



## **Addressing Visitation Problems in Child Support Offices:**

### **The Tennessee Experience**

**By Jessica Pearson, Ph.D. and Lanae Davis, M.P.A.**

President Obama's 2013 budget proposal requiring child support agencies to establish parenting time in all new child support orders is the most recent development in a nearly 25-year exploration of parenting time issues that the federal Office of Child Support Enforcement (OCSE) has pursued. This has included the OCSE Access and Visitation Demonstration Projects, begun in 1988, which experimented with the delivery and evaluation of programs in seven states to address access issues; the State Child Access and Visitation Grant Programs, begun in 1997, which involve annual awards of \$10 million to states and territories to help support programs that further noncustodial parents' access to and visitation with their children; and Section 1115 demonstration and evaluation grants awarded in 2004 to Colorado, Florida, Georgia, and Texas, and in 2005 to Tennessee, to explore ways of integrating access and visitation services with regular activities of the child support agency. This article describes the results of the Tennessee Parenting Project, the OCSE award to Tennessee (90 FD0108) (Davis, Pearson, Thoennes, 2010).

Conducted in child support offices and juvenile courts in three judicial districts (11<sup>th</sup>, 20<sup>th</sup> and 26<sup>th</sup>) that include the cities of Nashville, Chattanooga, and a rural portion

of western Tennessee, the Tennessee Parenting Project aimed to identify parents in the child support caseload who had visitation problems and to offer them help. The project evaluation, conducted by the Center for Policy Research of Denver, Colorado, assessed whether providing visitation help improves parent-child contact and the subsequent payment of child support. Working with child support and court personnel in each of those settings, project staff identified 2,174 cases with visitation problems between October 2006 and September 2009, and randomly assigned them to low and high-level treatment groups based on the last digit of the noncustodial parent's Social Security Number. Parents in the low-level treatment group (n= 583) received printed information about visitation issues and a list of community resources. Parents in the high-level treatment group were offered the opportunity to attend a free meeting with a project staff member trained in third-party dispute resolution techniques, talk about parenting time issues, and complete a "fill-in-the-blanks" parenting plan that spelled out when the children would spend time with each parent (n=1,591). In addition to these brief facilitation services, parents in the high-level treatment group were offered help with filing their parenting plan with the court. Parents in both treatment groups could attend a free class on *pro se* legal filings (without a lawyer) dealing with visitation.

The evaluation included information on project participants gathered by staff, telephone interviews with parents conducted six months after their enrollment, on-line surveys with child support and court workers, and information on child support payments before and after project enrollment drawn from the automated child support records. The following are key findings and conclusions.

- Visitation assistance is a valued and needed service that can be effectively integrated into agencies and courts in an on-site fashion without creating case processing delays.

Once they have an on-site staff resource, child support workers and judicial personnel are willing to identify and refer parents who have visitation problems. Most child support personnel who responded to a survey about the program gave it ratings of either “excellent” (41%) or good (39%), and 70 percent felt that it was “very” important to have someone at the child support agency and/or court to help parents with access and visitation issues. Staff believes that paying attention to visitation matters makes noncustodial parents feel that the agency cares about more than just money. Once the word is out, the demand for visitation services is steady, even in rural settings, although it is important to keep the program visible to child support and court staff in order to maintain referral activity.

- Parents who receive access and visitation services have few alternative problem-solving options.

Noncustodial parents in the high-level treatment group who received help with visitation were predominantly African-American (78%), never married (90%), and educated at the high school/GED level or lower (71%). Although 70 percent were employed full-time, they had low incomes: 33 percent reported incomes of less than \$10,000 per year; 35 percent reported earning between \$10,000 and \$20,000 per year.

- Most cases were referred for visitation help at the enforcement stage of case processing.

Although referrals could be made at all stages of case processing, most cases were older and had been in the child support system for an average of 44 months when they were identified as having a visitation issue. Only 23 percent were newer cases with an order established within six months or less when flagged for a visitation intervention.

- Many parents can be helped by getting together for a brief, facilitated meeting designed to develop, clarify, or amend a “fill-in-the-blank” parenting plan.

The chief project intervention consisted of a meeting with both parents that was facilitated by a neutral party who helped parents quickly discuss, clarify, and memorialize their understandings about when each parent would see the children. The project showed that many visitation problems that confront poor, never-married parents can be solved in an average of 40 minutes using a “fill-in-the-blank” parenting plan that helps them organize decision-making duties and the child’s time. Indeed, nearly two-thirds of the facilitations in Chattanooga and Nashville (62% and 61%, respectively) resulted in comprehensive parenting plans that were submitted to the court along with existing child support orders. Other segments of the cases resulted in partial parenting plans (8% and 3%) and/or clarifications of a parenting-time schedule (9% and 25%), which were treated as informal agreements between the parents and not filed with the court.

- It is difficult to deliver visitation services to parents in the child support caseload even with a dedicated worker offering on-site assistance at the child support agency and the court.

Ultimately, project staff treated less than half (41%) of the parents with identified visitation problems. Across the three sites, 28 percent were excluded because of domestic violence and other factors that might make parenting-time unsafe. Project staff asked structured questions about domestic violence and other physical safety issues and had the authority to decide if it was safe to proceed with attempting to establish a parenting plan. More than a third of parents were not served because they could not be reached to arrange a meeting or failed to appear for scheduled meetings. Finally, many custodial parents refused to cooperate even when safety was not an issue.

- Access interventions help improve parent-child contact patterns.

Parental relationships improve over time for all parents but only members of the high-level treatment group experienced statistically significant gains in parent-child contact. The percentage of noncustodial parents who reported seeing their children at least monthly rose from 52 to 62 percent in the six months following program enrollment, and 42 percent reported seeing their children more regularly as compared with 28 percent for the low-level treatment group.

Table 1. Visitation and Parenting Time Issues Before and After Project Enrollment, by Treatment Group				
	High Treatment (N=349)		Low Treatment (N=191)	
	Pre	Post	Pre	Post
★How often NCP saw child in the months prior to project enrollment				
About once per week or more	25%	31%	27%	29%
About 1-2 times a month	27%	31%	25%	29%
Every few months	14%	8%	7%	5%
A few days a year	9%	3%	15%	6%
Never	17%	15%	14%	20%
Other	10%	12%	12%	12%
★Compared to before enrollment in the Tennessee Parenting Project, the amount of time the noncustodial parent spends with the child(ren) has:				
Decreased a lot	15%		27%	
Decreased a little	6%		7%	
Stayed the same	34%		31%	
Increased a little	19%		13%	
Increased a lot	27%		22%	
★Compared to before enrollment in the Tennessee Parenting Project, the noncustodial parent sees the child(ren):				
More regularly	42%		28%	
Less regularly	21%		32%	
About the same	38%		40%	
★Chi square is significant at .06 or less.				

■ Access interventions improve child support payment patterns.

There were statistically significant increases in child support payments for noncustodial parents in the high-level treatment group in the 12 and 24 months following project enrollment with payment performance going from 54.2 to 57.6 percent. Payments did not change for the low-level treatment group, remaining at 52 percent prior to and following enrollment in the project.

This is consistent with findings reached in OCSE-funded access and visitation projects in Texas (Pearson and Davis, 2007) and Colorado (Pearson, Davis, and Thoennes, 2007).

Table 2. Amount of Current Child Support Due and Paid in the 12 and 24 Months Before and After Project Enrollment, by Treatment Group				
	High Treatment		Low Treatment	
	Pre (N=1,030)	Post (N=1,383)	Pre (N=388)	Post (N=495)
Percent of current support paid that was due in the 12 months before and after project enrollment	★			
Mean	54.2%	57.6%	52.3%	52.2%
Median	55.0%	65.0%	56.0%	53.0%
Range	0-100%	0-100%	0-100%	0-100%
Percent of current support paid that was due in the 24 months before and after project enrollment	★			
Mean	53.5%	56.3%	51.7%	51.0%
Median	57.0%	61.0%	54.0%	49.0%
Range	0-100%	0-100%	0-100%	0-100%
★T-test of means is significant at 00.				

- More substantial changes in child support payment patterns will depend on increases in employment and earnings.

Although payment performance for noncustodial parents in the high-level treatment group rose significantly after project enrollment, it remained far from complete with the average percent of owed support that was paid, peaking at 57.6 percent. In interviews, noncustodial parents blamed their incomplete and missed payments on irregular employment patterns and/or having a new

family or other children to support. Over the life of this project, the unemployment rate for the State of Tennessee rose from 4.8 to 10.7 percent.

- Referral and service activities dealing with visitation must be eligible for federal reimbursement.

Without dedicated visitation staff, workers predict that they will be forced to go back to ignoring visitation matters and/or telling parents who complain about visitation to hire an attorney or go to court on their own, even though they know that both options are unrealistic for parents in the child support caseload. In order for child support agencies to provide visitation assistance, regulations must be modified to allow federal reimbursement for referral and service activities dealing with visitation.

The Tennessee Parenting Project confirms patterns observed in past evaluations of access and visitation programs conducted by the Office of the Inspector General (OIG, 2002) and the Center for Policy Research (Pearson, Davis, and Thoennes, 2005, 2007a, b) showing increases in both parent-child contact and child support payments. The project also suggests that child support agencies and courts can incorporate specialized staff to help large numbers of parents with visitation problems in brief interventions without experiencing case processing delays or other inefficiencies.

Handling parenting-time issues, however, is not without its challenges. Like other programs for noncustodial parents, non-appearance is a problem and more effort is needed to understand and address the reservations that many custodial parents have about participating. It is also relevant that the majority of cases in the Tennessee



project were more than 24 months old and that less than a quarter of them were newer cases of the type targeted in President Obama's budget proposal. It is hoped that these and other issues will be addressed in OCSE's newest round of grant awards, Parenting Time Opportunities for Children in the Child Support Program.

Jessica Pearson, Ph.D. is Director and Lanae Davis, M.P.A. is Research Associate of the Center for Policy Research, a non-profit organization in Denver, Colorado that does research and evaluation projects aimed at improving the lives of families and children.

## **References**

Davis, L., J. Pearson, N. Thoennes (2010). Tennessee Parenting Project: Final Report. Center for Policy Research, Denver, Colorado.

Pearson, J., L. Davis., N. Thoennes (2007a). Colorado Parenting Time/Visitation Project: Evaluation Report. Center for Policy Research, Denver, Colorado.

Pearson, J.. and Davis, L. (2007b). Ensuring Access, Encouraging Support: Final Report. Center for Policy Research, Denver, Colorado.

Office of the Inspector General (2002). Effectiveness of Access and Visitation programs. OEI-05-02-00300. U.S. Department of HHS, Washington, D.C.