



Topical Area: Family court, Parentage, Custody, Child Support

Photo source: <https://wafatherhoodcouncil.org/fatherhood-photo-bank>

● Family court, parentage, custody, and child support

Current State: Community Voices and Individual Lived Experiences

Community-level Insights from Fathers Matter Cafés

Taken from 10 local *Fathers Matter Community Cafés* attended by 280 fathers, service providers, and dad allies.

What works for fathers:



- Dads voices in the policy process like the Child Support Schedule workgroup
- When there are free legal services in the community for family court
- Court house facilitators can be very helpful
- When kids are born outside of marriage – free and low cost DNA testing
- Alternative solutions helps your find resources
- Child Support abatement when incarnated works well
- When the courts listen to what kids want and need helps

What doesn't work for fathers:



- *"I'm failing because I'm either working so I can pay child support and not seeing my kids, or I spend time with my kids and not working enough to pay child support"*
- Our courts don't start from a place that both parents are a good option there is no 50/50 assumption until proven otherwise.
- Confusion and fear around if I don't pay I don't get to see my kids – the two are not connected
- The court process is hard to navigate and most dads struggle to pay, and jump through multiple hoops.
- Sometimes it is hard to work with DCS staff or thinking that DCS can change orders
- Being overwhelmed by the complex court process and DCS procedures, custody, visitation, modifying orders, income withholding, IRS, license suspension

What needs to change:



- Establishing an equitable starting point , assume 50/50 custody co-parenting
- Increased awareness and support around all DCS and Court processes
- Coordinating between courts, child support and other public benefits to support the whole family while co-parenting across households
- Increased availability and access to free or affordable legal services and court navigation

1. Other general related resources and supports include [Washington Law Help](#), [local Court House Facilitators](#), and lawyers and legal offices that practice *collaborative law* with the goal of achieving a fair settlement.
2. The programs and services listed are not comprehensive or exhaustive of the statewide father-specific or father-inclusive providers; the [WA Fatherhood Council is updating its resource map](#) to include all known providers and organizations

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Current State: Systems Overview

State Agencies & Systems

■ Department of Social & Health Services (DSHS) – Division of Child Support (DCS)



Washington State
Department of Social
& Health Services

DCS provides services to establish parentage and to establish/modify/enforce child support orders to help families become or remain economically secure

■ Washington State and Local Courts



The Courts set and provide orders on parentage, custody, parenting plans, and child support

■ Department of Health (DOH) – Licenses, Permits, Certificates Division – Vital Records



DOH works with families that have children born out-of-wedlock to establish parentage through the Acknowledge of Parentage process.

Agency Collaboration & Partnerships

The Division of Child Support (DCS) works with **DSHS Community Services Division, DCYF Child Welfare, HCA Medicaid**, and many other partners and organizations to align priorities and determine cost effectiveness of the child support program and the system's cost avoidance on utilization of TANF, Medicaid, childcare, and/or Foster Care. DCS also works with **Department of Corrections and its Strength in Families** programs to identify parents that may qualify for child support abatement.

Data Summary (Washington State, 2022 data² unless otherwise noted)

Summary of the data that is known / the system already has available:

96% parentage established

Among the ~26,000 children born out-of-wedlock, **96% had parentage established** or acknowledged, a process that both DCS and DOH assists¹

Child support cases

276,267 average monthly child support cases in 2022, representing 221,804 children¹



State Collections

- **\$670M in child support collections²**
- An indirect benefit of child support services is reducing reliance on public services, **which saved WA \$185M in 2022** (55% of costs saved was for Medicaid, 32% Basic Food, and 13% TANF)¹



Paying vs. Non-paying NCPs

- As of April 2023, there are **220,372 non-custodial parents (NCPs)** with open cases – **84% male** and 16% female NCPs²
- Of the 185,112 male NCPs, 69% pay child support orders, **31% are not paying (57,380 non-paying male NCPs)²**

The importance of modifying child support orders to be reflective of current circumstances

- Over time, DCS has been focusing on modifying (in many cases, lowering) child support orders to be consistent with NCP's income/ability to pay, and proactively engaging NCPs to apply for modifications, thereby **reducing the number of non-paying NCPs**.
- There is an awareness among policymakers and agencies of **the need to engage both parents in a thoughtful and specific way that can best meet their unique needs**.

1. ESA Briefing Book 2022. Multiple cases may be opened for 1 child thus why average child support cases are more than the # of children represented. Cost Avoidance for 2022, Washington State data.
2. DSHS-ESA/EMAPS IV-D Assignment #62 using the ACES Data Warehouse and SEMS Database as of the April 2023. Absolute numbers of percentages are: 84% male NCPs (185,112), 16% female NCPs (35,259). Female paying vs. nonpaying NCP data is currently tracked but was not available to be reported for the Study



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Current State: Statewide Agencies

Levels of Maturity²

- ① Pre-awareness ③ Demonstrated Action
- ② Awareness ④ Integration

State of the State Study: What we learned across six dimensions at the agency-level

Policies ② Aware

Modification and changes in policies and practices to support families; that there is a need for a **shift to ensure the balanced treatment of fathers** in family courts, custody, and child support systems (e.g., establishing more 50/50 custody).

Funding and Resources ② Aware

While funding to supporting families is available, **funding that is father-specific is much lower in proportion**. As a result, programs offering support for fathers navigating child support & family court processes are **limited**.

Systems ③ Action

The family court system, DCS, DOC, CSD, other state agencies, and various community-based organizations **work together in partnership to provide supportive resources** to fathers and families, especially targeted at NCPs to be able to have sustainable employments

Services and Programs ③ Action

There are **local and state level services specific to fathers** in support of meeting their financial and legal obligations including county-based court facilitators and DCS’s Alternative Solutions, re-employment services, and online resources. **Increased access requires awareness generation and funding to scale**.

Data and Monitoring ③ Action

There is **gender specific data** being collected within DCS and family courts that support decision-making. There are some **emerging cross-agency data sharing and analysis** (e.g., Medicaid, Basic Food, TANF, etc.) to identify segments of nonpaying NCPs who may qualify for public benefits. Currently, **courts do not track parenting time¹** (i.e., which prevents giving residential credits).

Equity Considerations ② Awareness

Agencies and partners are aware of the **societal and systemic biases against fathers**. DCS is **taking steps to shift its culture, policies, and practices to become a human-centered agency** that supports families and NCPs in fulfilling their financial obligations. There are **specific actions** being taken to engage communities and populations that have a significant need for modifications or may be struggling to pay their child support orders

Vast majority of non-paying NCPs are not evading, but wanting to pay child support orders


1. According to Custody X Change research, fathers averaged 23.8% of shared custody time in WA in 2018. This was based on one set of visitation guidelines in the state from the Superior Court of WA County of Yakima, but the requirements for tracking shared custody or residential time is no longer in effect. There is not a consistent tracking method for shared parenting time for the state.

2. Pre-awareness—limited data, funding, programs or strategy for father-inclusive or –specific elements. Awareness—understanding of fathers’ unmet needs and emerging efforts; Demonstrated Action—Action consistently promoting fatherhood inclusion; Integration—Systems integrated to promote fatherhood inclusion, sustained action and demonstrated outcomes

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Future State: System-Level Recommendations and Outcome Metrics

System-Level Recommendations

 **Challenge cultural bias against fathers** through awareness generation, increased data collection, reporting, and sharing, capacity-building through father-inclusive trainings and awareness building for state agencies, judicial systems, and policymakers, and incorporation of policies and practices that equitably serve all parents.

 **Increase availability, affordability, and awareness of resources** - court facilitators, legal representation to support fathers and families navigating the family court system and child support processes

Recommended Outcome Metrics to Build/Monitor

 if we can modify orders adequately to support the needs of families, then more NCPs will be able to pay their orders. The average orders \$ amounts may decrease, but overall collections in WA should increase. **NCPs will feel more supported by the system and need to understand that paying child support is not tied to parenting plan compliance.**


Data Metric to Monitor

% of non-paying fathers over time

Impact outcome: Continue to track the percentage of non-paying male NCPs Year-over-Year (Y-O-Y) to determine if strategies to modify child support orders are effective in engaging fathers and supporting their ability to be involved with their families.


Note: this data is tracked and reported, but during the Study we were unable to get historical data

Metrics to build/track system-wide

 **Custody & shared parenting time**


- Work towards increased 50/50 custody arrangements
- Track and make available time split between parents

Outcome: Evidence for residential schedule credit change

 **Connection to resources**

- # of fathers connecting with case managers, Alternative Solutions, re-employment programs, etc.

Outcome: Payers have greater success meeting orders

 **Order modifications**

- Frequency of (and time to fulfill) order modifications requests
- System level reviews leading to automatic order modifications

Outcome: Increase number of modified orders; increase in number of paying NCPs

State Level Snapshot

The Division of Child Support (DCS) is **aware of the importance of** father-inclusive and father-centered programming and services, based on the fact that 84% of noncustodial parents (NCPs) are fathers. DCS is **providing a number of programs and services** to support fathers and improve their family wellbeing, many of these are available statewide.

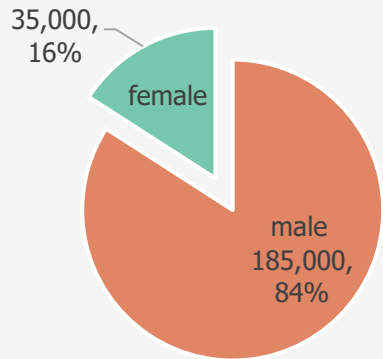
- Transition underway to a more **human-centered design approach** within DCS.
- The recent success in **support payment abatement policy change is a significant bright spot** (e.g., if a parent with an order is sentenced for >6 months, their order is reduced to \$10/month without any action required from the parent).¹
- Other bright spots:
 - **Alternative Solutions** provides one-on-one cooperative case management support for fathers who want to stay engaged but have barriers to support themselves and their children who are not in their home. Use a 'cooperative case management' process which means they work directly with the support enforcement officer on the case, allowing for avoidance of unnecessarily severe/disruptive measures taken such as license suspension.
 - CSD and DCS partnered to address parents receiving ABD/HEN (Aging, Blind, Disabled / Housing and Essential Needs), that have a child support obligation and have reviewed cases for parents that have currently and previously applied for and/or are receiving ABD/HEN and have addressed any possible changes. New referrals for ABD/HEN are provided with a warm hand off to Alternative Solutions for review and next steps.
 - Foster care: DCS is not pursuing parents to pay child support when the child is in foster care.
 - DCS is taking a holistic approach and is working to identify and reduce bias. The system is very impersonal on a very personal subject; but the people who work the system are not; they genuinely want to help. DCS's outreach and engagement program is focused on working to support providers and advocates. They recently conducted a project in which they reviewed thousands of cases of the most vulnerable noncustodial parents and wrote off over \$4 million of untenable debt and closed over 400 child support cases.
 - ***Vast majority of non-paying NCPs are not evading, but wanting to pay child support orders***
- DCS pursues grants to support programming for family support, inclusive of fathers. Current examples include:
 - [Economic Mobility and Responsible Parenting](#) grant (age demographic is 13-25) to teach youth about responsible parenting and child support
 - Behavioral Interventions grant
 - Safe Access for Victim's Economic Security grant (SAVES)

1. Debt compromise policies established by statewide conference boards (WAC 388-14A-6400 through 388-14A-6415)—identified at "robust and innovative" by the Ascend at the Aspen Institute and Good+Foundation; case-by-case considerations where relief decisions are based on hardship, partial payment, or case error; in some cases facilitate agreements to reduce the amount of family-owed child support arrears (RCW 74.20A.220)

Agency Overview

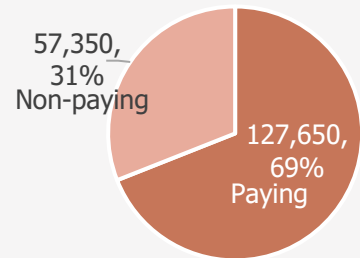
Key Metrics & Data Points

NCPs by gender¹



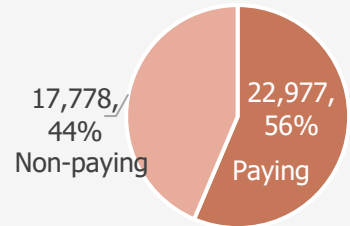
~220,000 Total NCPs,
\$670M child support
collected in 2022

Male NCPs Paying vs. Non-paying¹



185,000 male NCPs

Male NCPs on Basic Food,
Paying vs. Non-paying¹

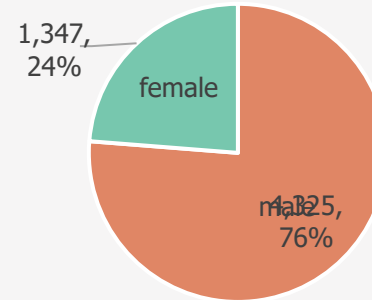


40,700 of male NCPs are on Basic
Food (22% of male NCPs)



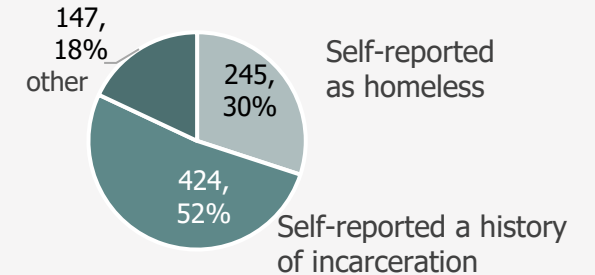
There is high percentage
of non-paying male NCPs
on Basic Food (44%)

Alternative Solutions



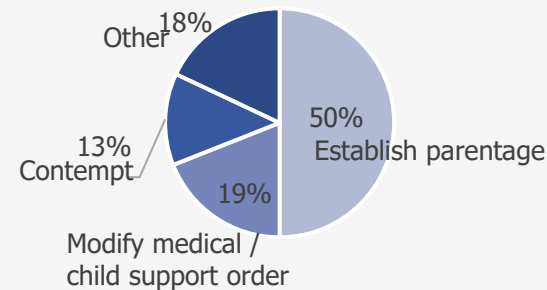
6,800 parents served by
[Alternative Solutions](#)
(2014-2023)

Alternative Solutions
parent profile



816 parents served by Alternative
Solutions (2019)²

DCS referrals to
Prosecuting Attorneys (2022)



Before non-paying NCPs are referred
to Prosecuting Attorneys for contempt,
DCS works closely with parents to
consider modifications and alternative
solutions

1. 2022 E-Maps data; DCS presentation at the May 2023 Fatherhood Summit
2. Of the 816 parents [Alternative Solutions](#) worked closely with in State Fiscal Year 2019; Alternative Solutions is a work-oriented program for non-custodial parents (NCPs) that provides employment support by connecting NCPs with government and community resources to assist in gaining financial stability. Includes assistance with the child support system and the website highlights working with formerly incarcerated people.

Agency Overview

Community Snapshot

- Alternative Solutions Program Specialists assist parents who have been referred for child support order contempt (i.e., not paying) to the prosecutor's offices in Benton and Franklin County to address barriers and may be considered for modifications. This collaboration is expanding into additional counties with services relevant to community needs.
- In Spokane, the Partnership for Re-Employment Program (PREP) works in partnership with the Employment Security Department (ESD) local WorkSource office in Spokane when someone has employment barriers to paying child support

Community Bright Spots

There are community-based programs, county/regional public services, and nonprofit or philanthropy efforts dedicated to navigating legal, relational, and family-related systems¹; some are father-specific, others father-friendly²:

- [Northwest Justice Project \(NJP\)](#) – provides free legal assistance for low-income families; its [RISE](#) program is for currently and formerly incarcerated parents in Washington to reconnect with their families; [CLEAR](#) is free legal hotline for low-income populations
- [Thurston County Volunteer Legal Services](#) – provides affordable legal advice and consultation for low-income families in Thurston, Mason, Grays Harbor, Lewis, and Pacific counties
- [Divine Alternatives for Dads Services \(D.A.D.S\)](#) – provides fathers parenting plans/custody visitation, family reunification, navigating legal & relational barriers, parenting classes, and support groups
- [Family Education Support Services \(FESS\)](#) – provides legal services and support to navigate the family court and child support systems
- [Spokane Fatherhood Initiative](#) – provides family law self-help services to support fathers in navigating legal, family court, and child support systems

Agency Commitments

Growth Opportunities

Policies

- Child support schedule worksheets assume the NCP has the child 35% or less of the time. Due to a lack of supporting data, the 2023 Child Support Schedule Workgroup did not reach consensus on a set formula for residential schedule credits (i.e., reduction in payments for time spent with child). Work toward a residential credit.
- Modernizing the economic table to reflect current economic realities to families (adjusting minimum and maximum threshold)

Funding and Resources

- The ability/knowledge base to enhance connections to resources available for community use
- Continue to review available grants to identify and test approaches to enhance the child support service delivery and intentionally support fathers.
- Identify possible funding avenues to support parents achieve agreed upon residential schedules (i.e., parenting plans)

Cross-Agency Partnerships

- Partnership with DOC to implement phone consults to meet with incarcerated parents.
- As the original DOC SIF (Strength in Families) granted ended, DOC and Alternative Solutions were able to continue offering a similar form of services. This is can be strengthened.
- DCS & CSD (before 2020) had piloted a co-parenting project to establish residential/parenting plans; need to continue to identify opportunities for parents to establish affordable parenting plans.

Service and Programs

- Alternative Solutions meet parents to assist as they come into prosecutor's offices to address contempt in two counties, could expand.
- Efforts to increase father's awareness of resources available to them: Alternative Solutions is accessed through self referral, and parents have to be willing to participate with program staff.
- Increased public awareness of the Alternative Solutions public facing GIS version of the resource database. [DSHS DCS Community Resources \(wa.gov\)](https://www.dshs.wa.gov/DCS/CommunityResources).

Data and Monitoring

- Would like to have more information and data around visitation and parenting plans (currently are not able to share visitation plan averages, best practices, or what other states are doing)

Community-Engagement

- Need for additional provision of and training for local county/community liaisons (court facilitators) to support navigation of child support obligations and filling out forms.

Legend

 Aspirational  Priority

Levels of Maturity

- Pre-Awareness
- Awareness
- Demonstrated Action
- Integration

Department of Social and Health Services – Division of Child Support (DSHS DCS): **Demonstrated Action**

We as a division self-identify as having achieved significant growth in the area of providing services geared to our customers. While a large percentage of our non-custodial parents represent fathers, many that are currently or have previously participated with our programs or used our tools, may not fully be representative on the fatherhood council.

The Washington State Division of Child Support has and continues to transform our service to a family centered approach; to identify the needs, barriers, and challenges our customers may face and identify resources and programs that may be of use.

- The Division has transformed into providing several opportunities for our customers.
 - Created programs to specifically assist customers through processes, identify barriers and resources, and provide tools to assist.
 - Assisting fathers to look for employment opportunities
 - Look for opportunities for modification of child support orders
 - Offer Alternative Solutions to assist fathers with changes in employment, circumstances, and life events
 - Working with justice involved individuals, including fathers, transitioning back into the community