its own local resources and harness local energy. New approaches may require local stakeholders to develop new partnerships and fundamentally rethink the way these issues are handled. Changing a complex system like child support enforcement is rarely simply, but the Parent Support Program and other programs like it have shown that the problem-solving court model offers a promising alternative to the status quo.

Aaron Arnold is director of the Center for Court Innovation's upstate New York office, located in Syracuse. The Center for Court Innovation, which was developed as a public-private partnership with the New York State Unified Court System, is a non-profit think tank that works to promote justice system innovation and reform in New York, nationally, and abroad.