

Access and Visitation Programs: Promising Practices



Department of Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement

CHILD ACCESS AND VISITATION PROGRAMS: PROMISING PRACTICES

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This project was supported under contract number 105-00-8300, Task Order 22, from the Office of Child Support Enforcement, Administration for Children and Families, U.S. Department of Health and Human Services. Points of view expressed in this document are those of the authors and do not necessarily represent the official position of the U.S. Department of Health and Human Services.

ACKNOWLEDGMENTS

We are indebted to and want to thank the many individuals who helped us collect information about the services states are providing through the Office of Child Support Enforcement's (OCSE) Child Access and Visitation Grant Program. We are especially grateful to the State Child Access and Visitation Program Contacts, who were critical to our understanding of the grant programs. In numerous telephone conversations, these individuals explained how they were using their grant funds and referred us to relevant program administrators and service providers for more detailed information and materials.

Based on our initial conversations, we selected some states with promising practices in six distinct service areas. These areas are:

- Services to IV-D populations,
- Services for high conflict families,
- Services for incarcerated parents,
- Services to enforce visitation orders,
- Services provided through faith-based organizations, and
- Services in rural areas.

The programs and practices we discuss in these areas represent some novel service strategies and are not an exhaustive list. We have attempted to describe these programs as faithfully as possible and apologize if we have made errors either because we misunderstood some comments or did not verify information by conducting interviews with other practitioners. Since we compiled our information in late 2001 and 2002, some states may be using their grant funds differently at the present time.

Finally, we wish to thank the professional staff at OCSE who gave us their support and advice throughout the project. In particular, we would like to thank Debra L. Pontisso, the Federal Project Officer, for her assistance.

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EXECUTIVE SUMMARY

This report is a compilation of papers prepared as part of a task order to examine the Federal Access and Visitation (AV) Grant program as it is being implemented in the states. Previous data collection efforts have given the Office of Child Support Enforcement (OCSE) a picture of the scale and scope of the activities funded by the grant program, but not the details about how the various state programs operate. This task order was designed specifically to identify and document some promising and innovative models of service delivery and inter-agency collaboration. This report includes papers on six issues that have not been widely discussed or evaluated in prior research:

- Programs that work primarily with IV-D populations, including low income and never-married populations,
- Programs that work with high conflict families,
- Programs that work with incarcerated parents,
- Programs providing services to enforce visitation orders,
- Programs working with faith-based organizations, and
- Programs serving rural areas.

Below, we summarize the objective of our review of each issue, the states whose programs we reviewed, and selected approaches to service delivery. We present some conclusions at the end of the section.

SERVICES FOR IV-D POPULATIONS

Objective	To create a way for parents in IV-D cases with child support obligations to obtain court-ordered visitation rights.
Selected States with Promising Practices	Connecticut, Georgia, Illinois, Nevada, Oklahoma, Rhode Island, Washington
Service Approaches	<ul style="list-style-type: none">• Child support masters and judges who hear paternity and child support cases refer noncustodial parents with access problems directly to court-based negotiators or mediators.• Visitation agreements incorporated into the child support schedule or as a separate court order.• Mediation provided at no charge; no separate filing fee for visitation action.• Some referrals to mediation by child support technicians.
Summary	Court programs offer IV-D populations an opportunity to use established negotiation and mediation services. Participation in these programs frequently results in agreements that can be promulgated as legally

enforceable court orders. The court can require uncooperative parents to participate and/or assist noncustodial parents with filing a *pro se* motion for visitation.

SERVICES FOR HIGH CONFLICT FAMILIES

Objective To investigate and provide long-term access assistance to families with entrenched disputes and/or serious allegations of parental misconduct, using a variety of court-ordered services.

Selected States with Promising Practices California, Colorado, Idaho, Utah

Service Approaches

- Brief investigations by trained court personnel when parents exhibit high conflict behavior, with recommendations to the court on needed services.
- Multi-session, psycho-educational interventions for parents for whom domestic violence has been an issue, with the objective of helping them parent apart and understand the dynamics of domestic violence.
- Monthly meetings and/or telephone contact on a more frequent basis with mental health professionals to resolve ongoing issues and disputes about access.
- Explanatory materials on supervised visitation and exchange services for parents and providers in many languages.
- Supervised exchange services for families who display conflict during drop-off and pick-up of the children.
- Supervised visitation services for families with allegations of domestic violence, abuse, and/or other forms of parental misconduct or conflict.
- Teaching inexperienced parents how to interact with their children during supervised visits by providing instruction and feedback.

Summary States are experimenting with many ways to serve high-conflict families. They are necessarily time-consuming and expensive interventions. One limitation to these approaches is that they focus exclusively on parents with court orders dealing with custody and visitation. Never-married parents who lack such orders must obtain them through appropriate court filings.

SERVICES FOR INCARCERATED PARENTS

Objective To reconnect parents with their children, particularly parents who will be released back into the community or return to their families.

Selected States with Promising Practices Indiana, Missouri, Nebraska, Pennsylvania, Vermont

- Service Approaches
- Supervised visitation for both custodial and noncustodial parents at jail/prison facilities. (Would like to expand program to include overnights with parents when appropriate accommodations become available.)
 - Parent education classes in the jail/prison. One program is called “active parenting,” a six-week, nationally-certified program delivered by trained people in the community who have similar characteristics to the parents in jail.
 - Parenting skills training; one-on-one with inmates, especially inmates who will soon be released.

Summary Most parenting programs in prison settings are didactic; a few try to facilitate parent-child access in facilities. Although visitation programs appear to be beneficial to parents, children, and society, they are difficult to implement and pose a variety of challenges, including security issues, transporting children to prison, operating a program in the prison environment, and establishing criteria for program eligibility.

SERVICES TO ENFORCE VISITATION ORDERS

Objective To prevent and/or address violations of court orders for visitation by providing *pro se* assistance, legal representation and/or creating a complaint process under supervision of the court.

Selected States with Promising Practices Arizona, Oregon, South Carolina, South Dakota, Texas, Washington

- Service Approaches
- Court staff or contractors who hear parent complaints about violations of the visitation order and attempt to resolve the conflict informally.
 - Court staff or contractors who conduct a formal conference to evaluate parent complaints about violations of the visitation order and recommend appropriate actions to the court.
 - Court staff or contractors who telephone each parent following each visit, document parent complaints and recommend actions to the court.
 - Legal representation for noncustodial parents with court-ordered visitation rights.
 - Assistance by court-based personnel for unrepresented, noncustodial parents who seek to establish and/or enforce visitation orders.
 - Special days designated for visitation establishment and/or enforcement hearings for *pro se* filings by parents.

Summary Like interventions for high-conflict families, most programs to enforce visitation target parents who have court-ordered visitation rights. Other mechanisms such as mediation or legal and *pro se* assistance are needed to help unmarried noncustodial parents establish visitation rights. The best approaches recognize the complexity of the problem and offer a range of interventions that include preventive steps to specify vague visitation orders, monitoring efforts to try to develop a habit of regular visitation, and legal interventions where parents meet with stiff resistance.

WORKING WITH FAITH-BASED ORGANIZATIONS (FBOs)

Objective To make better use of the faith-based community in supporting and encouraging noncustodial parents to become more involved in the lives of their children and to provide services to parents that would minimize parenting conflict and facilitate co-parenting relationships.

Selected States with Promising Practices Hawaii, Indiana, Iowa, Massachusetts, New York, Pennsylvania, West Virginia

Service Approaches

- In most cases, faith-based organizations have competed for grant funds the same as other service providers. Also like other providers, FBOs offer a full complement of services.
- Large FBOs (*e.g.*, Catholic Charities) have an edge over smaller FBOs because they have an infrastructure already in place and can provide a wider range of services.
- Service delivery tends to be less formal with smaller than with larger FBOs, especially if the FBO is the service provider rather than the administrator for services.
- Building capability in smaller FBOs to deliver services is difficult; it involves tracking participation, recruiting, paying match, and keeping statistics.
- Some states contract directly with FBOs and some do it indirectly; that is, the FBO is one of several service providers in a larger collaborative.

Summary States have had good experiences using FBOs to deliver AV services, when they are large, national organizations that are experienced in the delivery of social services. Smaller FBOs face a variety of start-up problems and often do not apply for AV grants because they cannot meet the financial match requirements or do not want to bother with the reporting requirements.

SERVICES TO RURAL AREAS

Objective	To assist parents in low-density settings obtain assistance with the development and implementation of parenting plans.
Selected States with Promising Practices	Alaska, Colorado, Iowa, Maine, Vermont
Service Approaches	<ul style="list-style-type: none">• Develop videos and workbooks that can be mailed to separating and divorcing parents to help them understand the needs of their children and how to communicate and parent apart.• Train local personnel to conduct parent education programs.• Sponsor a qualified parent educator to “circuit-ride” rural districts in order to offer parent education seminars and train local personnel.• Develop regional service centers offering a broad “mix” of access services.
Summary	Low-density settings impose unique travel and cost requirements for AV programs. Lack of qualified staff and privacy also pose challenges for service delivery. States that have achieved rural service delivery work at it. They require grantees to provide rural coverage, identify and train local personnel to provide services, utilize existing community facilities and resources in non-traditional ways, and experiment with distance-learning techniques.

CONCLUSIONS

The review of state AV programs leads to the following additional conclusions.

Diverse array of services: States have used their AV grant funds in many different ways to develop and/or augment the array of services they offer to families to enhance parent-child contact.

Targeting the never-married population: Some states have used their AV funds to create ways for never-married parents in child support proceedings who lack visitation arrangements to obtain mediation services and develop enforceable orders dealing with access.

Limited funds: AV grant funds fall far short of meeting state needs. As a result, most states restrict services to a small number of jurisdictions, target services to a limited population (*e.g.*, low income parents), and/or limit the number of services they offer.

Supplemental funds from other sources: A few states have contributed monies from other sources (*e.g.*, surplus TANF dollars, appropriations from the states’ general fund, judicial department funds) to supplement their AV funding. In 2002, these other funding sources are

facing cutbacks because of states' budget shortfalls, which has meant a reduction in funding available for AV services.

Evaluation of outcomes, until recently, was nearly nonexistent: In October 2002, the DHHS Office of Inspector General (OIG) released a study showing that AV grant-funded mediation services in five states were associated with increases in noncustodial parents' access to and visitation with their children and improved child support payment patterns. OCSE has a study in progress that also will evaluate the extent to which mediation as well as parent education and supervised visitation programs are associated with increases in noncustodial parenting time with children and other benefits. Finally, OCSE received approval from OMB to include a question about parenting time outcomes on its required reporting form for all grant recipients.

Data collection for evaluation is difficult: There are several obstacles to collecting data for evaluation purposes. Among others, these include (1) the large number of providers funded by the AV grant program and the great variety of services they offer make it extremely difficult to collect meaningful outcome information across sites, (2) service providers do not keep information about their participants that would allow for follow-up, (3) parents may not participate if they have to provide background information (*e.g.*, inmates), and (4) not all participants are IV-D clients, so payment compliance data may be difficult to collect.

AV grants have had several unanticipated benefits: Among others, these benefits include (1) several states credit AV grants with changing state culture and making access issues and services visible and available for the first time, (2) several states credit AV grants with improving relationships between the child support agency and the courts, and (3) IV-D technicians appreciate being able to refer noncustodial parents with visitation problems to courts and community-based service providers.

SECTION 1

INTRODUCTION AND BACKGROUND

INTRODUCTION

This report is a compilation of papers prepared as part of a task order to examine the Federal Access and Visitation (AV) Grant program as it is being implemented in the states. Previous data collection efforts have given the Office of Child Support Enforcement (OCSE) a picture of the scale and scope of the activities funded by the grant program, but not the details about how the various state programs operate. This task order was designed specifically to identify and document some promising and innovative models of service delivery and interagency collaboration. This report includes papers on six issues that have not been widely discussed or evaluated in prior research:

- Programs that work primarily with IV-D populations, including low-income and never-married populations;
- Programs that work with high conflict families;
- Programs that work with incarcerated parents;
- Programs providing services to enforce visitation orders;
- Programs working with faith-based organizations; and
- Programs serving rural areas.

Together, these papers explore the diversity of programs that states have crafted to address areas of unmet needs and/or expand services available to underserved populations. The papers are meant to simulate thinking about how best to deliver services and give states ideas that they may want to introduce into their own programs.

BACKGROUND TO THE STUDY

The Importance of Parental Involvement

Census data indicate that approximately 60 percent of children will live in a single-parent household some time in their first 18 years of life (U.S. Bureau of the Census, 1992). This proportion has increased steadily over the years as marital dissolution and out-of-wedlock birth rates have climbed, leading to a considerable body of research in the last two decades studying the impacts of this change on single parents and their children. In particular, this research has examined the impact of father absence on the children and family, since most single-parent households are headed by female custodial parents.

Central to any discussion about single-parent households is the issue of income. Without exception, researchers find that single-parent households, regardless of whether they are headed

by men or women, are poorer financially than when both parents were in the home (Bianchi, 1995). The receipt of child support has helped reduce poverty rates among these households, but large proportions of these families still live in poverty, even when we consider the family's receipt of public assistance and other benefits (*e.g.*, in-kind, social support from extended family relationships).

An early study by McLanahan (1983) of data from the Panel Study of Income Dynamics found that female-headed families are more likely to experience stress, both chronic (*e.g.*, low levels of social support) and acute (*e.g.*, major life events, such as role transition to parenthood) than two-parent families. Further, she found that women who head households have a poorer self-image and more negative views about the future. Other studies support these findings (*e.g.*, Compas and Williams, 1990), particularly for certain demographic groups of single mothers (*e.g.*, non-white rural and low-income urban populations).

The combination of income loss and increased stress from being a single parent are particularly devastating for young, typically unwed, mothers. Generally, as a group, these women are not prepared emotionally, educationally, or financially to support their children. They face tremendous obstacles in meeting the challenges of raising a family. Among others, these challenges have included limited—usually interrupted—education associated with poor job and parenting skills, variable and often restrictive labor markets, racial discrimination, and job opportunities that offer little accommodation for dealing with changing family situations (see, *e.g.*, Kelly and Ramsey, 1991).

It is not surprising that the negative effects on parents of trying to raise children in a single-parent household have ramifications for the well-being of children, as measured by such factors as educational attainment, emotional growth, and personality development (*e.g.*, self-esteem issues). Again, these effects have mostly been studied for children whose father is the non-residential parent. For this group, however, there is a growing body of literature about the relationship between child well-being and parental involvement in child rearing. Although the long-term effects of father absence on child well-being are not yet known, some of the effects researchers associate with father absence include (1) lower educational attainment; (2) poorer performance in school; (3) higher incidence of behavioral problems, occasionally leading to juvenile delinquency; (4) low self-esteem; and (5) higher levels of stress (see, *e.g.*, Hetherington, Camara, and Fetherman, 1983).

Greater involvement in the child's life from both parents is not necessarily an antidote to these problems of child well-being, although there is some research evidence to suggest it can have a positive impact on these factors. For example, Lee, Shaughnessy, and Bankes (1995), in a visitation enforcement study of high-conflict families, found that higher levels of visitation by the absent parent were associated with lower levels of depression, less acting out in the school environment, and better overall adjustment. Similarly, Carlson (1999), in her analysis of data from the National Longitudinal Survey of Youth (NLSY), found that "...father involvement is associated with lower levels of delinquency, decreased likelihood of using some substances, and

improved mental health for adolescents.” Other data (*e.g.*, Argys, *et al.*, 1998) are supportive of these general findings and show, using NYSL data, that children’s cognitive scores decrease and Behavior Problems Index scores increase in father-absent homes.

While greater father involvement in the lives of children is not a panacea that will guarantee better outcomes for children in all families, the research does suggest that (1) child well-being generally improves when both parents are involved in the children’s lives, more so than if only one parent is involved; and (2) each parent contributes to their child’s development in somewhat different ways. Yet, just as single parents face obstacles to raising a family, so, too, do noncustodial parents face difficulties in having greater involvement with their children. Among the obstacles most often cited for lack of involvement are (1) access denial by the custodial parent; (2) physical distance from the child; (3) a poor relationship with the custodial parent; (4) limited information about how to be a good parent; and (5) limited financial means to be involved (see, *e.g.*, Furstenberg and Harris, 1993).

Promoting Greater Parental Involvement

How to overcome the obstacles to greater parental involvement has been the focus of much public policy debate and subsequent legislative activity. The ongoing Access and Visitation Grant program and the various fatherhood programs (*e.g.*, Responsible Fatherhood Demonstration projects, Partners for Fragile Families projects) are only the most recent examples of Federally funded responses to this problem. They are actually the outgrowth of Federal activity dating back to the 1980s. (The table below lists the major legislation and grant activity by the Federal Office of Child Support Enforcement dealing with access and visitation issues.)

Supplementing the Federal activities have been efforts at the state and local level. Some examples of these efforts include:

- State and local job services programs for noncustodial parents that are tied to access and visitation programs.
- A tremendous growth in services offered by courts, such as mediation, parent education, and other interventions aimed at reducing parental conflict and promoting contact with children.
- Programs funded by community and faith-based organizations, such as fatherhood programs in selected states.
- Supportive services from parent advocate groups, which have lobbied for joint custody legislation, Federal acknowledgment of custody and visitation issues, and direct services for fathers seeking to strengthen ties with their children.

Funding through the Access and Visitation Grant program supports many of these efforts either in whole or in part. A preliminary report on the access and visitation programs shows that the grants have led to the creation and/or augmentation of a great many programs of different

Federal Legislation/Grant Activity Regarding Access and Visitation

1984 Child Support Enforcement Amendments (P.L. 98-373): In this legislation, Congress urged states to “focus on the vital issues of child support, child custody, and visitation rights.”

1988 Family Support Act (P.L. 100-485): The 1988 FSA authorized state demonstration projects to “develop, improve, or expand activities designed to increase compliance with child access provisions of court orders,” and to promote improvements in existing procedures or the development of new methods and techniques to resolve child access and visitation problems.

1990 Child Access Demonstration Projects: Begun in 1990 and implemented in seven states, the multi-year projects involved the use of mediation, parent education, counseling, and other measures to assist parents to communicate about the needs of their children following parental separation and divorce, and to increase the involvement of fathers in the lives of their children.

1995 Evaluation of the Child Access Demonstration Projects: The evaluation confirmed that access was a complex problem for many separated and divorced parents, and recommended that courts and other agencies help parents with access problems by developing no- and low-cost dispute resolution interventions like mediation (including mandatory formats), and that they be made available to parents at the early stages of dispute, when it is most possible to get successful outcomes.

1995 U.S. Commission of Child and Family Welfare Report to Congress: In a report to the President and Congress, a bipartisan commission endorsed efforts at all government levels, including the state and local levels, to ensure that each child from a divorced or unwed family has a parenting plan that encourages and enables both parents to stay emotionally involved.

1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (P.L. 104-193): This legislation authorized state grants to “establish and administer programs to support and facilitate noncustodial parents’ access to and visitation of their children.” Activities specifically covered by the legislation included (1) mediation (voluntary and mandatory); (2) counseling; (3) education; (4) development of parenting plans; (4) development of visitation guidelines and alternative custody arrangements; and (5) visitation enforcement services, including monitoring, supervised visitation, and neutral pick-up and drop-off.

1997 Initiation of the State Child Access and Visitation Grant Programs: With OCSE as the administrating unit, Congress awarded \$10 million per year to states to promote the development of a variety of programs designed to alleviate the problems associated with access and visitation. The program served over 50,000 individuals in 1998.

1997 Responsible Fatherhood Demonstration Projects and Washington State Waiver: Following a competitive process, OCSE awarded multi-year grants to seven states to conduct demonstration projects that provide services to low-income, noncustodial parents to promote their financial and emotional participation in the lives of their children. OCSE also granted Washington State a waiver to receive matching funds from the Federal child support enforcement agency for programs aimed at helping noncustodial parents with a variety of issues. All eight programs, which served over 1,800 parents, offer noncustodial parents a variety of services, including assistance with access and visitation.

2000 Waivers for the Partners for Fragile Families (PFF) Initiatives: OCSE authorized waivers for another set of fatherhood projects in ten states. The purpose of these projects, which involve collaborations between child support agencies and community-based organizations, is to recruit and help young, poor, noncustodial parents (1) find and retain employment; (2) engage in greater parent-child contact; and (3) improve their compliance with child support obligations. An evaluation of the nine PFF demonstration projects is underway.

types that serve a heterogeneous group of parents (Fender, *et al.*, 1999). According to that report, the grants supported 131 local programs in 30 states that served 19,454 individuals in 1997. The most common goals of the supported projects were to increase visitation between noncustodial parents and their children; improve child well-being; and strengthen noncustodial parents as nurturers. Under the regulations for Access and Visitation grants, states and local projects can engage in a broad range of activities, including mediation, counseling, (parenting) education, development of parenting plans, development of guidelines for visitation and custody arrangements, and visitation enforcement.

Appendix A includes two exhibits that display the Access and Visitation grant activities in the states based on their applications for Fiscal Year 2001 funding and basic information on key program issues based on telephone discussions with AV program coordinators in late 2001. The first exhibit shows that states are using grant funds to offer a wide range of services:

- *Mediation:* Forty-six states offer some mediation; thirty-six of those states offer both voluntary and mandatory mediation, seven offer only voluntary mediation, and three only offer mandatory mediation.
- *Counseling:* Thirty-one states offer counseling to program participants.
- *Parenting Education:* Forty-six states offer education to parents.
- *Parenting Plans:* Forty-seven states help parents develop access plans.
- *Monitoring:* Thirty states have monitoring of the visitation agreement among their services.
- *Supervised visitation:* Forty-five states provide some supervised visitation services.
- *Neutral pick-up and drop-off:* Thirty-four states have some provision for this service.
- *Development of visitation guidelines:* Twenty-four states mention developing visitation guidelines in their grant application. (While this figure may seem low, many of the states included this function among their prior year activities and thus are no longer using grant funds for this purpose.)

We know that these services do not reflect the complete range of services that the states currently offer or have offered.¹ Nevertheless, the tally indicates that there is a substantial need for services and those services cover a broad spectrum.

Evaluation

A requirement of the access and visitation grants stipulated in the authorizing legislation is that states monitor, evaluate, and report on activities funded through the Access and Visitation Grant program. OCSE and the Assistant Secretary for Planning and Evaluation in HHS commissioned the American Institutes for Research to develop an instrument for States to report on their access

¹ In prior years' applications, states have listed a wide range of other services that they offer as part of their access and visitation programs. Among others, these include paying transportation expenses for visitation and job training activities; funding a hotline to field noncustodial parents' complaints and questions; stationing an ombudsperson in the courts to help parents with *pro se* filings; and providing education to judges.

and visitation activities. Pursuant to the Final Rule for Access and Visitation Programs (1999), that instrument focuses on the type of entity providing the service; the urban/rural nature of the program's service area; the goals of each local project; the types of services provided; the numbers of individuals who seek services, the numbers who are actually served, and their demographic characteristics; the elements of program completion; and whether participants complete standard program requirements.

Numerous studies over the years have attempted to establish the nature of the relationship between access and payment compliance but the linkage is still elusive. Still, we do know from national studies that noncustodial parents who have joint custody and visitation arrangements are more likely to pay their child support obligations than are the noncustodial parents without such arrangements (Bureau of the Census, 2000).

Some of the states have addressed, and others are beginning to address, the issue of outcomes. With few exceptions, however, the research has been anecdotal, may be limited to follow-up by a few service providers, and is generally not tracked or reported formally.² The limited amount of AV funding and an interest in using available funds to deliver direct services has generally prevented states from conducting more formal evaluations of their programs. However, there is considerable interest at the state and Federal levels in documenting successes and demonstrating the importance of increased parent-child access.

The DHHS Office of the Inspector General (OIG) recently conducted a study on the "Effectiveness of Access and Visitation Grant Programs." It concentrated on the impact of mediation services on increasing noncustodial parents' access to and visitation with their children and child support payment compliance for parents in five states. The results of this study indicated an overall increase in visitation, improved child support compliance, and, in some cases, an actual increase in child support paid (OIG, 2002). To further track the success of other services funded by the states with access and visitation grant funds, OCSE received approval from OMB to revise the "State Child Access Program Survey" reporting form to include the outcome "increased noncustodial parenting time with children" as a required data element. Last, OCSE has a study in progress that will evaluate the extent to which a range of access and visitation services have increased noncustodial parenting time with children and resulted in additional benefits such as improved child behavior, improved parent relationships, increased child support paid, household formation, and marriage.

PROJECT APPROACH

The purpose of this project was to develop a qualitative picture of the AV grant program, specifically a picture of selected activities that might be considered promising and that other states might want to consider in addressing the access needs of their parent populations. We

² To our knowledge, the only two states that have conducted formal evaluations of their AV grant programs are Missouri and South Carolina.

approached this work by first reviewing the applications states submitted for fiscal year 2001 grant funding. From this review, we prepared a summary table of activities that states were considering. We then participated in a series of regional telephone conference calls that OCSE held with AV coordinators to update our list and identify novel activities in four areas:

- Administrative arrangements. Interest here was in identifying (1) collaborations among agencies and other groups (*e.g.*, community and faith-based organizations); (2) what success the AV program had in leveraging resources from other agencies and organizations; and (3) whether the state had entered into any unusual partnerships to expand funding or service capacity.
- Access services. We asked about issues such as (1) what services states were providing or planning to provide that they might consider novel or on the cutting edge; (2) what mix of services was provided; and (3) how broad service provision was (*e.g.*, few or many areas in the state).
- Populations served. We were interested in learning whether services were targeted to specific groups, particularly hard-to-serve groups such as unmarried parents, low-income parents, incarcerated parents, parents involved in high-conflict relationships, and those who represent themselves in family law actions.
- Outcomes assessment. We asked whether the states or their service providers had sponsored or had conducted any formal evaluations or outcomes assessments of their access services.

We called the AV coordinators in all states that did not participate in the conference calls to ensure we had as current a list of activities as possible and had information from all states on the four issues above.

From our updated list, we selected areas to investigate that seemed to move beyond standard access and visitation services, such as mediation, parent education, and supervised visitation. As there is already a considerable body of literature on these topics, we believed it would be more useful to review programs that were attempting to address access issues through more novel approaches. After we selected a few issues to investigate, we conducted a series of telephone interviews with state AV grant coordinators and service providers. It is our findings from those interviews that we summarize in the papers that follow.

Certainly, with the time and resources available, we were not able to investigate everything of interest. Furthermore, the observations we make in our papers are a sample of novel service strategies and are not exhaustive of everything being done in that area. Finally, we have attempted to report our findings as faithfully as possible and we apologize if we have made errors either because we misunderstood some comments or did not verify information by conducting interviews with other practitioners.

REPORT ORGANIZATION

In addition to this introduction, there are six sections in this report. Each section is meant to be a stand-alone paper on a specific topic. As such, each contains the following:

- An introduction that provides an overview or background to the issue;
- A review of selected states and the services they offer in that area;
- A discussion of issues states had to address to implement the service; and
- A conclusion that summarizes the issues and offers recommendations for other states that may be interested in addressing needs in these areas.

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SECTION 2

SERVICES FOR IV-D POPULATIONS

INTRODUCTION

The never-married status of many low-income, noncustodial parents in the child support system makes the resolution of access and visitation issues for this group particularly challenging. Most alternative dispute resolution programs and other services for parents to facilitate access and visitation focus on parents who are separated and divorced, rather than never married. For example, mediation programs almost invariably assist the domestic relations bench, which handles divorce and post-decree matters, and not the paternity and child support issues that never-married parents bring to the court. Parent education programs generally attempt to prevent conflict by focusing on the post-divorce needs of children and the divorce adjustment process. Supervised visitation programs usually serve divorcing and relitigating families, since a parent generally needs a specific court order to use supervised visitation services. And newer court services for high-conflict families, such as parent coordination, court facilitation, custody evaluation, and hybrids of evaluation and mediation, are designed for divorcing and relitigating populations who have chronic conflicts and engage in persistent litigation.

Even many of the programs funded through Access and Visitation (AV) grants focus on the separated and divorced population rather than the never married. For example, a preliminary report of AV grant activity in 1997 found that of the 101 local projects reporting on the marital status of participants, 48 percent were divorced and 25 percent were separated. Only 26 percent were never married (Fender, 1999).

Developing AV programs for never-married parents is one area that needs attention. In the absence of a court order, the custodial status of out-of-wedlock children is unclear, and nonresidential parents lack formal visitation rights or the ability to access services like mediation or supervised visitation to generate a legally enforceable order and/or address the problems they have with access and visitation. As a result, parents face an increasingly punitive and aggressive child support enforcement system that gives little or no attention to their issues concerning child contact.

AV SERVICES TO THE IV-D POPULATION

Through the preliminary round of telephone calls, we identified seven states that appear to go the furthest in using the AV grants to serve IV-D agency populations, including never-married parents. These states are Connecticut, Georgia, Illinois, Nevada, Oklahoma, Rhode Island, and Washington. Below, we discuss our findings for these seven states and then identify services that some other states are delivering to their IV-D populations.

Rhode Island

Rhode Island's AV program operates in Providence County, which has half the state's population. Having the oldest, unified family court in the country, Rhode Island has many on-site services for families, including substance abuse screening. There is no court-based mediation for divorcing couples, although the court maintains a list of approved mediators and sends all divorcing parties literature about mediation. The primary features of the AV program for IV-D cases in Rhode Island include the following:

- Child support magistrates who hear paternity and child support cases mandate that parents attend court-based mediation if the noncustodial parent files a *pro se* "miscellaneous petition" seeking visitation.
- Judges enforce the mediation mandate by refusing to hear cases until there has been an attempt to mediate cases that involve visitation issues.
- Free, on-site, after-hours supervised visitation services are available at the court for cases with allegations of abuse and/or other types of misconduct.

Connecticut

The primary features of the AV program for IV-D cases in Connecticut include the following:

- Child support masters who hear paternity and child support cases direct noncustodial parents with access problems directly to court-based negotiators.
- If parents can reach agreement on a visitation schedule, the court will incorporate the stipulated schedule into the child support order. If the custodial parent will not cooperate or no stipulation can be reached, the court refers parents for mediation screening. For eligible parties, mediation services are available at the court without cost.

Nevada

The primary features of the AV program for IV-D cases in Nevada include the following:

- Like Connecticut, Nevada has child support masters—who hear paternity and child support cases—to direct noncustodial parents who say they are not getting court-ordered access to court-based mediators for free services.
- Visitation agreements are incorporated into child support orders that are enforceable by the court.

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- Filing fees are waived.
 - There are parent reunification services at the Reno courthouse so that noncustodial parents who have not previously been involved in their children's lives can spend six to eight sessions getting reacquainted with their children.

Washington

Washington State has two AV programs: one operating on the Eastern side of the state (*i.e.*, east of the Cascades) out of Spokane, and one on the Western side of the state out of Olympia. Although similar, the programs have some different features.

- Washington does provide AV outreach to all parents who acknowledge paternity in hospital settings and who establish child support orders.
- The state, through the court, offers free mediation services (delivered by a third-party provider) and will establish legally enforceable visitation orders.
- Eastern Washington: The outreach and mediation effort is managed by the Prosecuting Attorney's Office in Spokane. The office files the parenting plan in court, which means that the parents do not have to appear in court or pay filing fees.
- Western Washington: In Thurston County (Olympia), some AV funds are used to pay for a court facilitator, who assists noncustodial parents in child support court to establish and enforce visitation orders. In another city in the county, a private service provider stations a mediator in the courtroom. Judges refer parents with visitation disputes to the mediator for immediate resolution of their problem. Mediation services are free of charge.

Illinois

Illinois provides AV services in DuPage, Cook, and Peoria counties. The AV program in DuPage County includes the following features:

- Judges and hearing officers refer parents to a three-hour education class in all cases where paternity has been established.
- If visitation issues are raised at any paternity or child support hearing, judges and hearing officers can refer parents to free mediation that is conducted at the courthouse. Any visitation agreement reached in mediation is reviewed by the judge and promulgated as a court order. If the custodial parent refuses to cooperate, the judge asks the noncustodial parent to file a motion for visitation and subsequently orders the parties to mediate.

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- Supervised visitation services are available at the court and off-site locations.
 - AV grant administrators contend that judges are routinely introducing access and visitation issues in child support proceedings.

Georgia

Georgia limits its AV services to IV-D cases and has used surplus TANF dollars to augment the AV grant monies. The state's AV program is designed to address a unique statutory requirement that unmarried fathers must file for legitimation in addition to paternity before they acquire the right to pursue visitation rights. The legitimation process is a prerequisite to legal access unique to Georgia.

- While grant funds cannot be used to contract with attorneys to establish legitimation for unmarried parents, funds can be used to educate noncustodial parents about the law and the legitimation process. Parents can then pursue legitimation on a *pro se* basis.
- In addition to group workshops to discuss legitimation, the Community Based Organizations (CBOs) that implement the AV grant provide a wide range of services including (1) parent education; (2) developing parenting plans; (3) mediation; (4) supervised visitation; (5) counseling; and (6) neutral drop-off and pick-up.

Oklahoma

- Tulsa, Oklahoma, has counseling and dispute resolution personnel come to “docket day” at the court where IV-D cases are heard. The court will enter visitation terms in broader IV-D agreements.
- Norman, Oklahoma, extends mediation and alternative dispute resolution services to IV-D and non-IV-D cases that come from child support hearings where paternity, establishment, and enforcement matters are heard. Child support technicians also refer cases.

Other State AV Programs with a IV-D Focus

- South Carolina uses part of its grant to establish a *pro se* process for visitation enforcement in rural courts. It includes helping noncustodial parents from child support court with the filing process, paying their filing fees, and scheduling hearings on the same day with the administrative judge.
- Texas uses some of its grant monies for services to the IV-D population in Houston and Dallas. In Houston, grant funds pay for attorneys from the Volunteer Lawyer Program to

help IV-D parents file visitation orders. In Dallas, the same services are provided by Legal Services.

- Massachusetts uses some of its AV grant money to hold group information sessions on co-parenting at the court. The sessions are held during the block of time when new child support orders and enforcement matters are heard. In Suffolk County, mediation services also are available.
- Missouri uses its grant funds for mediation services that serve both IV-D and non-IV-D populations. Services, available in eight counties, are part of the Mediation Achieving Results for Children (M.A.R.C.H.) program. About half the referrals to the program are from IV-D agencies.
- Louisiana uses its grant to pay for CSE staff to provide parent education classes for IV-D populations.
- Oregon focuses on the IV-D population in Multnomah County and offers mediation services to help develop and modify parenting plans.

IMPLEMENTATION ISSUES

Providing AV services to unmarried and IV-D populations presents various challenges to state and local jurisdictions. Below, we discuss how some of the states mentioned above have tried to address these issues.

Making the Commitment to Serve Unmarried and IV-D Populations

The states opting to use their access and visitation grants to serve their IV-D and unmarried populations report that the decision was not a controversial one. Invariably, they viewed serving this population to be the intent of the AV grant program. As the director of the AV program in Reno, Nevada, stated, “From the beginning, the Family Court thought it was appropriate to focus on the unmarried and child support populations.” The court had long heard complaints from noncustodial parents in child support cases who maintained that they were not getting to see their children. Judges and hearing masters were frustrated about the fact that no alternative dispute resolution intervention for these individuals existed. In explaining his state’s focus on the IV-D population, another AV program director described the IV-D population as “below the radar” and in need of aggressive outreach and service attention. According to Rhode Island’s court administrator, the state developed a mandatory mediation approach for never-married parents with visitation issues because judges had long heard that these parents attribute their non-payment of child support to not getting to see their children, and because it would be far more controversial to mandate mediation in divorce cases which tend to involve attorneys.

Child support personnel in all these states also approved of the AV program's focus, particularly since they view access and visitation as outside the scope and responsibility of the IV-D program. For example, according to AV project staff in Washington, child support staff believed that they were prohibited from dealing with custody and visitation issues and that parents in their caseloads should take those issues to the court system. In their view, both mothers and fathers had legitimate concerns that required court attention. Therefore, they welcomed the AV program's focus on the IV-D population and were pleased that their involvement was limited to making referrals.

Identifying Cases with Access and Visitation Issues

One problem that some sites have encountered is obtaining an adequate number of unmarried and IV-D clients interested in access and visitation services. States have had varying success with different methods of identifying this target population and referring them to services.

- Hospital-Based Referrals. One approach that has generated relatively few referrals is direct outreach to unmarried parents who sign the voluntary paternity acknowledgement form in the hospital. The prosecutor's office in Spokane, Washington, sends a letter to all parents who sign paternity acknowledgements in area hospitals and offers them the opportunity to use mediation services to establish a legally enforceable parenting plan. Like most states, the law is silent on legal custody in nonmarital situations, and parents who acknowledge paternity have no visitation rights. Although the intervention addresses a clear legal need, it has garnered relatively few users; by the end of September 2001 (the program's third year) the prosecuting attorney's office was filing only five parenting plans per month in Superior Court, up from two and three monthly filings in the first and second years of the project, respectively. According to AV program personnel, most unmarried, new parents are living together when their babies are born and do not believe they need a legal agreement spelling out custody and visitation; letters sent to parents several months after the birth have attracted more response.
- Referrals at the Public Assistance Agency. Another potential source of AV cases that has not proven to be fruitful are child support orientation sessions at public assistance agencies, at which custodial parents apply for assistance and technicians discuss the cooperation requirements and the child support program. AV program staff members in Las Vegas note that, although the mediation services available through the AV program are described to custodial parents who attend these orientations, very few parents accept the offer.
- Referrals by Child Support Technicians. A third source of referrals are child support technicians who meet with noncustodial parents to discuss a variety of child support issues, including arrearage settlements and other lump-sum payments. States have had mixed experience with generating referrals from child support technicians. However, three states that have success include Nevada, Washington, and Georgia.

The AV program in Las Vegas reports a good number of referrals from IV-D staff and attributes this to a strong working relationship between the District Attorney's (DA's) office that handles the child support program and the court. In order to keep referrals up, project personnel meet with DA staff to keep mediation visible. Over time, technicians have been trained to refer cases to the program whenever the issue of access comes up.

AV program administrators in Spokane, Washington, report receiving numerous referrals from child support technicians, which they attribute to their strong relationships with the child support program. Child support technicians also refer IV-D clients to the AV program in Georgia.

Some of the other states discussed in this paper, however, report that it has been difficult to get child support technicians to refer cases. For example, in Norman, Oklahoma, referrals by child support technicians have been uneven. Mediation services are offered by community-based vendors, rather than by the court, and it is up to the client to phone the program for an appointment. Both the reliance on telephone referrals by clients and the use of community-based service providers rather than court-affiliated staff may reduce the IV-D agency's commitment to the intervention. AV program staff members maintain that the low rate of program referrals by technicians also tends to reflect the fact that staff define IV-D work narrowly and want to limit their liability by not addressing visitation issues in any manner. Still other programs like the one in Reno, Nevada, have not explored referrals by child support personnel because they are busy enough with court referrals.

- Referrals by Judges and Hearing Officers. The most effective way of generating referrals for AV services among the unmarried and IV-D population is to work directly with hearing officers and judges who handle paternity and child support dockets and are attuned to the use of Alternative Dispute Resolution (ADR) techniques. These judicial officers are typically flooded with cases and welcome a venue like mediation for dealing with access and visitation issues. Not surprisingly, the AV programs in Rhode Island, Nevada, Connecticut, and Illinois are all based in family court settings that have long used mediation and other ADR techniques for the separated and divorced population. In fact, according to the program director in DuPage County, Illinois, the judge who handled the parentage bench was instrumental in designing the AV program. As the director stated, "The Judge jumped on board early on. He was swamped and felt that visitation was totally unaddressed for this population. He put the time and energy in to make this happen." The program administrator maintains that it is not hard to get mediation clients among never-married and IV-D populations because it is the court's expectation that mediation will be used. Judges in Rhode Island, for example, may not hear pending matters for a case until there has been an attempt to mediate.
- Other Referral Sources. The AV program in Georgia receives referrals from employment counselors in the state's fatherhood programs who work with unemployed and under-

employed noncustodial parents who are behind in their child support payments. Some Georgia clients also learn about the program from the Internet and by word of mouth.

Resolving Access and Visitation Problems Using Mediation Techniques

AV programs that serve child support populations typically offer mediation services to parents, with the goal of developing a parenting plan. Program personnel hold different views on how unmarried parents compare with divorced parents in the mediation process. According to staff at some sites, unmarried parents are more challenging because they frequently have had only a limited relationship and no experience with one another as parents.

Generally, unmarried parents have not raised a child together and mothers, since they have not seen how the fathers interact with the children, are reluctant to permit visitation. A further obstacle to visitation is the absence of relationships with the other parent's relatives, which limits the resources for informal supervised visitation arrangements using family members.

In contrast to this view, AV program staff at other sites maintain that the lack of a relationship history often makes unmarried parents easier to work with in a mediation setting. In their view, the absence of a negative history between them sometimes makes the settlement process easier.

Program staff members tend to agree that mediated agreements with IV-D and unmarried populations often call for limited contact or frequent visitation sessions of short duration, which differs from agreements divorced parents reach. Furthermore, staff report that agreements between unmarried parents contain reintroduction plans or arrangements to introduce a parent into the life of a child under different degrees of contact, supervision, and assistance by a third party. In contrast to this statement, however, is the belief among staff that about half of the mediated cases with the IV-D population result in substantial levels of contact.

Inducing Custodial Parents to Participate

All programs grapple with the issue of non-appearance by one or both parties at a mediation session and struggle to identify methods that will induce custodial parents to participate. Staff members at court-based programs that provide alternative dispute resolution interventions on the spot (*i.e.*, at court hearings) maintain that they are frequently successful in eliciting participation when both parents appear at the court. This is particularly the case in settings where there is a mediation culture that is embraced by the judiciary and the legal profession. A service provider in Washington reported high attendance rates at mediation when the mediator was stationed in the court at child support hearings and the judge referred the parents to mediation. Similarly, AV program personnel in Reno, Nevada, maintain that both parents appear at mediation in 75 percent of the scheduled cases.

Courts tend to handle the problem of the custodial parent's refusals to mediate by assisting the father with filing a *pro se* motion for visitation. This type of filing triggers a court appearance by

both parties, at which time the judge will order the parties to mediation. For example, in DuPage County, Illinois, judges instruct noncustodial parents to mediation after a motion for visitation has been filed. In a similar vein, judges in Rhode Island use the “miscellaneous petition” that never-married, noncustodial parents who seek visitation must file as a trigger for ordering both parties to appear for mediation.

Negotiating About Child Support

With the exception of the AV program in Reno, Nevada, the AV programs bifurcate contact and financial issues and do not permit the consideration of financial child support issues in the mediation process. Typically, parents who raise child support issues in the course of mediation are referred to the child support agency. As one program administrator remarked, “The child support order and the parenting plan are legally distinct.” Parents who object to their child support order and/or wish to discuss a modification are referred to the administrative agency. This is the case even when excessive visitation arrangements are developed in the mediation process and a reduction of child support is warranted.

Although AV staff members in Reno, Nevada, contend that they do not make visitation and child support contingent upon one another—“This is not a pay per view type of mediation approach.”—they note that about half of the couples in access mediation wind up talking about child support, too. Staff describes the IV-D population who participate in mediation as precarious. Many of them are disorganized, working at minimum-wage jobs, functionally homeless, or a paycheck away from homelessness. And Nevada’s steep child-support guidelines, which run at 18, 25, and 29 percent of gross income for support of one, two, and three children respectively (with a maximum of \$500 per month for one child), impose heavy burdens on low-income, noncustodial parents. As a result, child support arrangements are frequently modified in the course of the mediation process. One program director described the negotiation over child support in the following manner.

In mediation, the mom might say, “I know your statutory obligation is \$350 and I know you can’t afford it. So if you pay \$200, that would be fine.” So we incorporate it into the parenting agreement.

The Reno court has little complaint with below-guideline orders. The court recognizes that many noncustodial parents are low-income individuals who struggle with unemployment and under-employment. The court also believes that noncustodial parents who participate in determining their child support payment amount will be less resentful and pay more consistently.

The Status of the Mediation Agreement

In Washington, Nevada, Rhode Island, Connecticut, and Illinois, parenting plans generated in mediation are promulgated as court orders and become legally enforceable, meaning that either parent can return to court and seek remedy if the terms of the agreement are violated. In some

states, the visitation agreement becomes part of the court order that includes support, while in other states the visitation agreements are entered as separate court orders.

- Nevada. The parenting plan (along with any agreed-upon adjustment to the child support order) is entered as a court order in Reno. In Las Vegas, the mediation agreement is filed separately from the child support order, but once filed, it becomes legally enforceable by the court. Parties who complete a financial affidavit can have court filing fees waived.
- Connecticut. Any visitation agreement generated at the court in an on-the-spot negotiation process will be ratified by magistrates and incorporated in the child support order. The visitation and child support components of the case are docketed and filed together. The visitation order does not require a separate filing.
- Washington. Parents who produce a parenting plan have their agreement filed in the Superior Court by AV program staff members who are based at the District Attorney's Office. This filing uses an expedited process that does not require an appearance, filing fees, or the appointment of a guardian *ad litem*. Once filed, the parenting plan becomes a legally enforceable order.
- Illinois. In DuPage County, mediated agreements are reviewed by the judge and promulgated as an order. Although the order is kept separate from the child support order, no filing fee is imposed.
- Rhode Island. Judges review the agreement and promulgate it as an order. If safety concerns are raised, the court may order couples to use the court's free, after-hours supervised visitation facility. If the noncustodial parent is accused of substance abuse, he may be ordered to be tested at the court's on-site, substance-abuse screening program.

Finally, a few AV programs do not formally ratify the parenting plans generated in mediation and instead treat them as informal agreements. In Oklahoma, for example, the three community-based organizations that provide mediation services for the AV program prepare written agreements that are not incorporated in child support orders. Staff attributes this to the reluctance of the child support staff to include visitation terms in child support agreements and the program's independence from the court. As the program director put it:

Child support attorneys don't see that they have the authority to deal with visitation. They want to limit their liability and narrowly define the scope of IV-D work.

In a similar vein, service providers in Georgia who help noncustodial parents pursue legitimation and/or develop visitation plans without pursuing legitimation, generate informal agreements that are not filed with the court and are not enforceable by the court. State law specifically precludes

IV-D personnel from engaging in activities pertaining to custody, visitation, and legitimation. As a result, the program has adopted an approach that stresses education and informal mediation.

Other Access and Visitation Services for IV-D Populations

Generating parenting plans through the use of mediation techniques may be the primary service offered to child support populations in the AV projects, but other services are also relevant. DuPage County, Illinois, offers parent education classes to all parents who establish paternity. The single, three-hour session stresses the importance of both parents in developing healthy children and the negative effects of parental conflict. The court routinely orders both parents to attend the class any time paternity is established, although there is no follow-up and staff have no idea how many parents comply with the court order.

Connecticut tries to screen cases quickly and refer appropriate families for in-depth case work services, including substance abuse and domestic violence treatment. The court also has supervised visitation services available for those who need monitoring, support, and reintroduction to their children.

Supervised visitation and neutral exchange services are also offered at several sites. Both Reno and Las Vegas, Nevada, offer “reacquaintance services.” When there has been a lapse of contact between a parent and a child, mediators help families develop a reunification plan that calls for several initial visits to be held at the court or in a neutral, off-site location. Cases with allegations of parental misbehavior and abuse are handled at another site under the supervision of court-appointed special advocates. In reunification settings, staff members attempt to assist parents with the visit and coach them on how to parent.

In DuPage County, Illinois, supervised visitation can be the result of a mediated agreement. As in Nevada, the intervention is typically a short-term one that seeks to help parents and their children initiate a relationship. Supervising personnel are called “family consultants” and play an active, educational role. The sessions are scheduled at the court’s day care center or at the children’s museum. Program staff are in the process of developing neutral exchange services, which will be paid for by earmarked filing fees pursuant to a county ordinance enacted 12 years ago.

Rhode Island uses part of its AV grant to offer supervised visitation services at the court during evening and weekend hours. When safety concerns are raised, mediators recommend the use of supervised visitation and judges will typically order the service for a six-week period of time. The goal is to normalize visitation and phase out the supervision. Other services are also available, including substance abuse screening and counseling.

Reactions to the AV Program

Child support personnel appreciate the availability of AV services for their clientele. They repeatedly refer parents to mediation and other AV interventions as tools. Without challenging the legal separation between child support and access issues, or doing any extra work, they are able to respond to concerns that they view as legitimate by providing a referral to the AV program. Although none of the programs has data to prove that AV services help promote the payment of child support, all program administrators believe that they do. They cite anecdotal evidence showing that payment improves when attention is paid to access and visitation issues.³

Judicial personnel are extremely pleased with the AV program. In their view, the program addresses the needs of a population that has been long neglected by the court. Court personnel would even like to expand the array of services for their never-married and child support clientele to include counseling services. The AV program has also underscored service needs for the separated and divorced population, many of whom cannot afford private mediation or child custody evaluation fees and consequently lack a forum in which to air their access and visitation problems.

SUMMARY AND RECOMMENDATIONS

The states that have used their AV grants to serve never-married and child support populations are extremely pleased with the focus of their program and the outcomes they have achieved. In these states, there is a consensus that the program is reaching a population that has been historically underserved. Staff seems to feel that these programs are needed, that they dovetail nicely with the fatherhood climate in their state and the nation as a whole, and that they do not serve to coddle noncustodial parents.

For their part, child support personnel do not want to actively pursue access and visitation matters on their own. Therefore, they are pleased to be able to refer clients who complain about these issues to a reliable outside service. Moreover, the referral takes very little of a staff person's time. What does take time, however, is keeping the AV programs visible to support technicians and making technicians aware of what services are offered, who is eligible for services, and how a parent can access the services.

It seems to us that the most effective programs have staff based in courts where paternity and child support matters are heard. There appear to be many advantages to this location for services.

- In court settings, judges and hearing officers can make immediate referrals to mediation, and negotiation sessions can be conducted on the spot. If the custodial parent is not in attendance

³ Every program would like to have its participants' child support payment behaviors assessed. Administrators believe that the program has had a definite, positive impact on payments, but they lack the data to support this belief.

or refuses to cooperate, the court can instruct the noncustodial parent to file a *pro se* motion for visitation that will lead to a mandatory referral to mediation at the next scheduled court date. Further, agreements generated in court settings are easily promulgated as legally enforceable court orders by either being incorporated in the child support order or entered as a separate order.

- Court-based programs appear to have more credibility and legitimacy with parents than non-court programs. This increases parents' willingness to participate in the programs, especially in mediation where that service has been part of the court and legal culture of the community.
- Court-based programs can also be holistic, offering both education and reintegration services for parents who have been separated from their children and need some assistance establishing a relationship, or where there are safety concerns that prevent the exercise of visitation.
- Court-based AV programs tend to enjoy subsidies from the court, including access to mediators, administrative personnel, and facilities. This stretches AV program resources and enhances their capacity to serve a greater number of families.

All programs worry about finances, including the possible termination of the AV grants and the loss of local funds in the wake of budget cuts at the state and local levels. Many would welcome the use of FFP to support access and visitation services and to conduct more rigorous research to document the impact of program services on child support payment behavior.

SECTION 3

SERVICES FOR HIGH-CONFLICT FAMILIES

INTRODUCTION

With the growth of mediation services over the past 25 years, it has become increasingly apparent that court orders and/or mediated agreements have limited effectiveness with people who have serious dysfunctions and emotional problems. Families with more entrenched disputes and less-developed problem-solving skills need a more extensive array of services and follow-up interventions (Johnston and Campbell, 1998).

Some AV grants reflect efforts by the courts and other relevant agencies to customize their responses to families with serious conflicts and provide a variety of dispute resolution and follow-up services. The following discussion describes some of the most innovative services that a number of states have developed for high-conflict families using their AV grant funds.

AV SERVICES TO HIGH-CONFLICT FAMILIES

California

The primary features of the AV program for high-conflict families in California include the following:

- The development and/or augmentation of supervised visitation and exchange services in 30 of California's 48 counties, providing 12,617 episodes of direct supervised visitation services to individuals and 4,074 exchanges since the program's inception in 1997.
- The development and legislative adoption of Uniform Standards of Practice for Supervised Visitation Providers, which define the duties and obligations for supervisors.
- The development of a variety of explanatory materials about supervised visitation, including guides for nonprofessional providers in English, Spanish and five other languages; a monitored visitation exchange brochure and training video in English and Spanish; and a mobile PowerPoint presentation and informational brochure with questions and answers that can be used with parent audiences.
- The development of a "facilitated" approach to supervised visitation that includes working collaboratively with parents during supervised visits and exchanges to create or improve relationships with their children by providing feedback to parents about positive and negative behaviors and modeling appropriate behavior.

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- The development of a standing order of the Presiding Judge of the Fresno County Superior Court that police can invoke requiring parents to use supervised visitation services if the police are called out two or more times to assist with the exchange of the children.
 - The development of a 12-week curriculum for never-married, separated, or divorced parents where domestic violence has been an issue.

Colorado

The primary features of the AV program for high-conflict families in Colorado include the following:

- The provision of mediation services for indigent parents.
- The provision of special advocates for high-conflict families is to conduct a relatively brief and inexpensive investigation and make recommendations to the court in contested cases when a parent wants to relocate out of state or where there are allegations of abuse or parental misconduct.
- The provision of parenting coordinators who are mental health specialists and/or lawyers who use mediation-arbitration techniques with high-conflict families over an extended period of time to try to work out parenting problems when they arise, model appropriate parenting behavior, and avoid court filings.

Idaho

The primary features of the AV program for high-conflict families in Idaho include the following:

- Brief investigatory procedures known as ADR screenings that are ordered by the court and performed by a person with training and experience in the fields of mental health, mediation, and domestic violence, when parents cannot agree about how children will be parented after a divorce and the parents exhibit high-conflict behavior and/or when certain allegations of parental misconduct have been made.
- Case coordination services provided by state-funded Family Court coordinators who alert judges to families who have multiple issues pending before the court and make sure that actions on these families are coordinated across different courts (family, juvenile, dependency, etc.). Depending on the judicial districts, coordinators also do ADR screenings, parent education, mediation and case management in high-conflict cases.

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- Supervised visitation services in every judicial district paid for by the parties on a sliding-scale fee basis with provisions for indigents and low-income families with uniform standards of practice.

Utah

There is a program in the Third Judicial District (Salt Lake City) that provides mediation services for indigents, as well as a number of services for high-conflict couples. The primary features of this program are:

- A single, follow-up session with the mediator and the larger family group known as a “Talking Circle,” the purpose of which is to review the agreement and elicit the buy-in of critical third parties without subjecting it to renegotiation.
- Supervised visitation and/or structured pick-up and drop-off services paid for by AV grant funds for up to six months, with monthly mediator meetings to try to wean the family from the service.
- Parenting-Time (Visitation) Services for those parents who fail to reach agreements in mediation or those who maintain that the agreement is not being followed. This service requires providers to identify the problem or barrier to implementing the court’s visitation order and “fix it” by meeting with the parents on a monthly basis over a six-month period of time to monitor implementation of the order and help parents practice its successful conduct.

IMPLEMENTATION ISSUES

States that have attempted to serve high-conflict families find that a wide range of services is needed. Some have attempted to develop a continuum of services to match the levels of conflict that parents exhibit. Below we discuss implementation issues related to each type of service that the states described above have pursued.

Interventions to Gather Information

Some states that attempt to serve high-conflict families use AV funds to generate information about families who are unable to reach amicable agreements about custody and visitation so that courts can make appropriate rulings and referrals. This is the purpose of the Alternative Dispute Resolution (ADR) Screening in Idaho and the Special Advocate in Colorado. Both serve investigatory purposes for the court that are faster and less costly than full-scale custody evaluations. According to Colorado’s AV coordinator, a traditional child custody evaluation takes two to six months and can cost up to \$10,000. The Special Advocate investigation must be completed within two months, and the court will pay a maximum of \$2,000 in total fees for indigent parents. Idaho’s ADR Screenings are offered at no cost to the parties.

Both types of investigations are invoked when there are allegations of parental misconduct and/or serious conflict that cannot otherwise be resolved. In both types of investigations, Screeners and Special Advocates interview the parents, conduct criminal background checks, and consult with other relevant professionals who have been involved with the family. Based on this data collection process, the investigator prepares a brief report to the court that includes recommendations. In Idaho, the Screener may recommend one or more of the following services: (1) a custody evaluation; (2) a domestic violence evaluation; (3) a substance abuse evaluation; (4) mediation; (5) anger management classes; and/or (6) a court hearing or a trial. Colorado's Special Advocates may recommend (1) adopting a new parenting-time arrangement; (2) approving or disapproving an out-of-state relocation; (3) a psychological evaluation of one or both parents; (4) counseling or therapy for one or both parents and/or the child; (5) supervised exchanges; (6) supervised visitation; (7) the appointment of a child legal representative; and/or (8) the procurement of parenting coordination services.

Interventions Aimed at Case Coordination

Since many high-conflict families have multiple cases pending before the court, the issue of case coordination is important. Idaho has responded to the need to identify families with multiple filings and ensure that they do not result in the generation of conflicting orders by creating Family Court Coordinators in every judicial district. Established during the 2001 legislative session (SB 01-1172) and funded through a \$640,000 appropriation, Family Court Coordinators alert judges to families who have multiple issues pending before the court, including simultaneous family, dependency, and criminal filings. Depending on the district, they may also conduct parent education classes, mediations, case management in high-conflict cases, and ADR screenings.

Interventions to Provide Families with Parenting Conflicts with Long-Term Assistance

Court orders and mediation agreements do not effectively end conflict for some couples with entrenched disputes, a history of litigation, and other dysfunctions. Several courts are experimenting with ways of providing more sustained forms of assistance with problem solving. They also hope that longer-term interventions will help parents to *learn* more effective ways of parenting and *practice* implementing their court orders dealing with custody and visitation. These interventions are meant for “frequent fliers” in the court system.

Parenting coordination is Colorado's method of helping parents with access disputes over a longer period of time. It is one type of service that can be recommended by Special Advocates as a result of their investigations. Colorado's AV grant administrator describes parenting coordinators as “parents to the parent.” Using a mediation-arbitration approach developed by Christine Coates and her colleagues and described in their book, *Working with High-Conflict Divorcing Parents: A Guide for Professionals*, parenting coordinators work with high-conflict families over an extended period of time to try to calm them down, work out problems, refocus parents on their children, and keep them out of court. They try to teach parents appropriate parenting and problem-solving behavior by modeling it for them over time. After an initial, brief meeting

with families to review their order and clarify the access terms, they are then available to parents by phone or pager to make sure the order is enforced. Parents pay for parent coordination services, except for indigents who receive a parent coordination recommendation as a result of a Special Advocate report. Some families stipulate to parent coordination and avoid a Special Advocate appointment. Typical fees for Special Advocate and Parenting Coordination Services are \$80 to \$125 per hour.

Utah's AV program coordinator envisions that parenting-time (Visitation) Coordinators will serve a similar function in Utah's Third Judicial District. Although the service is still in the planning phase, it is anticipated that coordinators will be used for families who fail to reach agreements in mediation or those who maintain that the agreement is not being complied with. Viewed as an enforcement tool, service providers will be expected to identify the problem or barrier to implementing the court's visitation order and then "fix it." The intervention will consist of a brief conference with the visitation coordinator to review the order and to identify the barriers to successful implementation. Parents will have the option of agreeing to a different visitation schedule or modifying the details of how visitation will work. If they cannot agree on a solution to the barriers that have been identified, the conference officer will be required to prepare a Report and Recommendation (R&R), which will be presented to the court and may be promulgated as a court order. Once the initial intervention occurs, parents will meet with coordinators on a periodic basis over a six-month period. Program architects hope that this will give parents a chance to practice implementing the parenting plan with some supervision and oversight. Parties will be expected to pay for services themselves with AV funds used to defray costs for indigents.

Interventions to Prevent Visitation Conflict by Monitoring the Exchange of Children

Many states use some AV grant funds for visitation exchange services. The services typically are offered at convenient locations during peak hours that sandwich the weekend. Parents generally pay a modest drop-off and pick-up fee. The supervisor ensures that the children are exchanged without parental conflict and that relevant clothes, supplies, and other needed equipment travels with the children.

Utah uses a portion of its AV grant funds to pay for monitored exchange services for all parents whose mediation agreement or court order calls for the use of drop-off and pick-up services. In their experience, the fee was an impediment to use of the service. In order to encourage parents to use monitored exchange services, Utah contracts with an agency to provide services and pays the fees for all participating families. To wean families from the service, participants are required to meet with their mediator on a monthly basis to review their visitation situation and discuss the withdrawal of supervision. Parents split mediation fees, which are set at \$75 per hour.

Perhaps the most unusual approach to supervised exchange visitation funded by an AV grant is the Child Custody Program (CCP) implemented in Fresno County, California. In response to a complaint from the local police department about a high volume of calls from parents who were

accusing the other parent of violating a custody or visitation order, the Fresno Superior Court developed a standing order that police could deliver that requires parents to use supervised exchange services. The standing order was developed after months of meetings between judicial personnel, mediators, police, supervised visitation providers, and the unit of the District Attorney's Office that handles child abductions. The order is invoked by police after they have been called out two or more times to assist with the exchange of the children pursuant to an existing court order. Local attorneys had instructed their clients to document violations of the court order by calling the police. The result was an unwieldy number of calls that was interfering with other law enforcement activities.

Effective July 1, 1998, a new section was added to all family court orders specifying that law enforcement agencies would refer matters of visitation exchange to the providers of exchange services in the event they were called to assist with the exchange of the children on two or more occasions. In addition, the Presiding Judge of the Fresno County Superior Court issued a Standing Order with the same provision that would apply to all family court orders regardless of when they were issued. The Standing Order reads as follows:

In the event that law enforcement officers are called to stand by to assist with the exchange of the child(ren) pursuant to an existing order governing custody and visitation on two or more occasions, the law enforcement agency shall refer the matter of visitation exchange to the Child Custody Program (CCP) or any other agreed-upon agency which provides supervised visitation services.... The cost of CCP shall be shared equally between the parents unless otherwise agreed upon by the parties.

The police invoke the Standing Order, give it to the parents to sign, provide a list of agencies providing supervised visitation services in the area, and forward a copy of the order to the agency they select as a service provider. Parents can stipulate to discontinue supervised visitation exchanges unless it is specified in their underlying court order. In those cases, they must meet with the mediator, who may recommend to the court that the supervised visitation order be lifted.

AV funds were used to coordinate the development of the standing order and to develop a manual and provide a training for law enforcement and agencies interested in providing supervised exchange services. The training involves Fresno as well as surrounding counties. The group continues to meet on a quarterly basis, but requires no continued grant support since there are no ongoing costs associated with the program.

Interventions to Enhance Child Safety During Visits by Providing Supervised Visitation Services

Supervised visitation and exchange services are part of a comprehensive service system for high-conflict families that Idaho began developing in 1997, when a joint bench/bar committee was

formed known as the Committee to Protect Children of High Conflict Divorce. The members of the committee developed and adopted a Benchbook and a Protocol for handling high-conflict divorce. The scheme includes (1) ADR Screenings; (2) special masters; (3) parent education; (4) mediation; and (5) supervised visitation. In 1998, when AV grant funds were awarded to the Idaho Department of Health and Welfare, the funds were given to the Idaho Supreme Court to develop methods to improve and standardize the handling of high-conflict divorce cases.

In an attempt to standardize supervised visitation services and impose some measure of quality control, Idaho developed qualifications for persons conducting supervised visits. Services are offered on a fee-for-service basis in all districts.

California devotes nearly all of its AV grant funds to developing supervised visitation services and has supported programs in 30 of the state's 48 counties. As in Utah, California offers a wide number of services for families that include (1) education interventions to prevent conflict; and (2) mandatory mediation interventions paid for by earmarked court filing fees, for couples who request a court hearing to resolve a custody or visitation matter.

Like Idaho, California standardizes supervised visitation practice through the development of Uniform Standards of Practice for Providers of Supervised Visitation. Mirroring the practice standards promulgated by the Supervised Visitation Network (Straus, *et.al.*, 1998), an international membership association established in 1992, these standards define the duties and obligations for supervisors, including the duty to:

- Develop security procedures;
- Conduct an intake to assess risk factors for each case;
- Maintain a neutral role;
- Keep factual records of each contact or visit that include records of critical incidents or violations of court visitation orders;
- Avoid drawing personal conclusions, suggestions, or opinions; and
- Disclose information about the visits only when ordered by the court, law enforcement, or a mediator or evaluator in conjunction with a court-ordered mediation or evaluation.

Supervised visitation is ordered by the court when there are allegations of or a history of domestic violence, substance abuse, or child (sexual) abuse or neglect, and unsupervised visits might place the children at risk of further abuse and/or abduction. Mediated agreements can also contain a provision for supervised visitation. The goal of supervised visitation in California, as in other sites, is to provide safe visitation options. Supervised visitation relies on trained personnel to monitor visits so that it occurs in a safe, neutral environment. An important objective is to normalize visitation for families, encourage compliance with court orders, and promote healthy parent-child relationships. The programs serve families with severe access problems irrespective of marital status (Straus and Alda, 1994; Straus, 1995).

Another reason for ordering supervised visitation is to reinstate visitation after a prolonged absence. For example, 40 percent of the families receiving supervised visitation services in the AV program in San Francisco County were never married, typically referred by the judges and masters handling the county's child support calendar. Judges in the Family Support Court can refer couples with custody/visitation issues to the court's mediation program, which may result in an agreement for supervised visitation. If no mediation agreement is reached, the case may be heard by a family law judge who also can promulgate an order for supervised visitation.

Supervised visitation services are generally provided by a CBO. Grantees are required to collaborate with other community services in order to avoid duplication and to augment their capacity to deliver services. In addition to AV grant funds, supervised visitation services receive support from tobacco tax dollars, foundation grants, United Way, and other fundraising activities. The 30 counties in California that have developed supervised visitation and exchange services have pursued many different models of service delivery. A recent report by the California Judicial Council notes that depending upon the county, services may be coordinated with the Court Appointed Special Advocate organizations, faith-based organizations, legal service providers, domestic violence agencies, community colleges, and hospitals (California Judicial Council, 2002).

Although supervised visitation tends to be used relatively rarely—according to Canadian researchers the usage rate ranges from 0.32 to 0.97 per thousand (Park, *et.al.*, 1997)—it fills an important need in California, as in other settings. Family court judges face conflicting pressures for safety and access. In the absence of services, they are forced to deny visits, permit unsupervised visits, or require visits at child welfare agencies or exchanges at police stations or other public settings.

Supervised visitation has grown nationally and in California. In 1997, there were 56 member programs in the Supervised Visitation Network. Today, there are more than 400.

In addition to funding direct services, AV grant funds have been used to develop a variety of resources and materials about supervised visitation. This includes guides to nonprofessional providers of supervised visitation in English, Spanish, Persian, Korean, Chinese, Russian, and Vietnamese, and a monitored visitation exchange brochure and training video in English and Spanish. Another grant product is a mobile PowerPoint presentation on supervised visitation that can be used with parent audiences, as well as an informational brochure for parents with questions and answers. Finally, California has used its AV grant funds to develop a booklet that describes the responsibilities, duties, and obligations of providers of supervised visitation services pursuant to the Uniform Standards of Practice for Providers of Supervised Visitation.

Although Federal grant funding has helped California make supervised visitation and exchange services available in 30 of the 48 counties in the state where limited or no services previously existed, these types of services remain unavailable in approximately 28 counties, and all programs cite lack of resources as one of the chief barriers that they face. For example, in a 1997 national survey, 67 percent of administrators of supervised visitation programs cited lack of funding as a

“major problem,” making it difficult to meet increasing service demands while maintaining high quality (Thoennes and Pearson, 1999). In its 2002 report to the Legislature, the Judicial Council reached similar conclusions:

The greatest success of the grant program has been the galvanizing effect of the grantees’ expansion, in scope and availability, of statewide program services for families with children who are or have been in family courts, as well as the improved quality of relationships between noncustodial parents or joint custodial parents and their children. However, the lack of available, affordable services and the absence of any increase in Federal funding have resulted in severe cuts in the yearly requested funding. These cuts have made it impossible for the courts and programs to provide the services needed and precludes adequate quality assurances for programs that are essential to the well-being of California’s children and families. [Judicial Council of California, *California’s Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents: The First Five Years*, a report to the Legislature (March 1, 2002).]

Interventions to Teach Parents How to Better Connect With Their Children Using a More Interventionist Approach During Supervised Visitation

One variant of supervised visitation developed in San Francisco County, California, is facilitated supervised visitation. This intervention calls for the supervisor to support parent-child relationships through overt instruction, modeling, suggestions, and feedback. Prompted by the observations of supervisors who saw many parent-child interactions that were not dangerous but reflected parental failures to connect with their children, the architects of the facilitated approach sought to provide parents with more feedback than is normally afforded in supervised visitation about their parenting strengths as well as areas that needed improvement. The facilitated model permits supervisors to provide feedback before and after the visit as well as giving immediate reinforcement of behaviors during the visit either by remaining in the room with the parent or communicating through radio transmitters. The supervisor who facilitates a visit provides feedback on how to help the child separate and greet each parent, as well as what is appropriate behavior and play during the visit. Under the traditional approach, supervisors can only intervene if there is immanent danger; their role is restricted to observing and providing the court with factual information. When the court orders the facilitated approach, the supervisor’s job expands to include actively supporting the parent-child relationship, including praising positive behaviors and reframing or modeling alternatives for behaviors that are less desirable. The director of San Francisco’s Rally Family Visitation Services gives the following example of a facilitated intervention.

We had one father who stood over his four year old trying to talk with him during the visit, and the little boy just shrank away. So I sat down in a little chair and suggested that Dad sit down in a little chair so he could make eye contact

and we spent time talking together with the little boy. So he started doing that and now he tells me that he is ‘doing better with the eye thing.’

Staff in San Francisco believe that facilitated supervised visitation makes the most sense in reintroduction cases where contact with a nonresident parent is being initiated after a long separation. More than half (52%) of their caseload involves reintroduction issues. Cost is a barrier to the more extensive use of facilitated supervised visitation. Traditional supervised visits typically occur one hour per week for each family. Facilitated supervised visits take 1.5 hours. In addition, supervisors spend an additional 15 minutes before and after the visit talking with parents. Aside from consuming more visit time, facilitated cases take more clinical supervision time and administrative time since the write-up to the court is more complex. These cost factors definitely affect the number of families that can be served using a facilitated approach. As the director of San Francisco’s AV-funded program at St. Francis Memorial Hospital puts it, “It hasn’t been more widely provided due to budget constraints. But I walk away from those sessions feeling better about the work I do. And the families thank us. We never get thanked in traditional supervised visitation cases.”

SUMMARY AND RECOMMENDATIONS

Families at the high end of the dispute continuum consume a great deal of court time. They also pose the greatest dangers for children who may be exposed to violence, the threat of abduction, and other forms of parental misconduct. For these reasons, many states have used their AV dollars to create or help to support interventions for the most contentious families.

A review of state AV grant activities shows that jurisdictions are experimenting with different ways to serve high-conflict families. Some interventions involve generating needed information for the court so that it can make access decisions in a timely manner and refer families to appropriate services. Others focus on monitoring visitation exchanges and actual visits to ensure that visitation occurs as ordered by the court in a safe manner. A few jurisdictions are experimenting with techniques aimed at modeling appropriate parenting and co-parenting behaviors by providing assistance on an as-needed basis in unsupervised settings over a sustained period of time, or taking a more activist approach to visitation in supervised settings by participating in the visits and giving parents feedback on their parenting behaviors.

One limitation with all these programs is that they focus exclusively on parents with court orders concerning custody and visitation. Necessarily, this means that the primary focus is on divorcing and divorced families seen in the family court, and/or never-married parents who have an order dealing with visitation. It is more challenging to identify and serve IV-D populations who have serious conflicts about access and/or safety issues that make visitation questionable. Programs in California try to accomplish this through the state’s mandatory mediation program, which is available in all courts at no charge to litigants. Like their counterparts in Family Court, judges in Support Court can refer couples to court-based mediators for assistance with the development of an agreement dealing with custody and/or visitation. Thus, if a visitation matter is raised in the

course of a proceeding dealing with the establishment or enforcement of a child support order, the judge may refer the family for mediation services. And if the mediation plan includes an agreement for supervised visitation, the family can access the court's high-conflict service mix. If the parents fail to reach an agreement, their case will be heard by a family law judge who can order supervised visitation. Without the ready availability of court-based mediation services, however, it would be impossible to link child support populations who have severe conflicts about parenting with remedial services. Thus, a key requirement to the effective provision of services for high-conflict families is having services like mediation for families with lower levels of conflict.

Perhaps the most useful intervention for IV-D populations is the "facilitated" approach to supervised visitation that has been developed in San Francisco County. For families with inexperienced parents whose visitation is initiated for the first time or reinstated after a prolonged absence, the facilitated approach provides a vehicle for teaching parents how to do a better job of relating to their children during the visit. The supervised visit becomes an opportunity to monitor, demonstrate, and instruct. By incorporating feedback with supervised visitation, parents can be exposed to new parenting skills and practice them during the visit.

Of course, extending the use of a psycho-educational approach like facilitated supervised visitation will take more resources that financially strapped visitation programs can ill afford. Expanding the facilitated supervised visitation approach will also require additional judicial and mediator education since the service requires a specific type of order. Finally, the spread of facilitated supervision will take some basic adjustment of the field of supervised visitation, including a review and revision of guidelines and standards for supervision practice, new forms of supervisor training, and a redefinition of what is appropriate with respect to supervisor intervention during the visit and feedback to parents.

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SECTION 4

SERVICES FOR INCARCERATED PARENTS

INTRODUCTION

In the last few years, increasing attention has been paid to a group of parents about which very little has been published: incarcerated parents. Most of this attention has focused on the child support obligations of these parents, the arrearages on support orders that accumulate during incarceration, and the subsequent inability of released offenders to meet their support obligations. More recently, however, practitioners, researchers, and policy makers have focused on how to involve incarcerated parents more actively in the lives of their children. Some states have begun to deliver child support services, including access and visitation services, in a wide range of correctional settings. This paper reviews programs in selected states that have been funded using AV grant money. It also reviews a few programs funded through other child support grant funds.

To our knowledge, the only national studies of parents in correctional facilities have been surveys administered by the Bureau of Justice Statistics (BJS) to prisoners. The most recent survey findings, available in a special August 2000 report prepared by BJS staff, present a picture of the size and characteristics of parents who were in Federal and state prisons in 1999 and provide some data from earlier surveys. A few of these findings include:

- In 1997, 55.4 percent of all state and Federal prisoners said they were the parent of at least one child under 18 years of age (Mumola, 2000).
- In 1999, approximately 1.5 million minor-aged children had a parent incarcerated in a state or Federal prison. This represented 2.1 percent of all minor-aged children in the U.S. in 1999.
- A majority of parents in prison were incarcerated for violent offenses (44 percent) or drug trafficking (13 percent), and 77 percent were repeat offenders. The nature of the offenses meant that the average sentence was relatively long—about 12 years for parents in state prison and 10 years for parents in Federal prison.
- Some 70 percent of parents had not completed a high school education.
- About 62 percent of fathers and 78 percent of mothers reported having at least monthly contact with their children, typically by telephone or mail. Somewhat more than a fifth (21 percent of fathers and 24 percent of mothers) reported visiting with their children at least monthly, but majorities of both parent groups said they had never visited with their child since they entered prison.
- A plurality of parents in both state and Federal prisons reported having never been married, and less than half (46 percent) of imprisoned parents said they had lived with their children prior to their entry into prison.

As the statistics indicate, there is a large population of incarcerated parents who have mostly been overlooked by the child support system and by advocate groups. The large majority of these parents are fathers (93 percent of parents in prison are fathers) and are noncustodial parents.

Noncustodial parent advocate groups and the rise of responsible fatherhood programs since passage of 1996 welfare reform legislation have helped spur interest in the role of fathers in the lives of their children, including fathers who are incarcerated. Among the benefits that supporters give for working with incarcerated fathers to make them better parents are (1) men are less likely to recidivate when they are released; (2) fathers' interaction with their children helps reduce delinquency and criminal behavior among those children; (3) children have better outcomes in other areas, such as school performance and decreased anti-social behavior, when fathers are involved as role models; (4) reintegration into the community is easier because family ties have been maintained; (5) paternity is easier to establish by identifying fathers in prison who have out-of-wedlock children; and (6) agencies are better able to locate noncustodial parents once they leave the prison environment. There is very little published research to prove or disprove these arguments, yet some programs are attempting to gather more information about outcomes and arrange for more formal evaluations.

In light of these arguments, some states have initiated programs to help reconnect parents with their children. Some of these programs are prison-based and others only deal with offenders after their release from prison. A good, but not exhaustive, overview of some of these programs is available in a 2001 Vera Institute of Justice publication (Jeffries, *et al.*, 2001; see also Sachs, 2000). That report describes programs in 12 states, but only a few of those programs deal with offenders while they are incarcerated and even fewer incorporate a father-child visitation component.

As part of our research on this project, we talked with AV program coordinators and service providers in five states—Indiana, Missouri, Nebraska, Pennsylvania, and Vermont—about their experiences working with incarcerated parents. We also contacted two other states—Minnesota and North Carolina—that seemed to be planning activities with noncustodial parents in correctional facilities, either through the AV grant program or some other funding mechanism. Neither of those states, however, was working on access and visitation issues with incarcerated parents. The choice of states was based on information we gathered in the regional telephone conference calls OCSE facilitated in late 2001 and follow-up contact we had with states that did not participate.

AV SERVICES FOR INCARCERATED PARENTS

Indiana

Administration

The Indiana AV grant program is part of a larger program for parents that uses both AV grant monies and surplus TANF block grant funds. The program's goals and organizational structure are described in an earlier paper. A list of the program's grantees, selected on a competitive basis,

and the services they provide are available on a Web site: www.in.gov/fssa/fathers/providers.html. The Web site also includes the name and address of a contact person for each program.

Services

One of the AV grantees is Catholic Charities, which manages a program for incarcerated parents. The program is education based and does not involve parent-child access; it uses a national curriculum called Active Parenting. (The state is recently moving to adopt a different national program called Long Distance Dads.) More information about Active Parenting can be found at www.activeparenting.com/about/htm.

Active Parenting is a six-week program held in 2- to 2½-hour sessions once a week. The program combines video instruction with discussion and simple exercises in a workbook. There are three versions of the program for (1) fathers with young children (*i.e.*, through grade school); (2) teen fathers; and (3) fathers wanting to improve the co-parenting relationship. Most of the work with incarcerated fathers has used the first of these three versions. According to the program director, Active Parenting attempts to get fathers to think more in terms of how to create a positive learning environment for their children rather than how to get good behavior out of them. She thought the classes were a good opportunity for incarcerated fathers to talk about themselves as parents and their fears and concerns about the impact of their incarceration on their children.

Catholic Charities has provided the following services:

- Recruited and trained paraprofessionals to deliver the Active Parenting curriculum. Catholic Charities already had professional social workers who were training in Active Parenting, and they conducted training for the paraprofessionals who then delivered the workshops.
- Supervised the first two workshops conducted by each trainer.
- Gave trainers the books and videotapes they needed to conduct the classes.
- Monitored and paid the paraprofessionals who delivered the workshops. All trainers work on a fee-for-service basis and are not employees of Catholic Charities.
- Offered ongoing support to the trainers and one-on-one assistance to the fathers if needed.

The paraprofessionals were from all backgrounds, generally people with a minimum educational background who are working in a social services environment. Some were prison staff who wanted to earn additional money.

Target Population

Services were available to incarcerated men (either in a state prison or work release facility) with children. Catholic Charities offered the same program in the local community, and there were no specific eligibility criteria for participation in those Active Parenting workshops. Generally, the response in the prison was good (possibly because prisoners are a captive audience) and was not so good in the community. Since Catholic Charities and the trainers were paid based on the number of people attending the workshops and how many of the six sessions each person

attended, trainers eventually were more interested in working with incarcerated fathers than with fathers in the community.

The program with incarcerated fathers will end this year. The Catholic Charities project director says that part of the reason is lower participation among incarcerated parents because the state now requires all participants to give their Social Security number. As the project director said, “When you do not have much to give up, a Social Security number seems a very private thing to a prisoner and not something he feels comfortable releasing.” Catholic Charities is now working with the prison to write grant applications for another national program called Everyday Dads that the prison wants inmates to run under the supervision of a trainer from Catholic Charities.

Evaluation

There has been no evaluation and this is the first year that the state required Catholic Charities to measure how well it achieved its goals. There was no follow-up after the six-week program to learn whether fathers were having more communication with their children. Some fathers brought pictures and letters to classes to illustrate their greater involvement.

Missouri

Administration

The program being conducted in Missouri is offered through an 1115 demonstration project funded by the Federal OCSE and not through the AV program. The AV coordinator also directs the incarcerated parent project, however, and she discusses the project with the deputy directors at the two treatment prisons every week. Oversight of the project on an operational level is provided through a project Steering Committee at each of the prisons. The Steering Committees include inmates; thus, meetings are held at the prison facilities.

Services

The project is called Fathers for Life, a name developed by inmates at the two prisons where access services are being served. The program consists of 10 components. As funding comes to a conclusion, the state project director has implemented plans to institutionalize the program and potentially expand the program to other prisons. Below, we describe the components and how the component will continue beyond the life of the demonstration grant.

1. *Proud Parents:* This is a parent education program that teaches noncustodial parents about (a) their rights and responsibilities as parents; (b) how to communicate with the child’s mother; and (c) bonding with the child, among other issues.

Couples Skills Training: This is part of the Proud Parents program and is designed for noncustodial parents who expect to live with the family once they are released from prison.

Sustainability: Prison staff can run this.

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2. *Parenting Corners*: Funded with money from a collaboration grant, this is a parents' information center kiosk in the prison library that has lots of connections with books and literature about marriage, relationships, etc. (This component is not yet implemented, but is scheduled to begin in October 2002.)

Sustainability: The grant has purchased the books and information. There is no need for additional money except to replace the information, a cost that the prisons will absorb.

3. *Mediation*: This component, which partly uses AV funds, is only available to noncustodial fathers who have been divorced or never married and are not intending to co-habit with the mother and children after their release from prison. (Participants are screened for domestic violence issues.)

Lots of inmates do not know what mediation is, thus the project is developing a brochure about mediation (geared toward those with a sixth-grade reading level). The state wanted a different mediation model for the prison population than it uses with the divorcing population. So, it developed a model that includes issues such as how to communicate with the other parent and how to build trust. It is an educational based mediation model and therefore is longer than other standard mediation (three hours instead of two).

The project picked six top mediators in the state and created some specialized all-day training for them that included (1) looking at incarcerated parents and looking at their needs; and (2) looking at and dealing with high-conflict families. The day-long workshop used trainers from out of state. To date, there have been 100 mediations. The state contracts for the services of these mediators through the same firm that delivers mediation in the access and visitation grants.

Sustainability: AV grant funds can be used for this component after the demonstration grant ends.

4. *Relationship Enrichment Skills Training*: This is mediation for fathers who are going back to live with their spouse or the mother of their children. This is very personalized mediation that addresses financial issues and the process by which parents are going to work things out and get along better.

Sustainability: The project director is not certain how this component will continue beyond the grant period.

5. *Parents as Teachers*: This is a national program that works through the local schools and parents with children who are five years of age or younger. It operates out of the school and training staff make home visits to see the mother and child. During weekly visits, staff discuss child development issues with parents and help them recognize developmental problems.

The program has been adapted to this project. The father can elect to have a parent educator come for an hour a week to visit him at the prison. Once the father begins participating, then parents as teachers contact the mother and begin weekly sessions with her. This program is geared to the reunification of dad with the mother and child.

Sustainability: Parents as Teachers program can draw down money from the Federal government.

6. *Long Distance Dads:* This is a national, 12-week education and support program to teach inmates skills about how to be a father. It uses peer leaders, in this case inmates, as teachers. The project paid for training of correctional staff who, in turn, convene programs to train inmates.

Sustainability: This can be continued by the case managers in the prison.

7. *Parents' Fair Share (PFS):* This is a jobs program paid for by the Department of Social Services (DSS). Eligibility is restricted to parents who have a child support order.

Sustainability: This component will continue to be funded through DSS.

8. *Transportation:* This component provides transportation for mothers and children to visit fathers in prison. All costs are paid for by the United Methodist Church. Mothers can live anywhere in the state (*i.e.*, it is not necessary to live near the prison) and the Church provides transportation using its own volunteer drivers.

Sustainability: The United Methodist Church will continue to provide free transportation services beyond the demonstration project.

9. *Capital construction:* The purpose of this component has been to create developmentally appropriate learning and visiting areas at the prisons. A local company is providing the toys, etc., for indoor and outdoor play areas in both treatment facilities.

Sustainability: The play equipment will be installed in October 2002, so the only ongoing costs are to maintain the equipment, which is something the prisons will do.

10. *Audio-visual presentation:* There are lots of areas where mothers cannot come for one reason or another. The AV program has set up audio-visual equipment in the prisons in conjunction with state university outreach offices to facilitate communication between the parents and children.

Sustainability: The state purchased the equipment through the OCSE demonstration grant, and DSS inserted a clause in its contract with the prisons that the equipment belongs to DSS and must be used for the purposes it was originally intended. The prisons want to use the equipment for hearings with the court,

so the project director believes they will keep up the program using their own money so they can use the equipment for hearings and other purposes.

Target Population

Services in some of the 10 program components are available to all prisoners; other components are specifically targeted to noncustodial fathers. The only other criterion applied to all programs is that the father be within 18 months of being released. Some of the program components have special criteria. For example, the mediation component requires that both parents be involved; thus, cooperation from the mother is a criterion for participation.

Evaluation

An evaluator from the University of Missouri-Kansas City has been involved from the program's inception. She helped design the evaluation—a quasi-experimental design with two treatment and two control prisons—and the data collection instruments. The program is administering pre- and post-participation surveys of participants in each of the program's 10 components.

Nebraska

Administration

Nebraska has funded nine grantees through the AV program. Six of the nine grantees provide mediation services, one provides access counseling, and two provide services to parents who are incarcerated or recently released. The program hoped to get supplemental funding from the State Legislature and use surplus TANF funds, but these efforts have been unsuccessful.

Services

There are two programs that deal with fathers who are incarcerated or have recently been released. One of the programs involves access counseling, a structured program that works with parents to identify all their needs, not just their need for access to their children. That is, counselors help fathers examine a wide range of issues from legal needs (*e.g.*, access to children, modification of child support orders) to life-skills needs (*e.g.*, rage management, financial management, substance abuse treatment), to parenting needs (*e.g.*, strategies/tactics to connect or reconnect with children, dealing with the other parent).

A second program is run through a correctional facility in Hastings, Nebraska. The facility director was impressed with a program in another correctional facility for incarcerated mothers. That program allows babies to come and visit their mothers for overnights, but although the facility has a separate nursery to allow these overnights, security issues have made this program increasingly hard and challenging to continue. As a result, this has become a privilege program, and if mothers want to become involved, they have to comply with other service requirements (*e.g.*, participation in substance abuse or mental health services).

The experiences of this program led the facility director in Hastings to believe a similar type of program would work with fathers and that the long-term benefit might be a greater willingness of

the fathers to support their children financially and emotionally once they were released. The director contracts for two services: parent education and supervised visitation. The local community college offers parent education classes to inmates (*e.g.*, what is involved in being a parent, strategies to be a good parent, issues children face), and Head Start provides supervised visitation. The Head Start representative has an office in the prison and comes in every day to monitor visits between the father and children (one to two hours).

Target Population

The access counseling program is available to any father. The Department of Corrections program primarily focuses on fathers who are about to be released or who have very little time left before release and who are not going to be living with the mother and children. The program director at the correctional facility would eventually like to expand the program to fathers who will be leaving the institution to live with the mother and child.

Evaluation

The AV coordinator has tried to get information about outcomes from the service providers (*e.g.*, what services have worked well/not so well, how the program can be improved, recommendations for ongoing services, etc.), but she has not been very successful to date.

Pennsylvania

Administration

As discussed in a prior paper in this series, the child support agency administers the AV program, but the agency does not contract for services directly. That responsibility rests with the Domestic Relations Section of the Courts of Common Pleas in individual counties. The state has sought geographic diversity in the programs it funds, and grants are generally awarded competitively for two years, pending continuing availability of Federal funds for the AV program.

Services

One grantee, the Salvation Army in Philadelphia, provides services to incarcerated fathers and mothers in three facilities: (1) state prison about four hours from Philadelphia; (2) a men's work release center; and (3) a women's halfway house. The last two facilities are community correctional centers (halfway houses) that are located in the center of Philadelphia and easily accessible by public transportation.

The program, called Parenting Access and Visitation Enforcement (PAVE), provides case management, counseling, parent education, parenting plan development, and structured parent-child activities. The services are offered together over an eight-week period. For example, a parent education class may be followed by structured parent-child activities so that parents can put the skills they learned in class to immediate use with their children. Case management and counseling sessions are offered one time biweekly throughout the program cycle.

The PAVE program director believes that many parents do not have adequate parenting skills and need this program to understand the importance of maintaining a relationship, help them develop a parenting plan, teach them about the needs of children at various ages (*e.g.*, how to discipline children and help them make good decisions), and educate them about the need to provide financial support. The information PAVE staff collect from parents who enroll in the program is shared with the child support agency since many parents need to establish paternity or child support orders and want to get current with their support obligations. PAVE also offers help to inmates who want to get an adjustment to their support order by giving them information about how to file a petition.

Once an inmate is selected for the program, the PAVE director (1) visits the facility to orient the inmates and the case managers; (2) elicits cooperation from the other parent; and (3) sets up the schedule for the eight-week program. Classes at the prison and inmate visitation with the other parent and the child are conducted in the prison visiting area. Classes in the city correctional facilities are held in the training room.

State prison. All the education classes and activities occur at the prison one day a week on Saturdays. PAVE transports the parents and children by van from two central locations in the city to the prison. After the eight-week program ends, it is up to the parents to provide their own transportation to continue the visitation. The PAVE program director monitors parents for three months after the program's end to see if they are continuing visitation and adhering to the parenting plan.

Correctional centers. Salvation Army staff run the program out of the facilities and arrange for parent-child activities at the centers that are age appropriate, as well as activities outside the centers (*e.g.*, field trips to the library). The custodial parent/caretaker has to agree to let access take place, which is sometimes a problem. If they agree, transportation to the centers is at their expense. Because of the centers' central location, however, many children travel to the facility on their own using public transportation. Parent education classes take place in the evenings. Visitation and field trips are scheduled for Tuesday afternoons.

Challenges. Case managers at the correctional facilities identify and recruit parents who are interested in and eligible for the program. Identifying the right people has been somewhat of a struggle the program is trying to overcome. The case managers at the correctional facilities need more training about PAVE and who is and is not eligible; for example, past abusers are not eligible. At the prison environment, there are extensive records on inmates that case managers can check for factors that may exclude parents from the program. This apparently is less true at the correctional facilities in the city, and case managers often rely on the parent's self-reported information about himself and the other parent that may be inaccurate. Although there have been no major problems with participants to date, there is an apparent need for better screening.

Another obstacle that PAVE had to overcome was how to deal with multiple families. Many of the inmates have multiple families, and some wanted visitation with more than one family.

PAVE has restricted visitation to one family of the inmate and during the orientation explains this restriction. The inmate gets to choose who among the parents he or she wants to maintain a relationship with while in the correctional facility, and the PAVE program staff contact the other parent to elicit her or his cooperation.

Target Population

Both fathers and mothers in the correctional facilities can receive services. There are three target populations: (1) parents who are struggling with custody issues; (2) parents who are trying to pay child support, but who may have high arrearages and limited incomes; and (3) victims of domestic violence.

Evaluation

There has not been a formal evaluation of outcomes from PAVE programs. The PAVE case manager does work with the parents throughout the eight-week program and remains in contact for three months following the program to monitor parents' compliance with the parenting plan. There is some information from this monitoring about how much access continues beyond the end of the program.

Vermont

Administration

The AV program in Vermont is small and has not been able to leverage funds from other sources. The AV program director had hoped to establish a link with the Safe Havens program funded with money from the Violence Against Women Act because that program has much more money, but that linkage has not worked out for a variety of reasons.

There are nine AV grantees; one, The Family Tree Access Center, works with men in one correctional facility. The correctional facility supplements the AV grant money with its own funds. There are two other programs in the state that work with incarcerated parents, but those are funded through the Department of Corrections exclusively.

Services

The Family Tree AV program is primarily a supervised visitation program for men, their children, and the custodial parent or another caretaker (*e.g.*, grandparent). The program only operates in one facility at the present time, but will soon be opening a second program and is working on letters of agreement with two other facilities (*i.e.*, a work camp and a prison). In addition to work with prisons, Family Tree offers mediation and supervised visitation at its own offices.

Caseworkers in the prison tell the men about the visitation program and participation begins with the men completing an application requesting access. The application contains all the rules that inmates must follow while in the program. Family Tree staff screen the application (see eligibility issues below) and accept or reject the application. If staff approve the participation request, the application becomes a contract between the man and the program. Family Tree staff make the

contacts with the mothers/caretakers and work with them to make the connection with the inmates. Women provide their own transportation to the prison.

Although supervised visitation is the main event, the program involves more than visitation. For example, project staff work with (1) the inmates' caseworkers to determine what the men need to do to get paternity established or a child support order adjusted; (2) the mothers/caretakers involved in their homes to get them linked with needed services (*e.g.*, housing, public assistance, school issues); and (3) the men—before and after the visit—to highlight the positive events from the prior visit, make suggestions about how to improve interaction, remind them of things to avoid (*e.g.*, complaining to the other parent), and give them tools for the visit.

Visits are conducted in a group setting in the security bubble in the middle of the facility. (All other inmates can see what is happening in the bubble.) Visits last about an hour and often include group activities (*e.g.*, reading, games, painting). Family Tree staff provide the materials and work with the fathers to identify age-appropriate activities. The prison provides refreshments.

Target Population

The prison program is restricted to men, but not just fathers; that is, the primary target audience is men who have a relationship with their biological children, but the program also includes men who are not fathers but who have significant relationships with mothers and their children. Some program participants are parents who want to see their grandchildren.

Participation in the program is a privilege, not a right. Men must be on good behavior to participate. They also must pass a screening that is conducted by the service provider staff at Family Tree. For example, using DOC's automated system, staff screen men for reports of domestic violence, pedophilia, substance abuse, etc., because the correctional facility does not do that.

Evaluation

The State has a logic model based on a United Way "theories of change" model that it uses for evaluating the AV-funded programs. All service providers complete the model. With respect to the prison program, the program director has not had money to conduct a formal evaluation. Thus, what she has is testimonials and letters of thanks from fathers and mothers about how much the program has helped their children. The program serves one to 15 children per week and recently served its 1,000th child in the three years the program has been in operation.

IMPLEMENTATION ISSUES

The people who spoke with us raised several issues that were obstacles and some that continue to be obstacles to operating programs in prison or jail facilities.

Security Issues

Security issues are among the top concerns mentioned by program administrators. This covers two issues primarily: (1) access to the institution and (2) rules governing the conduct of people once they are in the institutions. The screening to get into the institution is sometimes complicated because all visitors and any articles they bring with them must pass through security. Several program directors noted that this can be particularly troublesome for children because (1) they may find the environment somewhat scary; (2) they do not know what prison is or why their father is there, and (3) they are sometimes used as a conduit to transmit banned items (*e.g.*, drugs, cigarettes) and therefore must be patted down along with the adults. The Vermont program director noted that they send two staff members to monitor all visits: one person to safeguard the children (*e.g.*, make certain that the parent-child interaction is appropriate), and one to watch the adults (*e.g.*, to make certain things are not passed from one to another and that their interaction is appropriate for the visit). There have been a few instances of items being passed that had to be confiscated.

The security screening is never an easy process, even for adults. The Vermont program director was able to get storage space set aside for the materials used during access sessions, but prior to that, she had to get everything screened each time she visited the facility, and it was a lengthy process.

Prisons have not been designed to provide a separate location that is conducive to family visits. Most programs that work with incarcerated fathers use existing space, even if it is not viewed as ideal. The Missouri demonstration project, which had more funding than was available through the AV program, was able to build a separate area with furnishings, equipment, and toys that were more conducive to visits than was space in the main prison facility.

Cooperation from Mothers

All visitation programs require cooperation from the custodial parent or caretaker of the children. This has sometimes been difficult to obtain, partly because mothers do not see the prison environment as the best place to have visitation, but also because they usually do not have a very good relationship with the father. In the view of one program administrator, “Some fathers have ‘burned their bridges’ with the other parent, and she may be unwilling to allow visits to occur.” This is one reason that once Vermont program staff members have accepted a father’s application for visits, they begin working with the mother to elicit her cooperation. Often, that cooperation comes as a result of other help program staff tries to provide, such as assistance getting needed medical attention, housing, and welfare benefits.

The Nature of Correctional Institutions and Life in Them

Programs that seek to offer direct parent-child contact are often frustrated by factors related to the correctional institution and the nature of incarceration.

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- Location of the institution. The institution may be located far away from the father's or mother's family. Access programs that do not offer transportation to the facilities may not have high rates of participation because custodial parents and their children find travel difficult and/or costly. Those programs that offer transportation have had good success getting the other parent and children involved. In the Missouri program, for example, the United Methodist Church recruits volunteers from its membership to provide free transportation for the children of inmates and their mothers.
 - Length of stay. The prisoners' duration of stay at a specific facility can be a barrier to participation. As the warden at the Nebraska correctional facility noted, by the time you screen fathers for eligibility in the program, they may have very little time left before being released or transferred. In that institution, the turnover rate is about 15 percent a month.
 - Movement among facilities. Inmates do not always stay in the same facility. One of the difficulties mentioned by the director of the Vermont program (Family Tree) is that fathers were moved around among facilities and occasionally were relocated to out-of-state facilities. Since only one state institution offered the access program, the fathers may not have had many sessions with their children before they were moved to a different facility.
 - Difficulty getting fathers engaged. It is often hard to get incarcerated fathers engaged in any parent program, whether it be educational or access related, especially if they are sentenced to life and parole is at least 10 years away. Those parents do not have their children as their primary focus. Also, they want to know what the program will do for them and how much work will be involved on their part. The Vermont program believes it has gotten more participation because access sessions are held in the center of the facility (*i.e.*, the security bubble). As other inmates see the interaction of fathers with their children, they better understand how the program can benefit them.

Another obstacle to getting fathers involved is that they view the Department of Corrections as an adversary and they do not trust it. One program director said that the best way to overcome this obstacle has been to use outside contractors to provide services. Inmates do not view these people as spies or threats and hence react to them better.

Low Educational Level of Inmates

As noted in the introduction, 70 percent of parents in state and Federal prisons said they do not have a high school diploma. Furthermore, 12 percent of parents said they had not received any education past the eighth grade. The low educational level of parents may require some adjustment to educational programs that were not designed with incarcerated parents in mind. Some programs, such as Long Distance Dads, were originally designed as prison-based programs, but others were not. It is important to consider the grade level of the materials being used in institutions.

It may also be important to consider the educational level of the people presenting the information to inmates. One of the reasons Catholic Charities believes it had success with its Active Parenting classes in prisons was that the people delivering the workshops had about the same educational background as inmates and thus were better able to relate to them than a Ph.D. social worker would be.

Warden Support

All of the AV programs in correctional facilities would not occur without the support of the warden and other leaders in the institution. If some of the advantages touted by supporters of programs for fathers prove to be true, perhaps more facility directors would be encouraged to implement access programs for parents in their institutions. Apparently, the warden in the facility hosting the Vermont program believes that the parent-child visitations may have reduced tensions (*e.g.*, less fighting) in the prison environment. The program director argues that the presence of children from time to time may add a more humane touch to the environment and help keep inmates' tempers in check.

Multiple Families

Many inmates who are noncustodial parents have multiple families, as do many parents who are not incarcerated. None of these programs allows the multiple partners to be involved in the programs. The inmates need to select one parent with whom they want to maintain/reestablish a relationship. This may leave some children of the inmate without regular contact with their parent; program administrators need to determine how to address this issue where it exists.

SUMMARY AND RECOMMENDATIONS

There has been very little research on parents in prison partly because so little is known about them and the prison environment is not conducive to conducting studies or demonstration projects. It has only been recently that we have begun to understand the size of the parent population in correctional facilities and the demographic characteristics of those parents. Those statistics present a sobering picture of incarcerated parents in terms of the number of children they have, their relationship with the other parent, and their contact with their children. As we have learned more about the importance of involving both parents in the lives of their children, particularly the negative impacts of growing up in a single-parent, usually female-headed household, we believe that access programs that promote parent-child contact need to be introduced into the prison environment.

Several states have made some first, tentative efforts to reach out to parents in correctional facilities. Often, these efforts have been limited to education programs that explain the child support process, the rights and responsibilities of parents to support their children financially and emotionally, and maybe the process for requesting an adjustment to the child support order while incarcerated. It is rarer that states have tried to facilitate parent-child contact by implementing

access programs in the facilities. The primarily anecdotal findings from those programs suggest that they have promise for being beneficial to parents, children, and society. Certainly, more work needs to be done to document outcomes, and best practices need to be replicated in other institutional settings, but it seems unlikely that the work will get done without additional funding. Many of the services for incarcerated parents operating through the AV program are run on very small budgets and tend to use volunteers extensively. Furthermore, the merits and limitations of programs for incarcerated parents need to be weighed against those of other programs for parents who are not incarcerated.

Our discussions with individuals involved in providing services to incarcerated parents have yielded the following ideas to guide states as they consider implementing similar types of programs.

Working in the prison environment. Prisons are not the easiest environments in which to implement an AV program. Even an educational program needs to be concerned about the safety of people conducting the program and the safety of prisoners who participate. A visitation program runs into a larger set of obstacles, including ensuring the safety of the visiting families, finding a suitable environment to host the visitation, and monitoring contact to make certain it is appropriate. Clearly, all stakeholders in the program need to review the prison environment and make whatever accommodations are necessary to facilitate access.

Getting cooperation from parents (and children if the program involves visitation). All the programs noted difficulties, at least initially, in getting parents involved in the programs, whether they were educational in nature or involved direct parent-child contact. Inmates may need to be “sold” on the program (*e.g.*, what’s in it for them?), at least initially. For a visitation program, custodial parents may also need to be convinced that it is in their interest and in their child’s best interest to become involved. Making participation as easy as possible (*e.g.*, providing free transportation to the facility housing the incarcerated parent, locating the program close to the family’s residence, providing meals for long-distance commutes) may be a key to eliciting cooperation. The needs of the children should also be considered. They should be coached before they visit a correctional facility so that the environment, the security screening, etc., does not affect interaction with their mother or father.

Program eligibility. The prison programs have different criteria they apply in deciding who is eligible for services.

- Some programs are available to all incarcerated parents, while others are available to a subset of parents, generally those who are within a certain number of months of being released.
- Some programs are available only to parents, while others are available to everyone, regardless of whether they are a parent. The argument is that inmates may want to participate because they have a friend or a relative who is a parent or because they may be a future parent and they want to understand more about being a parent.

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- Some programs are available only to parents who have a good behavior record; that is, the program is supposed to be a privilege or a reward for good behavior.

In short, care needs to be taken to determine who is eligible for services through the program.

Designing the program type and content. An educational program is easier to introduce into a prison environment than a visitation program. For this approach, states do not have to design their own programs. There are several national educational curricula that states can obtain at limited cost and can adapt to their own needs. (The Vera Institute of Justice article cited above describes the objectives and contents for several of these national curricula.) The state programs we have discussed in this paper use some of these curricula in their prison programs, and the AV coordinators could be contacted to learn how well the curricula have worked in the prison environment.

Programs with the goal of connecting parents and their children physically face more difficult obstacles. Chief among these is how to address security concerns that both prison officials and program administrators share. For example, programs may want to screen parents for suitability to an access program and decide who is and who is not an appropriate candidate for inclusion. Prison officials and program administrators need to be concerned about security and the safety of both inmates and visitors to the facility. Both groups also need to set ground rules for behavior, set aside a location for parent-child contact, and provide the materials needed to facilitate contact (*e.g.*, furnishings, equipment, and materials such as books, crayons, pencils, and paper).

Staffing. The programs' experiences about who should staff programs for incarcerated parents is mixed. One warden suggested that programs should be staffed with individuals from outside the correctional facility because of the perceived adversarial relationship between the prisoner and Department of Corrections staff. Another program used prison staff (case managers) to deliver educational programs. They attributed the success of that program partly to the fact that prison staff members were of the same race and educational background as most prisoners. There is too little evidence to prescribe what staffing matrix is needed, but some analysis of appropriate staffing should be undertaken.

Funding. The AV funding for the programs we have reviewed is small. Thus, all the programs have used money from other sources, both public and private. Also, some of the programs rely on volunteers or in-kind contributions. This patchwork of funding is not a solution for the long-term viability of the programs. A more stable source of funding might be the departments of corrections in each state. If the benefits of incarcerated parent programs can be supported (*e.g.*, lower rates of recidivism, less violence in the prison environment, better family connections after release), state officials should be eager to fund these programs.

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SECTION 5

SERVICES TO ENFORCE VISITATION ORDERS

INTRODUCTION

While there is little disagreement that many noncustodial parents do not see their children regularly, there is a great deal of controversy about the cause and nature of the non-visitation problem. Some literature links it to the custodial parent, who may be uncooperative in arranging visits, discourage children from visiting, or lodge complaints for minor infractions of the order, such as small delays in picking up and returning the child. Advocacy groups for noncustodial parents say that custodial parent behaviors are the cause of most visitation problems and that visitation interference is at epidemic proportions (Pearson, *et al.*, 1996).

Other research, however, suggests that the problem is more complex. For example, some surveys of custodial parents show that too little visitation is the biggest problem they face, with noncustodial parents frequently skipping visits or appearing extremely late to pick up or drop off the children. Concerns about the child's safety and well-being during visits with the noncustodial parent are other important reasons why visitation denial occurs. For example, Braver (1991) reports that while visitation denial occurred in 20 to 40 percent of the 378 families in his longitudinal research in Phoenix, he found a strong correlation between reports of denial by the noncustodial parent and the custodial parent's reports of the other parent drinking excessively during visitation, neglecting or failing to supervise the children, and exposing the children to poor role models.

The different views on the causes of visitation denial make it difficult to determine how to enforce visitation rights. Traditional approaches have stressed holding the custodial parent in contempt of court. This approach is ineffective, however, if access is only described as "reasonable" in the court order, or if the noncustodial parent lacks the funds to litigate. Punitive approaches, such as jailing, fines, or changes of custody, are also problematic since the punishment will affect children as well as custodial parents. Finally, punitive approaches are not appropriate in the many instances when there is a concern about the safety of the children during visitation.

The following describes how states have used their AV funds to promote the enforcement of visitation orders. The range of interventions that we describe below includes providing *pro se* legal assistance, legal representation, and/or creating a complaint process under the supervision of the court. The programs we describe are located in Arizona, Oregon, South Carolina, South Dakota, Texas, and Washington.

VISITATION ENFORCEMENT SERVICES

Arizona

Mandated by the Legislature in 1988 to provide an expedited response to parental complaints about visitation denial, Arizona is strongly committed to the enforcement of existing visitation orders. Although AV grant funds are used to support a wide mix of services offered through local programs in each of Arizona's 15 counties, its program in Maricopa County is focused most explicitly on services for parents who violate court visitation orders. In particular, AV grant monies in Maricopa County are being used to conduct an educational program for parents who violate court visitation orders. Parent Conflict Resolution Classes have been added to the array of other visitation enforcement services the county offers through a division of the Superior Court known as Expedited Services (ES). Housed in the Family Support Center Division of the Clerk of the Superior Court, ES was created following the implementation of immediate, automatic wage withholding to counter the criticism that child support and visitation were not being treated in an evenhanded manner by the court. The services offered by ES (including those funded by the AV grant) include the following features:

- Parents who have an enforceable access order may file with ES a *pro se* Request to Enforce the Terms of Court-Ordered Custody or Visitation.
- Within seven days of filing the petition, an ES conference officer meets with the parties to attempt to resolve their visitation disagreements using a quasi-mediation approach.
- The conference officer presents to the court any agreement the parents reach.
- If the parties fail to reach an agreement, the conference officer assesses the access problem and makes recommendations to the court regarding needed actions.
- Parents who fail to comply with court-ordered visitation may be required to attend a four-hour class dealing with parental alienation. The Parental Conflict Resolution Class is offered on a weekly basis at no charge to participants in two locations in Maricopa County.
- Parents may be referred to Parental Conflict Resolution Classes by ES personnel, court-based mediators, judges, and attorneys.
- Parents may also be referred to other visitation interventions, including supervised visitation, supervised exchanges, substance abuse evaluations, and counseling.

Maricopa County also used AV grant funds to develop three videos dealing with visitation issues. They include:

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- A video for parents featuring spontaneous interviews with children and discussions with professionals about typical visitation scenarios;
 - A training video for judicial officers, which includes some scenarios and interviews with professionals on mild, moderate, and severe forms of alienating behaviors, to help them determine which couples to refer to the Parent Conflict Resolution Class; and
 - A video for parents that discusses parental conflict and the importance of abiding by visitation orders even after parental kidnapping and other traumatic events.

Telephone monitoring is another type of visitation enforcement service. Maricopa County ES used to offer this service, but discontinued it due to high case volume. The service is, however, provided with AV grant funds in some smaller Arizona settings. For example, the Superior Court in Greenlee County contracts with a private, nonprofit organization to provide supervised visitation, supervised exchanges, and telephone monitoring. At any point in time, the telephone monitor for Greenlee County handles about 20 cases. The goal of telephone monitoring is to (1) avoid having parents with a hostile track record interact about visitation and (2) scrutinize their visitation behavior. As in Maricopa County, the service is available to parents with court-ordered visitation who file a Request to Enforce the Terms of Court-Ordered Custody or Visitation. At that point:

- The court orders the parties to participate in telephone monitoring.
- The telephone monitor gets the visitation schedule for families in her caseload.
- The telephone monitor handles all visitation mechanics, including scheduling, changes to the visitation schedule, cancellations, and rescheduling.
- The telephone monitor obtains a “debrief” from each parent following the visit and documents parental complaints.
- In the event of court action, records maintained by the telephone monitor are made available to the court.
- Once it is ordered by the court, telephone monitoring remains in place until it is dismissed by the court or the family requests that it be dismissed.

Arizona provides other access services to families, including mandatory education programs for divorcing parents with minor-aged children (funded by county revenues) and court-based mediation services (funded by earmarked filing fees).

Oregon

The Oregon AV grant is administered by the Judicial Department. This year, AV grant funds are being used to pay for two pilot projects and an evaluation.

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- One pilot project in Multnomah County calls for providing mediation services to IV-D parents who want parenting time to be established. Child support technicians in both the intake and enforcement units are being trained to make appropriate referrals to mediation at the court. Currently, the family court mediation program provides mediation services only to divorcing or divorced couples with domestic relations filings. As of this writing, IV-D staff had been trained, but no referrals had been made.
 - In a second pilot project in Marion County, the court hired a consultant to develop an education curriculum for high-conflict parents. The goal is to develop a four- to six-hour class rather than the 12-session varieties that currently exist. The court also wants to be able to refer IV-D parents as well as divorcing couples. In addition to developing this curriculum, AV funds will be used to train court personnel in other counties on the curriculum and to start programs.
 - The court's third venture with AV grant funds is an evaluation of an Oregon *pro se* process that was developed to help noncustodial parents enforce parenting-time orders. The statutory scheme is known as the expedited parenting time enforcement process and is meant to enable noncustodial parents to enforce their parenting time plans. In legislative testimony, parents allege that the scheme is not working. They contend that judges are "soft" and do not use the enforcement remedies available to them. Noncustodial parents claim that they are hesitant to pursue enforcement actions because they fear that they will lose their visitation rights. The remedies available to the court to enforce a parenting time order include (1) mediation; (2) parent education; (3) counseling; (4) make-up visitation; (5) custody hearings; and (6) increases or decreases in spousal or child support. The evaluation will include surveys administered to courts, attorneys, and parents to assess whether the scheme is working and identify any problems with the scheme.

South Carolina

The AV grant program in South Carolina is administered by the child support agency, which has used the money to hire a certified mediator as a full-time staff member to provide mediation services to noncustodial parents who need to establish and/or enforce visitation orders. Grant-funded mediation services and *pro se* assistance are offered in Richland County (Columbia) and Kershaw County (Camden). The AV mediator is based at the courthouse where child support technicians conduct administrative conferences and establish paternity and child support orders. At the conclusion of the conference, when paternity and an order have been established, technicians routinely ask parents whether they would like visitation to be addressed. Those who are interested are referred to the mediator. [See Brogdon and Price (2000) for an evaluation of the South Carolina AV program.]

The mediator can help parents in several different ways:

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- If both parents know what they want, the mediator writes up the visitation arrangement and submits it to the parents. This will typically not be reduced to a court order but will serve as a “psychological” contract. If a parent refuses to abide by this agreement, it can be submitted to the court, promulgated as an order, and subsequently enforced.
 - If the parents do not know what they want or they disagree, they are offered mediation services. The mediation addresses visitation issues only. Child support matters are handled by child support staff. Successfully mediated cases result in an agreement that also typically serves as a psychological contract and is not reduced to an order.
 - Alternatively, the mediator presents the agreement to the judge and asks that it be incorporated with the child support order.
 - If the parents are unable to reach an agreement in mediation, the mediator assists the noncustodial parent with filing a *pro se* packet. The AV program pays relevant filing fees. The client completes the *pro se* package, which consists of a summons and a complaint. In doing so, the noncustodial parent requests that the court issue an order concerning visitation.
 - If a parent violates the terms of a visitation order, the noncustodial parent can ask the court to enforce the order, which it does by using the normal contempt process. Again, the mediator provides the noncustodial parent with appropriate paperwork, but it is up to the parent to complete the forms and submit them to the court.
 - The court pools *pro se* requests for orders to be established or enforced and hears them on a special day. Two of these days have occurred.
 - The mediator refers noncustodial parents to appropriate employment and fatherhood programs for relevant assistance pertaining to their ability to pay child support.

South Dakota

South Dakota has used its AV grant funds to create visitation centers throughout the state. The centers offer supervised visitation services, which can be offered because the AV grant funds paid for the security systems and equipment needed to provide this service. Prior to the creation of visitation centers, exchanges happened at courts or other public places.

Sioux Falls has pursued a pilot project that is slightly different and aims to improve the establishment and enforcement of visitation orders. The Circuit Court has used AV grant funds to retain an attorney to hear parent complaints about the other parent not following a visitation order. The pilot project reflects the belief of the chief judge that many access disputes stem from unspecified visitation orders. The intervention includes the following features:

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- Parents with a court order for visitation may contact the court to complain about the other parent not following a visitation order. The complaint is referred to a contract attorney who acts as an officer of the court.
 - The contract attorney contacts the parent against whom the noncompliance complaint has been lodged and attempts to informally resolve the conflict.
 - The contract lawyer sends both parties a letter restating the visitation terms of their order in understandable language. They are told that failure to comply can lead to a contempt action. To date, no contempt actions have been taken, but the possibility is routinely mentioned in letters to parents by the contract attorney.
 - If the order contains vague, “reasonable visitation” language, if it cites the state’s visitation guidelines, if both parties are not satisfied with their agreement, and/or if the parties’ situation has changed, parents are referred to mediation to develop an agreement. South Dakota law requires that courts use mediation, although all services are provided by community mediators on a fee-for-service basis.
 - The next stage of the pilot project involves a preventive intervention where the AV contract attorney reviews inter-party stipulations filed with the court to determine whether the visitation terms are spelled out clearly. The contract attorney tries to clarify ambiguous stipulations.

Texas

Texas has a total of 22 AV sites, most of which use grant funds to provide monitored exchanges and supervised visitation. Two sites—Dallas and Houston—provide legal representation and *pro se* assistance relating to access. The AV grant program is administered by the Attorney General’s Office, which provides child support establishment and enforcement services. The Attorney General, in turn, provides contacts with experienced legal service providers for access services.

Legal Services of North Texas (LSNT) is the provider for Dallas. Using AV funds, LSNT hires an attorney dedicated to AV issues and provides a full range of services to noncustodial parents ranging from client education to full representation. This includes (1) explaining what “standard visitation” and “conservatorship” mean to parents who do not understand these terms; (2) educating parents about the importance of access and visitation to a child’s development; and (3) providing mediation to help resolve minor issues pertaining to access and visitation and enforcement actions for parents who refuse to comply with a court’s order regarding visitation. LSNT obtains referrals from the Family Courts, the Office of the Attorney General child support units, and other LSNT projects and activities. LSNT advertises its services through a variety of media, including a weekly radio show “Law for the People.” The mix of access services available to noncustodial parents includes:

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- Educational interventions. Believing that most access problems stem from a lack of parental understanding of court-awarded visitation rights or the consequences of refusing to allow court-ordered visitation, LSNT attorneys conduct regular seminars to explain the terms of the Texas standard possession order, the legislative presumption for the possession order, and the possible consequences of an enforcement action. Other types of educational seminars focus on the importance of access for the development of children and the trauma of parental conflict. LSNT recently added information on access and visitation to its Web site, including frequently asked questions and e-mail responses to parent questions.
 - Legal Advice and Brief Services. The LSNT hotline offers a toll-free number at which attorneys are available to give brief legal advice, make appropriate referrals, and provide brief assistance to anyone who meets the LSNT income guidelines of 125 percent of the Federal Poverty Level.
 - Legal Services. The LSNT program attorney provides legal services to parents seeking to enforce court-ordered visitation. This can range from advice to full representation. LSNT collaborates with the Dallas Bar Association to provide volunteer attorneys and mediators in appropriate cases.

The Houston program is conducted by Houston Volunteer Lawyers Program, Inc. (HVLP), which provides *pro bono* representation by linking the private bar with qualified applicants seeking legal counsel. In its first-year contract with the Attorney General's Office, HVLP is using its \$38,782 AV grant to help noncustodial parents obtain visitation rights. HVLP targets noncustodial parents involved in IV-D enforcement actions and receives referrals from the legal services programs, Family Court, and the IV-D Court. HVLP serves individuals with income levels of 125 percent to 175 percent of the Federal Poverty Level. As part of the access intervention:

- Noncustodial parents seeking visitation must take a 10-week parent training class offered by the Deelchin Children's Center. The Center offers more than 28 programs with various time slots and locations throughout Houston.
- HVLP provides legal representation to noncustodial parents who attend the parent training program. HVLP staff attorneys or third-year law student interns who are supervised by staff attorneys apply to the court for visitation rights for noncustodial parents. HVLP thinks that the courts will be more willing to grant visitation to noncustodial parents if they demonstrate that they have participated in parent training.

Washington

Washington uses a portion of its AV grant to provide services to *pro se* litigants seeking to establish and/or enforce parenting plans. The services are offered through the Thurston County Court Family Law Facilitator Program, which is operated by the Thurston County Clerk of

Court. The AV grant is used to augment other funds for the facilitator program, which include a \$10 surcharge on domestic relations filing fees and a \$10-per-visit user fee. The program serves all *pro se* litigants regardless of income and receives walk-in clients as well as individuals referred by the court and child support agency. Among the services offered by the facilitator are:

- Explanations of court requirements and assistance with legal paperwork associated with the establishment of visitation rights and the development of parenting plans.
- Referral to mediation to develop a parenting plan.
- Filing parenting plans with the court on a separate *pro se* calendar that is slower-paced and user-friendly. Magistrates coordinate with facilitators to ensure that litigants provide the information that is required to achieve the court action that they desire.
- Parents with visitation orders who allege noncompliance may obtain assistance from the facilitator to file a contempt action. Parents may be referred to mediation to attempt to resolve the dispute. Among the sanctions available for contempt are fines, jail time, and a change in custody.

IMPLEMENTATION ISSUES

Several jurisdictions try to address the problem of visitation denial and/or failure to comply with court-ordered visitation arrangements. In some instances, visitation enforcement is combined with services offered to IV-D populations and divorcing parents to establish visitation orders and/or amend them. In other settings, visitation enforcement services blur with those developed to address the needs of high-conflict couples who have continuing disagreements about access. Common to all visitation enforcement services, however, is that they seek to grapple with noncustodial parent allegations that access terms contained in a court order are being violated. An investigation of programs that aim to enforce visitation orders indicates that they pursue a variety of formats.

Preventive Interventions

Previous research has shown that many visitation disputes are rooted in the use of “reasonable visitation orders” and other vague visitation terms (Pearson and Anhalt, 1993). These are also the types of problems that are most easily addressed in mediation and other dispute resolution interventions (Price, *et al.*, 1994; Pearson, *et al.*, 1996).

South Dakota’s pilot project in Sioux Falls adopts a preventive approach to visitation enforcement by focusing on the clarification of visitation orders. Stemming from the Chief Judge’s belief that many access disputes are due to unspecified orders, the pilot project aims to make vague and ambiguous visitation orders more explicit and understandable to parents. In a future project extension, a contract attorney hired with AV grant funds will review interparty

stipulations filed with the court for divorce cases and determine whether the visitation terms are spelled out clearly and fully. When orders contain “reasonable visitation” provisions or simply cite the state’s visitation guidelines, the contract attorney will contact the parties to clarify the terms.

The judge and other architects of the Sioux Falls program have spent a good deal of time and energy working with the local legal community so that they do not view the project as an encroachment. According to the Chief Judge, lawyers say that they hammer out so many financial details in a divorce agreement that they do not push for specificity in the visitation terms for fear they will upset the fragile balance they have achieved on other issues. Thus, they are receptive to the court’s assistance in persuading divorcing litigants to be more specific in their visitation planning.

The judge credits Sioux Fall’s small size and the cohesiveness of the legal community to the program’s success in adopting a preventive approach to dealing with access issues that includes attorney review of agreements and clarification of those that require additional specificity.

A Complaint and Mediation Intervention

The most common way jurisdictions pursue visitation enforcement is by developing a formal or informal mechanism for parents to lodge complaints and be heard by an individual acting as an officer of the court. In Sioux Falls, South Dakota, for example, a contract attorney who receives parent complaints attempts to resolve the matter by contacting each parent to clarify the order, writes a letter that restates the terms in an understandable manner, and warns parents that failure to comply may lead to a contempt action. Even though no contempt action had been taken as of this writing, intervention is viewed as having a powerful effect because the contract attorney is viewed as an officer of the court. If the parties are unsatisfied with their visitation agreement or their circumstances have changed, the contract attorney can refer them to mediation to develop a new agreement.

Maricopa County uses its Expedited Service conference officers to receive parent complaints, which are spelled out in a request to enforce the terms of court-ordered custody or visitation. The first step in that process involves an informal conference with the parents to review the order and resolve disagreements using a quasi-mediation approach. When parties are unable to reach an agreement, the conference officer evaluates the access problem and makes recommendations to the court regarding needed interventions. The Washington court facilitator also refers parents with enforcement problems to mediation. If mediation fails, she assists noncustodial parents with a *pro se* filing for contempt. In a similar vein, South Carolina’s certified mediator attempts to resolve enforcement matters using mediation techniques and assists with *pro se* filings if mediation is unsuccessful.

Educational Interventions

Several jurisdictions attempt to address the problem of noncompliance with visitation orders through educational interventions. For example, Maricopa County developed a four-hour class that is offered on a weekly basis in two locations, dealing with parent conflict, visitation denial, and enforcement remedies available to the court. The Parental Conflict Resolution Class was viewed as a necessary intervention in the enforcement process because “judges needed to know that mothers were being educated before they put them in jail for contempt.”

Videos are another educational tool that jurisdictions have used to promote compliance with visitation orders. Maricopa County prepared videos for parents dealing with typical visitation problems and the importance of complying with visitation orders even after parental kidnapping and other traumatic events. They also prepared a video for judges on visitation problems and types of alienating behaviors in which parents engage to help the judges better identify couples who should be referred to the Parental Conflict Resolution Class.

The Houston Volunteer Lawyers Program collaborates with a community organization that provides parent training and makes attendance at the 10-week program a prerequisite for noncustodial parents seeking legal services to obtain and/or enforce visitation orders. The parent-training requirement is based on the assumption that courts are more likely to approve legal actions for visitation if parents demonstrate the motivation to attend the training program. Unfortunately, HVLP has found that few noncustodial parents appear to be willing to attend parent training in order to get legal help, and the program has attracted few participants. As part of its AV grant services, attorneys with Legal Services of North Texas conduct educational sessions to help parents understand their court-ordered visitation rights and the legal consequences of refusing to permit court-ordered visitation.

Assistance with *Pro Se* Legal Filings

Several jurisdictions assist parents with filing legal actions on their own to enforce visitation orders. Family Law Facilitators in Washington State’s Thurston County Court help *pro se* litigants file a variety of actions, including contempt actions for those alleging that the other parent is not abiding by the visitation agreement.

Legal Services of North Texas and the Houston Volunteer Lawyers Program both use attorneys to assist noncustodial parents with *pro se* actions dealing with visitation enforcement. As part of the LSNT hotline, attorneys provide callers with brief legal advice and assistance including filing relevant actions on their own.

The AV grant mediator in South Carolina assists noncustodial parents with filing a *pro se* motion and pays all filing fees if parents are unable to develop a visitation agreement in mediation. Similarly, the mediator will assist noncustodial parents with the paperwork associated with filing a contempt action if the order is violated.

Legal Assistance

An AV grant-funded attorney at the LSNT provides legal services to noncustodial parents seeking to enforce court-ordered visitation. This can range from advice to full representation. In addition to the services provided by the AV grant attorney, LSNT collaborates with the Dallas Bar Association to provide noncustodial parents with additional legal personnel.

HVLP also offers noncustodial parents attorney representation to enforce visitation orders. By linking them with volunteer attorneys in the private bar, HVLP will provide *pro bono* representation to noncustodial parents who attend a 10-session parent training program.

Court Actions

Most jurisdictions handle violations of the visitation order with the normal contempt process. South Carolina and Washington try to make this more accessible to *pro se* litigants by pooling such requests and hearing them on a special day or on a separate calendar, when the judge can be more informal and assist the parties from the bench. This type of scheduling permits the judge to work more closely with the AV mediator or court facilitator to file and amend *pro se* pleadings. It is believed that the special calendar and the assistance that the court offers to noncustodial parents also sends a message to custodial parents that the court takes visitation more seriously.

Maricopa County judges hear cases brought by ES conference officers on behalf of parents who fail to resolve their visitation disagreements and allege that the terms of the visitation order have been violated. The conference officer is expected to assess the visitation situation and make recommendations to the court regarding needed actions. The Recommendation and Order prepared by the conference officer may include the suggestion to refer families to a wide range of services, such as supervised visitation, supervised exchanges, substance abuse evaluations, counseling, and education interventions.

Monitoring Interventions

Although telephone monitoring was dropped in Maricopa County, it continues to be used in smaller jurisdictions in Arizona. In these situations, the court orders a third party to coordinate visitation scheduling, changes, cancellations, and rescheduling in order to avoid having the parties interact about visitation. The visitation monitor also obtains a “debrief” from each parent following the visit and documents parental complaints. If court action ensues, the telephone monitor may be summoned to testify and share with the court information about the visitation episodes she or he has monitored. Parties may end telephone monitoring by requesting that it be dismissed by the court. Telephone monitoring aims to “normalize visitation” by establishing a habit of regular access without conflict.

Research

Of course, not all parents believe that courts are responsive to noncustodial parent complaints that the visitation order is being violated. They frequently contend that the court does not use the strongest measures to remedy violations, including make-up visitation, fines, jail sentences, and changes of custody. Oregon is using some of its AV grant funds to evaluate its expedited parenting-time enforcement process. Designed as a *pro se* process to enable noncustodial parents with parenting time orders to get them enforced, some parents contend that the scheme does not work. They allege that judges are reluctant to impose harsh remedies and that noncustodial parents who bring actions sometimes lose their visitation rights.

SUMMARY AND RECOMMENDATIONS

The states we contacted pursue a variety of approaches to visitation enforcement (1) preventive interventions to clarify unspecified orders; (2) mediation interventions; (3) education programs; (4) *pro se* assistance; (5) legal representation; (6) telephone monitoring; and (7) court actions. Our discussions lead us to draw the following conclusions about visitation enforcement.

All approaches target only noncustodial parents who have court-ordered visitation rights. Visitation enforcement interventions are designed to ensure that parents comply with court-ordered visitation agreements. Jurisdictions that focus on visitation enforcement should ensure that they have other mechanisms in place to assist unmarried, noncustodial parents with the establishment of visitation rights. For this reason, some jurisdictions use the same personnel to assist with both the establishment and enforcement of visitation orders.

Jurisdiction size will affect which approach is adopted. Some interventions, such as telephone monitoring and review of all interparty stipulations to ensure that visitation agreements are spelled out in an understandable way, can only be used in small settings where the number of potential cases is manageable. It may also only be possible to use a preventive approach (1) with a contract attorney who can review and clarify visitation agreements filed by other attorneys, and (2) in a small setting with a cohesive legal community that does not view such an intervention as invasive and threatening.

The best approaches recognize the complexity of the problem and offer a range of interventions. Some noncompliance cases reflect confusion about the order and can be resolved through re-statement of the agreement in understandable terms. In other cases, where the parties have changed their mind about visitation or where the circumstances have changed, mediation leading to the development of a new agreement may be an appropriate response. In order to get parents to comply with a visitation agreement, some of them may need to be reminded that visitation problems are fairly common, but that court orders are legally enforceable and that the court can invoke various remedies for noncompliance. This can usually be communicated to parents in education sessions or videos. Finally, parents who face more stubborn forms of noncompliance need to pursue court remedies either through *pro se* filings or legal representation.

Good enforcement programs have a variety of responsive, community services to which they can refer parents. Parents who fail to comply with court-ordered visitation often have complaints about safety during visitation. For these cases, the court needs access to supervised visitation services. For other parents who fight during pick-up or drop-off, or who come late to visits, the court needs to be able to order supervised exchange services. The court may also find it helpful to order families with persistent visitation problems to engage in longer-term supervision arrangements, such as telephone monitoring or the use of special advocates and other counseling personnel on a sustained basis to develop a “habit of visitation.”

While some child support agencies recognize that noncustodial parents need to access legal services in order to enforce their visitation rights, they are concerned about keeping such interventions distinct from the IV-D program. While child support agencies acknowledge that many noncustodial parents need help with accessing the legal system to establish and enforce visitation orders, they are concerned about keeping such interventions distinct from the child support establishment and enforcement services that the child support agency is mandated to provide. Thus, most child support agencies assign the process of enforcing visitation orders to courts and/or legal service providers. Visitation enforcement in Maricopa County, Sioux Falls, South Dakota, Oregon, and Washington is handled by the court, and the various services offered in those jurisdictions—conference officers, contract attorneys, court facilitators, and mediators—are all provided by court personnel or by community service providers to whom families are referred by the courts.

South Carolina is the one jurisdiction we found that provides visitation enforcement services directly through the child support agency. Here too, however, the approach that the child support agency adopted was shaped by the desire to avoid the appearance of “representing noncustodial parents” or engaging in the practice of law. Thus, the agency has used its AV grant funds to hire a certified mediator rather than a lawyer to help noncustodial parents establish visitation orders and enforce them. Although the program initially retained an attorney to provide mediation and *pro se* assistance to noncustodial parents, it switched to hiring a mediator in order to prevent the court and the public from viewing the child support agency as being advocates for both custodial and noncustodial parents. While child support personnel recognize the relationships between visitation and child support, they believe that they walk a thin line by trying to address the visitation needs of noncustodial parents, and they are clearly looking for Federal guidance on how to assist with visitation without violating law and policy.

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SECTION 6

WORKING WITH FAITH-BASED ORGANIZATIONS

INTRODUCTION

Faith-based organizations (FBOs) have always been an important component of the public welfare services delivery mechanism and may be the most important for services to some special populations. Broadly defined, this group includes (1) individual congregations and local churches meeting the needs of their parishioners or low-income people in the neighborhoods they primarily serve; (2) community development organizations—both for-profit and nonprofit—that are incorporated separately from congregations but which have a religious affiliation; and (3) large national organizations (*e.g.*, Catholic Charities, Jewish Family Services, Lutheran Services in America) that are linked to a specific religious denomination and serve a broad audience of needy people. Historically, these organizations have not been part of formal government efforts to provide services and have not benefited from government financial support. Collaboration has been limited by issues from both sides: government's interest in maintaining a clear separation of church and state, and religious organizations' interest in being able to maintain their religious character.

In 1996, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) included a Charitable Choice provision that encouraged the government to fund faith-based organizations to deliver social welfare services under programs such as TANF, Medicaid, and Food Stamps (§ 104, P.L. 104-93). The provision also allowed faith-based organizations to compete for government funding on the same basis as any other organization.

Charitable Choice has opened some doors and helped promote a dialogue between government agencies and religious groups. Promoting linkages between government agencies and faith-based groups can be facilitated by identifying obstacles to collaboration and identifying best practices in states where partnerships between these groups have been established successfully and are working well. Several articles have documented some of the issues that need to be addressed in establishing successful partnerships and how some states have dealt with those issues (see, *e.g.*, Yates, 1998; Griener, 2000).

Building the linkages between government agencies and faith-based groups that will lead to contracts for services has been a slow process. In an effort to speed up this process, President Bush, in 2001, established Centers for Faith-Based and Community Initiatives in five cabinet departments, including the Departments of Health and Human Services, Housing and Urban Development, Education, Labor, and Justice. An audit conducted later that year by these Centers identified several barriers to participation by faith-based organizations and other community organizations in the delivery of social services. The following were among the findings from the audits (The White House, 2002):

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- A funding gap exists between the government and the grassroots. Smaller groups, faith-based and secular, receive very little Federal support relative to the size and scope of the social services they deliver.
 - There exists a widespread bias against faith-based and community-based organizations in Federal social service programs. This bias:
 - ✓ Restricts some kinds of religious organizations from applying for funding;
 - ✓ Restricts religious activities that are not prohibited by the Constitution;
 - ✓ Does not honor rights that religious organizations have in Federal law;
 - ✓ Burdens small organizations with cumbersome regulations and requirements; and
 - ✓ Imposes anti-competitive mandates on some programs.
 - Legislation requires some restrictions on the full participation of faith-based organizations but many of the regulations are needlessly burdensome administrative creations.

Believing that faith-based and community-based organizations are close to and trusted by the individuals, groups, and neighborhoods they serve, the audit encouraged the Federal agencies to look for, acknowledge, and support effective programs at the local level.

Research on Charitable Choice and how states have moved to enact the spirit of the law in their own contracting for delivery of social services highlights some successful strategies. In a study of several states and how they had implemented Charitable Choice, Caliber Associates, Inc., identified six strategies these states had used successfully to promote collaborations between government agencies and faith-based organizations (Archambault, *et al.*, 2001). They included:

- Embracing and fostering the relationship of faith-based organizations with the community;
- Conducting outreach to FBOs;
- Following Federal statutory language when writing state legislation or policies;
- Providing staff development;
- Addressing concerns from potential FBO partners; and
- Establishing and using Advisory Groups or Task Forces.

The access and visitation (AV) grant program did not include specific goals for using FBOs to deliver services to parents. However, given the interest in promoting involvement of FBOs in delivering services, OCSE decided to look at how the AV programs were using FBOs (*e.g.*, what services are FBOs providing, what is the contracting mechanism), how well the relationship has worked, what obstacles still may exist, and what thoughts AV program coordinators have for strengthening the relationship with FBOs.

We talked with coordinators in nine states—Colorado, Hawaii, Indiana, Iowa, Massachusetts, New York, Pennsylvania, West Virginia, and Wyoming—about their experiences. The choice of states was based on information we gathered in the regional telephone conference calls that

OCSE facilitated in late 2001 the and follow-up contact we have with states that did not participate.

AV SERVICES DELIVERED BY FAITH-BASED ORGANIZATIONS

States have had varying experiences with faith-based organizations. Common to all the states, however, is that they do not restrict FBOs from participating in the AV program. Some states have actively recruited FBOs to apply for AV funds, but no FBOs have applied. Below are the experiences of some states that have used FBOs to deliver AV services.

Hawaii

Administration

The state has contracts with two faith-based organizations, the YMCA and the YWCA. The AV grant monies are used to provide supervised visitation services through two centers run by the YMCA on the island of Hawaii. The centers also get some funding through Violence Against Women Act (VAWA) funds. The AV grant also funds supervised visitation services on the island of Oahu, but those services are not provided through an FBO.

Supervised visitation services are also available on the island of Kauai. These services are organized and managed through the YWCA and are funded using VAWA grant monies.

- The State Judiciary administers the AV grant monies and contracts for supervised visitation services through the YMCA and other non-FBO service providers.
- The Attorney General's Office, the agency that handles the child support program, contracts for similar services through the YWCA.

Since the Attorney General and Judiciary programs provide the same services, only using different pools of funds, there are reasons to consolidate program management to realize efficiencies. There has been no move to do that, however.

Services

In addition to supervised visitation, the YMCA program also provides unsupervised visitation and exchange (neutral pick-up and drop-off) services. About 95 percent of the participants are referred by the court, but parents do not need a court order to receive services.

Target Population

Services through the YMCA program are available to everyone, and the program charges fees on a sliding scale based on ability to pay. As a result of the poor economy, many fathers cannot afford to pay for services. In lieu of a cash payment for services, the YMCA sometimes allows fathers to work off their payment by doing odd jobs around the visitation centers. For example, fathers have done some landscaping and re-modeled a recreation room at one of the two visitation centers.

Evaluation

There has been no formal evaluation, and program successes are only anecdotal. (The AV program coordinator believes that the YMCA would be willing to write up its results, if asked.) The belief is that the program has been successful because some parents who had only supervised visitation before have now moved to neutral pick-up and drop-off arrangements.

One struggle with evaluation is the amount of reporting. The YMCA program on the island of Hawaii gets AV and VAWA money and has to complete two different reporting forms. There is an interest in standardizing the reporting requirements.

Indiana

Administration

The AV grant monies are combined with TANF block grant funds so the total pool of monies is approximately \$1.5 million. Grants, which are awarded on a competitive basis to a wide range of local service providers, must be targeted to one or more of the following goals:

- Increase fathers' involvement with their children;
- Increase paternity establishment;
- Increase child support;
- Increase fathers' accessibility to supportive services;
- Improve fathers' parenting skills; or
- Improve co-parenting relationships.

Grants range in size from \$35,000 to \$100,000, with the average being about \$35,000. For Federal reporting purposes, some of the grants are designated as AV grants, although the service providers usually receive some TANF money as well as AV money.

The state has developed an Access database that all grantees are required to use to track participants. The purpose initially was to meet TANF reporting requirements, but it is also necessary now to track outcomes (see evaluation discussion below). Indiana trains grantees in the use of the database.

Services

There is a wide range of services offered by providers receiving AV funds. A list of service providers, the services they provide, and their designation as an AV grant-funded project is available on the Web site the state has developed: www.in.gov/fssa/fathers/providers.html. Several FBOs are funded under the larger grant program, but only one—Archdiocese of Indianapolis—is designated as an AV grant program. That program provides counseling services and co-parent negotiations to children and their parents. Other FBOs that are funded through the program and some of the services they provide include:

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- Catholic Charities: parenting education training using a nationally recognized model for incarcerated parents and low-income parents in local communities.
 - Christian Haven, Inc. (1) parent education and independent living skills course for young fathers (25 years of age or younger) in community corrections facilities; (2) parent education for separated and divorced parents; (3) intensive services for families (*e.g.*, conflict mediation, individual and family counseling).
 - Living Word of God Ministries: assessment, individual counseling, and case management, with delivery of other services as needed. These may include parent education and life skills training; job counseling, training, and placement; and GED preparation.
 - Refuge House Ministries, Inc.: general education (GED) and parent education.

Target Population

Services are targeted to parents who are below 250 percent of the poverty level. Some of the providers deliver services to special populations, such as incarcerated parents.

Evaluation

In the 2001 state fiscal year, Indiana began looking at outcomes for a select group of grantees. A report of findings was supposed to be on the same Web site that lists the grantees, but we have yet to see it. Beginning in 2002, however, grantees will be reimbursed based on performance in meeting selected outcome measures, which are negotiated with individual providers as part of the contract. For example, a program delivering parent education services will administer a parenting skills test before and after the educational services. The state will pay for all participants that improve their scores by a certain percentage.

Iowa

Administration

Iowa gets the minimum AV grant, but has combined the money from that grant with TANF block grant money to issue generalized fatherhood parental obligation grants to local collaboratives. Some of these collaboratives were established originally through the Department of Social Services. The Department organized multiple service providers into a collaborative in order to fund a single group that provides a wide range of services. This appeared to be a more efficient way of using TANF monies than funding a large number of special projects.

Initially, the AV grant funds were only distributed to collaboratives. Grants are for an 18-month period and are not renewable. By the end of 2001 fiscal year funding, the state had funded nine programs through collaboratives. In 2002, the legislature mandated that AV funds be distributed to community-based organizations (CBOs), not to collaboratives.

FBO involvement has been through the collaboratives. The state does not have individual contracts with FBOs, only with the collaboratives. The collaboratives have had a large number of partners, including the Council for Churches, groups of churches, and individuals with religious affiliations.

Services

The state offers a wide range of services through the collaboratives (*e.g.*, supervised visitation, mediation, neutral exchange, father-child activities), but the primary way that FBOs have been involved is through provision of neutral pick-up and drop-off services. FBOs provide both the facilities and volunteers for these services. Although the state's experience providing these services has varied from location to location—AV programs are scattered throughout the state—the participation has been fairly poor. To the surprise of program administrators, parents do not appear willing to drive even modest distances for visitation exchange services, but they are willing to drive longer distances to grocery stores every day.

Target Population

Eligibility for program services varies by what group is delivering the services. Sometimes providers restrict services to anyone within a specific geographic area; at other times, the services are open to anyone who can get to the service provider. For the mediation and supervised visitation services offered in Des Moines, there is a sliding fee scale based on ability to pay.

United Way manages a collaborative in Polk County (Des Moines) that is geared to promoting male involvement with their families. This collaborative, which includes Planned Parenthood, inner-city street organizations, a social services collaborative, and other organizations, has received funding from three sources in addition to AV funds.

Evaluation

There has been no formal evaluation of services.

Massachusetts

Administration

The Massachusetts AV program operates through the Department of Revenue, which houses the child support agency. It has done a considerable amount of strategic planning, training, and identification of service needs. It has funded some small projects, generally located in the courts, but also projects in the inner city.

Initially, the state worked with about 60 small, inner-city churches in Boston that had formed a group called the Ten Point Coalition. The Coalition was successful in helping address drug problems among youth in the inner city, and the state thought the Coalition could help address access problems for its target population for AV services (*i.e.*, young, unmarried fathers). The Coalition solicited donations from parishioners, created a play area for children, and developed protocols for dealing with domestic violence issues. Despite an aggressive outreach/recruiting effort, there were few participants.

The state has moved from funding smaller programs, like those run through the Coalition, to programs operated by larger institutional organizations. One of those organizations is Catholic Charities. The Boston program of Catholic Charities offers every service and has in-house staff to

provide those services. That state believes these larger groups can attract participants in the target population because of the full range of services.

Services

What few programs the state has directly funded have mostly been court based. These programs focus on divorce and child support, cooperative parenting, and parent education. The state would like the parents to develop parenting plans because the courts routinely issue orders for “reasonable visitation,” which works all right for parents who can get along, but does not work well for parents who cannot.

More recently, the state has given grants to larger organizations, one of which is Catholic Charities. These organizations, which can offer a full range of access and visitation services, have been successful in reaching out to the populations the state wants to target for services. Catholic Charities also offers a fatherhood program in addition to AV services.

Target Population

The state has specifically targeted low-income, young, unmarried fathers for services. This is the same population that is the target group for Partners for Fragile Families services. The state has had difficulties engaging this group of parents because this population generally does not seek services unless there is a domestic violence complaint. Yet, it is these parents who are tractable; *i.e.*, who can be served and transformed into responsible parents.

Evaluation

There has been no evaluation of services.

New York

Administration

Contractors are selected through a competitive process in response to an RFP. The state developed an initial list of potential service providers from a list maintained by the Department of Social Services. The AV program solicited responses from over 200 agencies on that list and received proposals from 39 organizations. It funded nine organizations initially for a three-year period (annual review and renewal based on availability of funds). There are three FBOs funded through the AV grant program: (1) Catholic Charities, (2) YWCA, and (3) St. Catherine’s Center for Children. Through a similar program funded with excess TANF monies, there are two FBOs providing access and visitation services: Catholic Charities and the Jewish Board of Family and Child Services.

An interesting feature of the New York AV program is that applicants must get letters of participation (not just cooperation) from the local court and the local social services agency. Historically, it has been difficult to get cooperation from the courts and so the AV program wanted to know that the courts would seriously consider parenting plans developed by the parents in entering their court orders. The AV program also wanted to ensure that the court and

social services agency in the community understand the nature of the program and believe that the program has relevance to community needs.

Services

The state gives flexibility to the service providers to offer any or all of the services included in the PRWORA legislation. Most of what is provided, however, is supervised visitation. There are four FBOs providing a range of services. Three FBOs are funded using AV grant monies; the fourth FBO is funded with excess TANF monies:

- Catholic Charities. There are several programs around the state operated by Catholic Charities. The program funded using AV grant monies offers supervised visitation, therapeutic counseling, and parent education. The program has recently added development of parenting plans to its list of services. Catholic Charities also runs three programs in different counties using TANF funds. These programs offer a full range of services, from parent education and parenting plan development to supervised visitation.
- YWCA. This program offers supervised visitation using AV grant funds. The court provides the space and security and the YWCA provides the personnel. The YWCA also offers mediation services by referral on a fee-for-service basis (*i.e.*, outside of the AV grant funding).
- St. Catherine’s Center for Children. This is a very comprehensive program offering a diverse set of services, all of which are provided by in-house staff.
- Jewish Board of Family and Child Services. This program offers parent education, mediation, counseling, and supervised visitation.

Target Population

There is no target population for AV services; anyone may receive services. However, there is a companion program funded with excess TANF funds that the state allocated for services to low-income families to help “strengthen parents and single-parent families with children to help them reconnect with their kids.” The AV program coordinator thought she could combine the AV and TANF-funded programs under the same umbrella, but agencies did not want to certify eligibility for the families using the TANF funds—families had to have no more than 200 percent of poverty income level to qualify—and so did not apply to provide services. Currently, there are three service providers who receive money from AV grant funds and TANF funds. The providers keep their programs separate for AV participants and TANF participants because of the eligibility issues.

Evaluation

The AV program coordinator has no hard outcomes data about the programs that are offering services. She has wanted to have a formal evaluation conducted by SUNY-Albany, with which the AV program has an ongoing contract for services of that nature, but is too overwhelmed with project management to add an evaluation to her other responsibilities. In the absence of hard

data, however, it is her opinion—based on reports and observation—that the programs that offer the most services are having the best outcomes. (She also admits, however, that the families she interviews are probably those that the agency has selected that have the best outcomes.)

Pennsylvania

Administration

The AV grant is administered through the child support agency within the department of social services. However, the agency does not contract for services directly. Instead, it funnels the money through the local counties' Domestic Relations section of the local Court of Common Pleas. (The Court of Common Pleas acts as the child support office in the counties.) The court selects the service providers, and the state pays the providers through the courts. The child support agency sees several advantages to this approach, including (1) it ties the court to the service providers; (2) the local courts know what services are needed in the community so can support those services that are most promising; (3) courts are the primary referral sources to services; and (4) courts collect and review the statistics about participation, which helps them monitor the programs.

Grants are awarded for two years, with a review after the first year, and future funding is contingent upon availability of funds. AV programs are scattered throughout the state, and geographic diversity of the AV grant recipients is intentional. The board that reviews AV grant proposals includes representatives from multiple state agencies to ensure program diversity.

Services

The AV programs provide a full range of services authorized by PRWORA and the state does not put a restriction on which services are provided. There are two FBOs that received AV grants:

- YWCA. The YWCA has won grants every year the AV program has been in existence. It offers a wide range of services, from neutral pick-up and drop-off to therapeutic counseling and supervised visitation. The YWCA is also the domestic violence center for the county, which the program coordinator believes is another good reason to house the AV grant program at that location.
- Salvation Army. This organization has received a grant in all but one year of the AV program and provides a wide range of services, including parent education, parenting plan development, structured parent and child activities, and counseling. The parent and child activities program is primarily for incarcerated parents, either those who are recently incarcerated or those about to be released. Program staff go to the community corrections centers and monitor visits with the parents or take both the adults and children to libraries and on field trips. One of the biggest challenges is getting custodial parents to agree to let their children visit the other parent. There are both men's and women's community corrections centers in the city, and the Salvation Army provides services to both centers.

Target Population

Services are available to anyone, but the programs primarily serve low-income parents, at least based on the statistics the service providers report on the OMB form. One program uses the Federal poverty guidelines to identify low-income people for free services. Others pay on a sliding scale based on ability to pay. One of the FBOs—the Salvation Army—provides services to incarcerated parents, both men and women who are in community corrections centers.

Evaluation

The AV program coordinator has not followed up formally with the service providers to assess outcomes. However, she says that the programs do some follow-up to see if access has improved or the relationship between the parent and the child has improved. She recognizes that all of this is self-reported and thus not based on objective data.

West Virginia

Administration

AV grant funds are administered through the State Supreme Court, which recently set up a separate family court. (The family court is similar to a divorce court, although its jurisdiction includes domestic violence cases.) The court released a solicitation announcement and one of the applications was submitted by the YMCA. This is the only FBO funded by the AV program, the others being domestic violence shelters, a family court, and another provider.

Services

The AV grant money is spent primarily on visitation exchange centers, which provide supervised visitation, monitored visitation, and neutral exchange services. Within the last couple years, the AV grant also has supported a special education program for high-conflict families. This six-week program works with high conflict parents to teach them parenting and negotiation skills.

The money provided to the YMCA was originally targeted for a children's education program that would be run in conjunction with the mandatory parent education program funded by the court. The program did not generate a lot of interest from parents, however, so the YMCA took the money and used it to fund two summer camps for children of divorce.

Target Population

All AV services are available to anyone, regardless of income or IV-D status. This includes the children's summer camp program run by the YMCA.

Evaluation

There has been no formal evaluation of AV services, although the AV program coordinator is requiring a written summary about outcomes as part of this year's reporting. She has some leverage over the providers to enforce this since providers get half their money up front and the other half after they have submitted their program reports.

There has been a formal evaluation of the court's mandatory parent-education program conducted by a professor from Marshall University.

IMPLEMENTATION ISSUES

There are many faith-based organizations that have been delivering a wide range of services, many of them related to access and visitation (*e.g.*, supervised visitation). Several states have a history of working with FBOs successfully in delivering social services, although these states generally work with larger organizations like Catholic Charities. Contrary to what the audit of Federal agencies uncovered with respect to barriers to contracting with FBOs, the states we contacted have not faced those barriers and generally have entered into mutually agreeable and rewarding contracts for AV services.

Below, we discuss some issues to consider in promoting greater involvement from FBOs in delivering access and visitation services.

Help FBOs Develop the Capacity to Deliver Services

Smaller FBOs may not have the capacity at present to deliver AV services. If the state is interested in promoting the involvement of FBOs in service delivery, it may need to invest some resources in helping them develop the necessary capacity. Training could take the form of educating small FBOs in how to establish a program, what resources are required, how to recruit and retain participants, and how to track participation. This last issue is of increasing importance since the Federal program now wants to address outcomes seriously. Indiana has developed a software application to help FBOs and other service providers track participation consistently. The state offers training in use of the software, which helps equip providers' staff with the skills they need to meet the reporting requirements and helps ensure that providers are reporting similar information about their services and participation back to the state.

The practice of delivering services is often harder than people think. While it may be relatively easy to deliver services to incarcerated parents because the infrastructure is there and the recruitment is already done, it is much more difficult to deal with access and visitation when domestic violence is an issue. Dealing with those issues in the context of AV services involves issues of security, special training to identify recurrences of domestic violence and how to handle them, and secure facilities, to name a few.

Address the Obstacles Some FBOs Face in Contracting

No state we contacted had experienced difficulty entering into contracts with FBOs. Further, no state laws had to be changed and no new policies had to be developed to use FBOs to deliver services. Yet, there are other obstacles that at least some FBOs face in dealing with state and Federal government grant funds.

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- Grant match requirement. The AV grants require that the state match 10 percent of the grant monies with non-Federal sources. The match can be in-kind, for example, in the form of staff time. Many states have passed the costs of the match off to the individual service providers. In at least one state, the match appeared to be a deterrent to FBO involvement. The argument was that with other, non-Federal, grant money the state does not have to provide a match, thus why do so for this grant.
 - Federal reporting requirements. The reporting requirements may appear burdensome to some FBOs, especially if they have not had to report participation statistics to other funders. Indiana has taken a useful step in overcoming this potential barrier by training service providers in what the requirements are and how to record the information consistently. This also helps the state compile the statistics for its report to the Federal government.
 - Size can be a barrier. Small, individual churches or small groups of churches may not have the ability or interest in providing a wide range of services. One useful approach to dealing with this obstacle is the model Iowa uses. The state contracts with collaboratives that offer a wide range of services. Any FBO could deliver one or several services as part of a collaborative.

The absence of contracting difficulties in the states we contacted does not mean other states do not have restrictions of the kind mentioned in the introduction to this paper. Our findings suggest, however, that there do not need to be legal obstacles to using FBOs as providers for government services.

Identify a Role for FBOs Based on Service Needs

Some FBOs may have a comparative advantage over larger service providers if states have targeted a specific group to receive services, if they are primarily interested in offering one or a few services, and if the services offered do not require a large infrastructure or resources. For example:

- Massachusetts found a useful role for a group of churches in addressing the access and visitation needs of young, mostly unmarried minority parents in the inner city. The advantage that this FBO had over other providers is that the member churches in the FBO are located in the same area as the target population. Local providers understand the service needs of their neighborhoods and offer a location advantage in delivering services.
- For its 2002 fiscal year funding, Iowa began making AV grants to local CBOs that provide services like access counseling, parent education, and parent-child activities. It seems this would be an appropriate arena to involve FBOs.
- Smaller FBOs can be an important addition to the service provider population when there are no large investments needed in infrastructure. Pennsylvania's AV services with parents housed in community corrections facilities are an example. In this situation, the service

providers are located in the same neighborhood as the corrections facilities and the required services are more staff-intensive than they are resource-intensive.

The Range of Services Provided by FBOs is not Limited

The examples above of services FBOs are delivering in selected states range from a few to all the services allowed by PRWORA legislation. There can be arguments for using small or large FBOs depending on how broad the state wants the AV program to be in terms of services delivered and populations served.

SUMMARY AND RECOMMENDATIONS

The states we contacted have had good experiences using FBOs to deliver AV services. For the most part, however, these FBOs are large national organizations (*e.g.*, YMCA, Catholic Charities) and are not small, local churches whose ministry is limited to a special segment of the parent population or limited in the types of services it delivers. From our discussions, we have distilled several lessons to help guide programs as they seek further involvement from FBOs in serving parents.

- Program size is often a factor states consider in contracting with FBOs.
- Sometimes, large FBOs do not provide services directly, but contract for those services.
- Smaller FBOs face a learning curve in contracting with government agencies.
- There do not seem to be barriers to contracting with FBOs.
- The target population for services will affect the range of services needed from FBOs.
- Smaller FBOs may consider becoming part of a service delivery consortium or community collaborative.

Program size. Most states we contacted are contracting with FBOs that are large, national organizations, not small, local churches or small nonprofits that are affiliated with a church or group of churches. There are several reasons for this, but one of the most important is that the large organizations can offer a full range of services and the smaller churches cannot. For example, Catholic Charities, at least in some locations, provides (1) services to deal with domestic violence problems; (2) counseling and therapy; (3) substance abuse treatment; (4) mediation; (5) anger management classes; (6) supervised visitation; and other services that promote access by creating the conditions needed to help parents re-connect with their children. One lesson we have learned from fatherhood programs around the country is that a wide and disparate array of services is often needed to establish a parent-child connection successfully. A program that can offer that range of services may be seen as a preferred provider.

FBOs as contractors and not service providers. In some instances, states have contracted with large FBOs, but the FBOs are not direct service providers. Instead, they arrange for services to be delivered through other professionals who work as independent contractors, or through other

professional organizations. Some states like larger, as opposed to smaller, FBOs because they have a substantial infrastructure already in place to manage service providers.

Learning curve for smaller FBOs. Small FBOs, which include individual churches or groups of churches, initially face start-up problems because they (1) lack an organizational infrastructure; (2) lack management experience needed to provide services; (3) have limited capacity to deliver services and track service delivery; and (4) have limited finances to meet possible match requirements required by states. No states exclude smaller FBOs from applying for AV grant funds, but smaller FBOs often do not apply for grants either because they do not have the financial resources to meet the match requirements or they do not want to bother with the reporting requirements. Some FBOs have received money to provide services that do not have the financial and reporting requirements that are attached to the AV grants.

If states want to be more aggressive in involving smaller FBOs in providing or arranging for AV services, some training may be needed to equip them to be effective service providers. One state, Indiana, provides workshops to educate service providers about reporting requirements and how to use the software it developed for monitoring and reporting activities.

Barriers to contracting with FBOs. No state we contacted mentioned any legal or administrative barriers that had to be overcome to contract with FBOs. Our state contacts said that FBOs are treated no differently than other contractors and respond to competitive grant announcements in the same way other service providers respond.

Target populations. One state mentioned liking smaller FBOs because they generally have excellent ties to the communities that they serve, they are often more flexible in their approach to service delivery, and their connections make it easier to recruit from hard-to-serve populations such as never married parents living in the inner city or incarcerated parents in community facilities (*e.g.*, jails, work-release centers).

Involving FBOs as part of the larger consortium/collaborative of service providers. One approach to involving FBOs of any size is to fund their services as part of a service consortium or community collaborative. In this manner, the lead partner in the consortium or collaborative can provide the infrastructure and administrative resources that smaller FBOs often lack. This may be one approach to helping FBOs develop the capacity to meet the requirements for Federal grant opportunities generally, beyond the opportunities offered through the AV program.

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SECTION 7

SERVICES IN RURAL AREAS

INTRODUCTION

There are many different ways of defining rural environments. The U.S. Bureau of the Census identifies “rural” as everything outside of urbanized areas and with a population of 2,500 or less. According to this definition, 25 percent of the population (71.7 million) lives in rural America. The Office of Management and Budget defines rural as “nonmetropolitan,” or areas outside Metropolitan Statistical Areas (MSAs). Using the “nonmetropolitan” definition, 23 percent of the people (55.9 million) live in rural areas. According to both definitions, most of the U.S. land area is rural, with the percent ranging from 84 percent under the nonmetropolitan standard to 97.5 percent under the Census Bureau classification (U.S. G.A.O., 1993).

However they are defined, planners and policy makers have long recognized that rural areas pose particular challenges in the administration of justice and the delivery of needed social services. For example, a 1974 conference on rural courts and a subsequent series of workshops on the subject identified some of the features of rural areas that make them complex for service delivery (Stott, Fetter, and Crites, 1977). They are still relevant today and include elements such as lower tax bases; smaller numbers of qualified personnel; the inaccessibility of colleagues and relevant training programs for professionals; the lack of suitable physical space and facilities; the limited availability of court-related services for litigating parties; the greater distance that clients and litigants have to travel to obtain services; and the lack of privacy and anonymity among residents of small towns and rural areas that may make them reluctant to access services. Indeed, if services are sufficiently decentralized in rural areas so that citizens do not have to travel many miles to access them, there may not be enough clients to support service providers or to make group presentations, discussions, and other interactive formats feasible.

The AV grant program did not specify how grants were to be spent or allocated across various states, and most states chose to use their limited AV grant money to deliver services in major population centers. A few states, however, have grappled with the issue of service delivery in rural settings. The following is a discussion of the types of services these states have opted to deliver and the methods of service delivery they have adopted. Our presentation is based on interviews with coordinators in four states: Alaska, Colorado, Maine, and Vermont. These states were identified in regional telephone conference calls OCSE facilitated in late 2001.

AV SERVICES IN RURAL AREAS

Delivering access and visitation services to small populations in dispersed settings is a goal of all the states we focus on in this section of the report.

Alaska

Alaska's AV grant is administered by its judicial agency, the Alaska Court System. Most of Alaska's AV funds are dedicated to:

1. Court-connected mediation programs for child custody and visitation issues. Custody mediation is available for parents with child disputes in all judicial districts through the use of court-approved, contract mediators. Couples are referred by judges or custody investigators. Referred couples with combined annual incomes of \$75,000 or less receive up to ten hours of mediation. Each parent is charged a one-time co-payment of \$0 to \$120, depending upon his/her income.
2. Supervised visitation services are available on a limited basis in population centers located in the Fairbanks and Anchorage areas.
3. A Parenting Plan Template was developed to help separating and divorcing parents throughout Alaska develop specific and unambiguous schedules for their children on the subject of custody and visitation. Unspecified visitation orders are leading causes of disputes about visitation, and prior research has shown that many visitation problems can be resolved through the development of detailed agreements that spell out how the child's time will be divided when their parents are no longer together (Pearson, *et al.*, 1996).
4. Parent education programs are available in some Alaska courts, with mandatory participation by those who have disputes about custody or visitation and require judicial attention. The court in Alaska offers a video on parenting after divorce, co-parenting, and conflict matters for parents involved in uncontested dissolutions.

The Alaska Court System has grappled with rural delivery issues in connection with both its custody mediation service and parenting plan template. With respect to its custody mediation program, the Court has explored:

- Using contract mediators who ride the circuit to remote areas and provide mediation services on an as-needed basis.
- Using telephone mediation conducted by contract mediators, particularly when one parent lives out-of-state and cannot travel to Alaska for in-person mediation formats.
- Identifying local personnel to conduct custody mediation, using Alaska Court System personnel to deliver training to those local mediators, and by Alaska Court System personnel; and developing relevant contractual arrangements to assure that custody mediation services are provided. For example, the court recently trained and retained a community resident who conducts mediation in child protection cases to serve as a custody mediator in Bethel, a remote Alaskan native community without road access.

The Alaska Court System has also experimented with ways of making its Parenting Plan Template accessible to separating and divorcing populations in remote and rural areas. The goal is to inspire individuals to think about co-parenting issues and how their children's time should be divided as well as to assist them with completing the template. The court has attempted to accomplish these objectives by:

- Conducting a lecture series aimed at educating separating and divorcing parents on parenting arrangements and the elements of a parenting plan. As part of that program, presenters travel to remote locations and conduct evening programs. The initial results of the program were disappointing because very few individuals attended. One explanation for this outcome was the lack of privacy in small communities and the stigma associated with attending a program dealing with conflict resolution and topics dealing with divorce and parenting plans.
- Preparing a 20-minute video dealing with co-parenting and the issues to be considered in developing a parenting plan. Produced by the University of Alaska, the video strives to help parents think about parenting plans, their purpose, and their components. The video is expected to be released in October 2002.
- Developing an approach to distribute the parenting plan video. The Alaska Court System is devising a distribution plan that involves (1) the use of libraries, commercial video establishments, and grocery stores as distribution outlets; and (2) possible distribution at no cost to all parties with minor-aged children who file for dissolution.

Colorado

The AV grant in Colorado is administered by the State Court Administrator's Office (SCAO). Grant funds are directed to the Office of Dispute Resolution (ODR), which provides dispute resolution services in judicial district. AV-funded activities include:

- Mediation services in 21 judicial districts, with AV grant funds defraying mediation service costs for low-income and indigent divorcing and never-married parents throughout the state.
- Parenting coordination services in high-conflict cases to ensure access of children and help resolve long-standing conflicts by using domestic relations mediators with appropriate families on a sustained basis.

Like many other states, Colorado statutes allow for mandatory parenting education seminars to provide information about the negative effect of conflict on children and the benefits of regular access and visitation. A variety of commercial providers offer approved parenting education seminars in Colorado's large, metropolitan areas, and separating and divorcing parents in these settings are able to conveniently access services.

The same cannot be said for Colorado's rural areas that lack the density to attract commercial providers of parent education classes. In order to generate presenters in rural and underserved areas, the Colorado SCAO is pursuing the following activities:

- Establishing local advisory committees in targeted rural judicial districts to work with state personnel to identify local personnel capable of presenting parenting seminars.
- Training the local co-presenters and providing them with ongoing experience by teaming them up with a qualified and experienced parent educators. The experienced parent educators will ride the circuit and work with local presenters until they are confident that they can present on their own.

Iowa

The Bureau of Collections of the Iowa Department of Human Services administers Iowa's AV grant program. Until this year, AV funds were combined with TANF appropriations and other monies to support start-up grants for approximately 18 months for community-based, comprehensive pilot projects aimed at improving the involvement of parents in the lives of their children through the exercise of child access and the provision of financial support. The Iowa AV program involves:

- Combining AV grant funds with money appropriated by the General Assembly from the TANF block grant to implement strategies at the community level to keep both parents involved.
- Awarding community collaborations (decategorization or empowerment groups) a single, 18-month award of up to \$50,000 to stimulate the coordination of existing community services and support the creation of new ones needed to encourage the financial and emotional participation of both parents.
- Encouraging the provision of a wide variety of services including but not limited to parent and family mentoring, mediation services, supervised visitation and neutral exchange sites, parent and child activities, and fatherhood support and education services.
- Providing supporting services through a wide variety of providers, including public agencies, private organizations, community-based organizations (CBOs), and faith-based organizations (FBOs) in order to ensure that noncustodial parents have access to a comprehensive array of relevant services, including those dealing with employment, money management, and substance abuse treatment.

By the end of 2001 fiscal year funding, the state had funded nine pilot programs through collaboratives with combined TANF dollars and AV grants. The programs aimed to serve fathers who lived apart from their children and offer them a comprehensive array of relevant services.

The AV funding was used to support programs offering mediation, supervised visitation, and parenting plan development services. The TANF funds were used to support work-related services, assessments, substance abuse treatment, and other barriers to effective parental participation. In 2002, the awards were separated and legislation was enacted requiring that AV funds be awarded to community-based organizations rather than to collaboratives. Since then, the state has made awards to three CBOs. Although two of the three current AV awards are to CBOs that serve the rural communities of Mahaska County and Marshalltown, the legislative requirement to award grants to CBOs rather than collaboratives is expected to reduce the geographical range of future AV grants.

There are several ways that the Bureau of Collections has attempted to generate access services in rural areas.

- During the first three years of the AV program, awards were made to collaboratives, which were often pre-existing combinations of up to eight county social services agencies along with relevant local agencies and CBOs. This meant that grant funds were spread across the state to a large number of Iowa's 99 counties and that no group of counties or providers "owned" the AV grant funds.
- During the first three years of the program, the grant guidelines required collaborations across county lines. This meant that small communities were able to pool their resources and noncustodial parent populations with the objective of generating a broad range of services and a client base large enough to sustain service delivery.
- During the first three years of the program, the grant guidelines required the adoption of comprehensive approaches to service delivery, with access services offered in conjunction with those dealing with employment, money management, and other barriers to parental involvement. The requirement necessitated collaborations between public and private agencies, including faith-based organizations. (Arrangements with FBOs are discussed in greater detail in the section entitled, "Working with Faith-Based Organizations.") The Bureau of Collections hopes to maintain this approach with its current CBO grantees that specialize in access and parenting issues by encouraging them to cultivate relationships with public and private service providers in their communities that can offer noncustodial parents other relevant forms of assistance.
- The Bureau of Collections limits its grants to a single award of approximately 18 months. No grant renewals are awarded, although CBOs may reapply and compete for a new award. To date, only one grantee has received a second award. This has leveled the playing field for smaller communities and made them more competitive than they otherwise might have been.

Maine

The AV grant in Maine is administered by the Family Division of the Court System, which also provides mandatory mediation services throughout the state for all couples with a conflict (including financial matters). Mediation is provided by trained community volunteers who receive a modest stipend. The chief services funded through the AV grant program involve:

- Education programs for separating and divorcing parents. The parent education program in Maine consists of a four-hour class offered by community-based service providers. The class focuses on co-parenting issues. The AV grant program has permitted the extension of the program from two to 15 sites. Attendance may be mandated by judicial officers in cases of parental conflict. The fee for the program never exceeds \$45, with provisions for indigents.
- Supervised exchange services for high-conflict couples at two urban locations. There is only a nominal \$1 fee charged for each drop-off and pick-up.

The Judicial Department is extremely interested in making parent education and supervised visitation and exchange resources available to individuals who live in rural areas and are not readily served by the programs available at the existing 15 sites. To reach more remote populations, AV personnel are exploring the feasibility of delivering parent education through other mechanisms that include:

- Videos and workbooks that can be distributed through local television stations and adult education programs offered by local school districts. Some rural parents face lengthy commutes to reach regularly scheduled programs. Sending presenters to remote locations is costly and may result in audiences that are too small to permit group discussions or other interactive formats. The lack of privacy in rural and remote settings is also expected to inhibit parents who separate and divorce from attending a public forum.
- Collaborations with Head Start programs in rural areas in order to operate supervised visitation and supervised exchange services during evening and weekend hours when Head Start programs normally do not operate.

Vermont

As a rural state, serving less populous areas has been a focus of Vermont's AV grant program from the start. Administered by the Department of Planning of the Agency of Human Services, an agency that supervises a wide range of programs ranging from early childhood to corrections, the AV program has been organized like other human services programs, with the goal of reaching residents in each of the state's 12 established planning districts. AV funds have been used to:

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- Create nine Access and Visitation Centers that have been strategically placed to maximize accessibility. CBOs have raised the funds to operate three additional centers. Two planning areas remain unserved.
 - Offer noncustodial parents assistance with the exercise of their statutory right to visitation (in the absence of a court order barring it) through the provision of a variety of parenting classes, supervised visitation services, and supervised visitation exchanges at each Access and Visitation Center.

The Access and Visitation Centers serve noncustodial parents of both sexes and all marital status arrangements, including separated and divorced parents, the never-married, and those in dissolved civil unions. Services are available to those with and without a court order, including walk-ins who say they are having trouble seeing their children. Indeed, the only parents precluded from receiving assistance with access are those with a specific court order that prohibits them from exercising access. All Access and Visitation Centers offer supervised visitation services and provide for neutral drop off and pick up of children. In addition, the programs offer some combination of other services, including but not limited to anger management, counseling, parent education, and development of parenting plans. In addition to the array of services offered at the Access and Visitation Centers, parents involved in legal dissolution proceedings can use mediation and parent education programs available through the family court system.

There are several techniques that Vermont has pursued to promote service delivery throughout the state, including remote areas. The state also has a legal and cultural climate that is conducive to the exercise and enforcement of access as well as rural service delivery. These are summarized below:

- The state is divided into 12 established planning districts that guide the delivery of all social and legal services. Local government is strong in Vermont, which retains a governing structure that operates only at the township and state levels.
- The AV grant-making process was originally structured to result in awards to CBOs capable of providing access services in nine of the state's 12 planning areas. Geographical dispersion was a requirement of the first request for proposals released five years ago.
- The AV program attempts to promote programmatic stability by re-funding the nine original Access and Visitation Centers that have been established and has declined new applicants.
- Vermont has legislation that establishes the right of the noncustodial parent to exercise visitation in the absence of a court order barring it. This creates a statewide climate that is conducive to the exercise of access and the use of access and visitation services by noncustodial parents of every social stratum to overcome barriers to its safe conduct. The statute also enhances compliance by custodial parents who are sent an advisory letter

informing them of the explicit right to access in state law and the possibility of being held in contempt of court.

- The Access and Visitation Centers have amalgamated into an advocacy group, the Centers for Families and Children, and pursue joint publicity, outreach, and fundraising efforts aimed at heightening their visibility and public support.
- The Agency of Human Services has cultivated relationships with domestic relations judges that are supportive of Access and Visitation Centers. For example, judges who refer families' parents for parenting classes and/or supervised visitation services now include time frames in their orders, which improves parent follow-through and use. In exchange, the Access and Visitation Centers provide the court with feedback on parent attendance, which strengthens compliance with court orders although program staff will not testify at court hearings or become embroiled in litigation between the parents.
- The Agency of Human Services has cultivated fiscal and service relationships with Social and Rehabilitative Services (SRS), the agency that handles child protection matters. As a result, SRS reimburses Access and Visitation Centers for supervised visitation services provided to SRS clients, and in one case, contributes funds toward general operations.
- The Agency of Human Services has cultivated fiscal and service relationships with the Department of Corrections and operates a supervised visitation program at one prison site (see the write-up on Services for Incarcerated Parents).
- The Access and Visitation Centers have won the support of a variety of local civic organizations, including Rotary Club and Kiwanis, which view the exercise of safe and regular visitation as beneficial to employee mental health, morale, and performance.
- By having staff circuit-ride on a limited basis to multiple service sites, some Access and Visitation Centers have been able to enhance the accessibility of services in remote areas. Parenting classes and visitation exchanges are conducted in a variety of donated physical settings during evening and weekend hours, including local churches, state-funded family service centers, courthouses, and even law offices.

IMPLEMENTATION ISSUES

States face many challenges in the delivery of access services in small cities and rural settings. Among others, this includes:

- Staff availability: There is typically a lack of suitable personnel to offer relevant services.
- Service population: The audience to receive access services is generally limited, and it may be impossible to use certain formats that require group interaction.

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- Privacy: The lack of privacy and anonymity in rural settings may inhibit parents from availing themselves of access services.
 - Sustainability: The limited demand for certain types of services in the general population, such as supervised visitation, may make it infeasible for them to be sustained in a rural setting.

Below, we discuss some issues that states might consider to better serve rural areas.

Generating Services in Rural Areas

States that are committed to rural service delivery pursue it in a deliberate fashion and build geographical dispersion in their grant-making processes. For example, Vermont structured its RFP to ensure the selection of CBOs capable of serving nine of its 12 planning areas. It tried to create service stability at those sites by re-funding established Access and Visitation Centers and declining new applications without the generation of additional funds. Finally, it tried to maximize the financial status of the programs by promoting collaborations with state agencies dealing with child protection and corrections.

Iowa demonstrated its commitment to geographical dispersion during the first three years of the program by pooling AV grant funds with TANF dollars and making one-time-only start-up grants to existing, multi-county collaboratives aimed at promoting parental involvement through the provision of a comprehensive array of services. To achieve maximum geographical coverage, Iowa did not issue renewal awards to grantees. With the exception of Polk County, which received a second award, each funding cycle brought a new roster of grantees and new county participants. While this approach meant that grantees continually faced the challenge of starting up quickly and sustaining operations beyond the expiration of the grant, it was perceived to have enabled rural areas to compete successfully and obtain start-up grants. According to the administrator of the AV program, rural collaboratives have not been disadvantaged in their ability to sustain services beyond the expiration of the grant, and program survival is better explained by the savvy of the participating agencies and their ability to identify and fill a local need than by their rural versus urban location.

Physical Space and Qualified Service Providers

All states that are committed to rural service delivery grapple with limitations in staffing and space. The solution to staff shortages appears to be a combination of circuit-riding by qualified service providers and the identification and training of local residents to perform relevant duties pertaining to access and visitation. For example, the Alaska Court System has an established group of contract mediators who ride circuit to remote areas to provide custody mediation services on an as-needed basis. In one remote, native community without road access, the Court System recently retained and trained a resident who conducts mediation in child protection cases to conduct mediation in custody cases.

Colorado is handling the lack of trained parent educators in rural areas by working with local advisory committees to identify suitable personnel and pairing them with experienced parent educators who will travel to rural districts in order to work with local presenters until they are confident that they can present on their own.

Vermont uses local residents to provide supervised visitation and neutral exchange services at its Access and Visitation Centers and makes relevant training resources available to the CBOs that administer the programs. It also limits the scope of the intervention by making program staff immune from subpoena and restricting the feedback given to the court to attendance and program completion. In many supervised visitation programs, supervisors prepare detailed reports about each visitation episode and make recommendations to the court regarding service delivery.

In order to offer affordable services at multiple sites that are more accessible to remote populations, CBOs try to obtain donated space during evening and weekend hours at a variety of local establishments. For example, some Access and Visitation Centers in Vermont offer evening and weekend programs at a church, courthouse, law office, and state-funded family service center. Maine is exploring the feasibility of offering supervised visitation and neutral exchange services at Head Start programs during evening and weekend hours when the program normally does not operate. Vermont's attempts to use Head Start sites for similar purposes were not successful but it has been able to use Parent-Child Centers, which are state-funded, family facilities that offer day care services as well as adult-education classes.

Services and Service Delivery

States have had varying experiences with different ways of delivering access and visitation services. Some services have attracted more interest and use than others. It is generally agreed that a lecture series or evening presentation by outside experts on topics pertaining to parenting, divorce, conflict resolution, and the development of parenting plans are expensive and poorly attended. An Alaskan lecture program to educate parents about parenting plans in remote locations attracted few attendees, which Court System personnel attribute to the lack of privacy and anonymity in small communities. Instead of supporting live lectures, AV funds have been used to develop a 20-minute video dealing with the concept of co-parenting and the nature and elements of a parenting plan. Program architects hope that the video will be distributed through libraries, supermarkets, and commercial video establishments and that it will help parents to better understand and complete the Parenting Plan Template the Court System has developed for separating and divorcing parents interested in planning how their children's time will be divided.

Iowa has found that supervised visitation and neutral exchange services attract few takers, as do monthly parenting support groups, and that parents are unwilling to drive any distance for these types of services. On the other hand, one CBO in a rural area found strong support for the assistance it provided to parents interested in joint custody and has been successful in marketing parenting plan development for those seeking joint custody arrangements. Another project finds

that noncustodial parents are interested in programs that offer legal information and peer assistance programs in which fathers help others like themselves. According to the state coordinator, successful service delivery depends upon each grantee knowing its community and “finding its niche.”

Vermont’s experience with supervised visitation and neutral exchange services has been quite different, with noncustodial parents demonstrating strong interest. Vermont is unique in granting noncustodial parents a statutory right to visitation in the absence of a court order to the contrary. The state director of the AV program believes that Vermont’s statutory climate promotes a high level of community awareness and interest in access services among noncustodial parents of both sexes, all socioeconomic levels, and marital status categories. Program use has also picked up considerably over the years, and the five-year tenure of the Access and Visitation Centers in the communities that they serve has gradually translated into higher rates of usage.

Generating Community Support

Community support is critical to program acceptance in rural settings, and all states strive to engage local organizations and opinion leaders in the promotion of access and visitation services. Until the legislature required Iowa to award its AV grants to CBOs rather than collaboratives, Iowa required that the recipients of grants funded by a combination of TANF and AV funds be community collaboratives that consisted of a variety of local public and private agencies in multiple counties. The requirement reflected a desire to provide noncustodial parents with a comprehensive array of services and to engage leading organizations and entities in rural settings, with the hope of maximizing participation and service delivery, and generating local funds to ensure that projects would be sustained beyond the expiration of grant funds. Although this did not always happen and many projects were discontinued when funds were exhausted, the state director underscores the importance of personal contacts and relationship-building in the recruitment process. Successful projects invariably have strong referral networks, with clients urging their friends and community leaders influencing others to try.

Access and Visitation Centers in Vermont collaborate for joint publicity and advocacy efforts and have cultivated relationships with judges, lawyers, and members of leading civic organizations, such as the Rotary Club and Kiwanis. The Access and Visitation Centers have assisted many professionals with visitation problems who belong to leading civic organizations. Regular and conflict-free visitation is viewed as beneficial to employers because it promotes the mental health and performance of their workforce. The result is a strong word-of-mouth network that leads to program participation and referrals by courts and the legal community. Public support has had financial benefits. Grantees have raised the funds to operate three Access and Visitation Centers in addition to the nine that are funded by the AV grant program.

The Alaska Court System also emphasizes the importance of community support for services in rural areas. Although the mediator they recently retained to conduct custody mediations in a native community without road access is not a native herself, she is a long-time resident who has

earned the trust and respect of the Bethel community. Similarly, the court uses a consistent coterie of outside mediators to visit remote communities on a periodic basis in order to provide custody mediation services. Over time, these individuals have gained insight and experience with the local residents and earned their trust and support.

Adequate Funding

Making services accessible to rural populations is expensive. Services must be offered in many settings that frequently lack the infrastructure to support successful service delivery. In low-density settings, it is typically necessary to retain and train local residents for service provision rather than utilize experienced professionals. It is also particularly time-consuming and difficult to cultivate a client base. Although states like Alaska have developed a video dealing with co-parenting and parenting plan development, it has not yet been distributed and there is no information as yet on whether a video is an effective substitute for in-person delivery formats in remote settings.

Based on their low population numbers, rural states typically receive the minimum AV grant award. Yet even small states with established methods of delivering services to rural areas have trouble achieving statewide coverage with the resources that are available. For example, Vermont was only able to create Access and Visitation Centers in nine of its 12 planning areas, with AV grant funds. Although Iowa has struggled to serve its 99 counties through awards to multi-county collaboratives, many were discontinued after the start-up grant ended. More to the point, the Iowa legislature recently required that AV grant funds be awarded to CBOs and prohibited them from being awarded to collaboratives, a measure that will undoubtedly limit the geographical spread of future grants.

SUMMARY AND RECOMMENDATIONS

Most states have used their limited AV grants to provide services to parents who live in their largest population centers. The experiences of a few states that have focused on serving rural areas shows that the process is challenging. Low density means that clients have to travel to obtain services. Multiple service sites are expensive to initiate and sustain. The lack of qualified personnel necessitates that staff be imported or local residents be retained and trained. Finally, the lack of privacy and anonymity in rural areas may make residents reluctant to pursue access and visitation services because they imply family discord and dysfunction.

Our conversations with states that have made the delivery of services in rural areas a priority suggest the following lessons:

- Use traditional geographical units for rural services delivery. States should identify and use traditional geographical units when planning to deliver access and visitation services in rural areas. For example, Vermont used established planning units that are consistently used for

the delivery of most social and legal services. Iowa used multi-county collaboratives to achieve broad geographical coverage.

- Create a competitive process that requires rural coverage. States that want rural coverage should focus on it and require it of CBOs and other grantees that respond to an RFP process. Rural service delivery will not happen accidentally, and interested states should recruit CBOs and other providers that are capable of serving designated geographical areas.
- Identify and train local personnel to provide services. While some service providers can ride-circuit, other service needs require more consistent staff availability. States should explore the feasibility of identifying and training local residents to provide various types of access and visitation services.
- Identify local service needs. Successful providers appear to be those that are able to identify a service niche and fill it. Knowing the pulse of the community and the types of services that parents will use is critical to successful program implementation.
- Obtain the support of other public and private agencies and civic organizations. Personal contacts and relationships are key to successful service delivery in rural areas. CBOs and other entities that offer access and visitation services must cultivate ties with community leaders, key employers, and others who can help to publicize the programs and influence parents to utilize them. Financial support from these organizations and entities should also be explored.
- Utilize existing facilities and resources. To minimize costs and maximize access, programs that service rural areas should collaborate with local churches, schools, courts, and other public programs for physical space. Classes should be offered in settings that residents already frequent for other purposes.
- Experiment with distance-learning techniques. Telephone mediation is frequently used in cases that involve parents who live far apart. While many parent education programs include videos to convey information on child reactions to divorce or parental conflict, there is no information on their effectiveness as alternatives to programs offered in face-to-face and group formats. States need to explore these and other distance-learning techniques.
- Be patient, supportive, and persistent. In many rural areas, programs have to be started without any existing infrastructure. It takes time to create programs, generate publicity, cultivate ties, attract clients, and become visible. The state office can facilitate by helping to disseminate best practices to grantees and bring them together for information exchange and to jointly pursue publicity, funding, and client referrals. The state office can also help to stabilize service provision by controlling the amount of competition that effective providers face when they pursue grant renewals. Finally, the state office can explore potential funding and service arrangements with other state agencies.

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SECTION 8

SUMMARY AND CONCLUSIONS

Access and visitation issues have become more visible and more important for the child support program as a result of several activities, including (1) research evidence documenting the benefits for children of having contact with both parents; (2) the growth of court services offering mediation, parent education, and other interventions aimed at reducing parental conflict and promoting contact with children; and (3) a burgeoning fathers' rights movement, which has lobbied for joint custody legislation, Federal acknowledgment of custody and visitation issues, and direct services for fathers seeking to strengthen ties with their children. Research evidence has been particularly critical in prompting more Congressional attention to access issues. The statistics and findings below partly illustrate why access issues have generated more interest and attention.

- There were 1.35 million out-of-wedlock births in 2000 (33.2 percent of all births) (National Vital Statistics Report, Vol. 50, No. 5, Feb. 12, 2002).
- In 2000, paternity was acknowledged for 688,510 children in hospitals and other related settings; child support agencies established paternity for an additional 867,000 children (OCSE, *Twenty-first Annual Report to Congress*).
- Forty-three percent of first marriages dissolve within 15 years; each year, one million children experience the divorce of their parents (Horn and Sylvester, *Father Facts*, 4th ed., 2002).
- In spring of 1998, 20 million children (25.8 percent of all children under 21 years of age living in families had a parent not living in the home (Current Population Reports, P60-212, October 2000).
- 73.3 percent of custodial parents due support who had arrangements with the noncustodial parent for joint custody or visitation privileges received full or partial payments, while only 35.5 percent of custodial parents without joint custody or visitation arrangements received some support (Current Population Reports, P60-212, October 2000).

The Access and Visitation (AV) Grant program was begun in 1997, with annual awards of \$10 million per year to states for programs to support and facilitate noncustodial parents' access to and visitation with their children. In that year, grant programs were offered in 30 states and provided services to approximately 20,000 individuals (American Institutes for Research, 1999). The program currently serves an estimated 50,000 individuals, based on statistics compiled by OCSE (IM-01-03, June 13, 2001).

EXAMINATION OF STATES' AV PROGRAMS

In October 2001, OCSE issued a task order contract to Policy Studies Inc. and the Center for Policy Research to review the AV grants in the states. Specifically, the review was designed to generate a qualitative portrait of innovative programs based on how states are administering their grant programs, what services they are delivering, and what populations they have targeted for services. The researchers involved in the project gathered data for their report through conference calls and telephone interviews with AV grant coordinators and service providers. The outcome of these efforts was six papers on AV programs addressing the following issues: (1) services for IV-D populations, including never-married and low-income populations; (2) services to high-conflict families; (3) working with incarcerated parents; (4) services to enforce visitation orders; (5) working with faith-based organizations; and (6) delivering AV services to rural areas.

SERVICES FOR IV-D POPULATIONS

The investigation of this issue focused on states that are creating ways for parents in IV-D cases with child support obligations to obtain court-ordered visitation rights. We reviewed programs in Connecticut, Georgia, Illinois, Nevada, Oklahoma, Rhode Island, and Washington.

Summary and Recommendations

The states that have used their AV grants to serve never-married and child support populations are extremely pleased with the focus of their program and the outcomes they have achieved. In these states, there is a consensus that the program is reaching a population that has been historically underserved. Staff members seem to believe that these programs are needed and that they dovetail nicely with the fatherhood climate in their state and the nation as a whole.

For their part, child support personnel do not want to actively pursue access and visitation matters on their own. Therefore, they are pleased to be able to refer clients who complain about these issues to a reliable outside service. Moreover, the referral takes very little of a staff person's time. What does take time, however, is keeping the AV programs visible to support technicians and making technicians aware of what services are offered, who is eligible for services, and how a parent can access the services.

It seems to us that the most effective programs have staff based in courts where paternity and child support matters are heard. There appear to be many advantages to this location for services.

- In court settings, judges and hearing officers can make immediate referrals to mediation, and negotiation sessions can be conducted on the spot. If the custodial parent is not in attendance or refuses to cooperate, the court can instruct the noncustodial parent to file a *pro se* motion for visitation that will lead to a mandatory referral to mediation at the next scheduled court date. Further, agreements generated in court settings are easily promulgated as legally

enforceable court orders by either being incorporated in the child support order or entered as a separate order.

- Court-based programs appear to have more credibility and legitimacy with parents than non-court programs. This increases parents' willingness to participate in the programs, especially in mediation where that service has been part of the court and legal culture of the community.
- Court-based programs can also be holistic, offering both education and reintegration services for parents who have been separated from their children and need some assistance establishing a relationship, or where there are safety concerns that prevent the exercise of visitation.
- Court-based AV programs tend to enjoy subsidies from the court, including access to mediators, administrative personnel, and facilities. This stretches AV program resources and enhances their capacity to serve a greater number of families.

All programs worry about finances, including the possible termination of the AV grants and the loss of local funds in the wake of budget cuts at the state and local levels. Many would welcome the use of FFP to support access and visitation services and to conduct more rigorous research to document the impact of program services on child support payment behavior.

SERVICES FOR HIGH CONFLICT FAMILIES

This investigation focused on programs that provide long-term access assistance to families with entrenched disputes and/or serious allegations of parental misconduct using a variety of court-ordered services. We reviewed programs in California, Colorado, Idaho, and Utah.

Summary and Recommendations

A review of state AV grant activities shows that jurisdictions are experimenting with different ways to serve high-conflict families. Some interventions involve generating needed information for the court so that it can make access decisions in a timely manner and refer families to appropriate services. Others focus on monitoring visitation exchanges and actual visits to ensure that visitation occurs as ordered by the court in a safe manner. A few jurisdictions are experimenting with techniques aimed at modeling appropriate parenting and co-parenting behaviors by providing assistance on an as-needed basis in unsupervised settings over a sustained period of time, or taking a more activist approach to visitation in supervised settings by participating in the visits and giving parents feedback on their parenting behaviors.

One limitation with all these programs is that they focus exclusively on parents with court orders concerning custody and visitation. Necessarily, this means that the primary focus is on divorcing and divorced families seen in the family court, and/or never-married parents who have an order

dealing with visitation. It is more challenging to identify and serve IV-D populations who have serious conflicts about access and/or safety issues that make visitation questionable. Programs in California try to accomplish this through the state's mandatory mediation program, which is available in all courts at no charge to litigants. Like their counterparts in Family Court, judges in Support Court can refer couples to court-based mediators for assistance with the development of an agreement dealing with custody and/or visitation. Thus, if a visitation matter is raised in the course of a proceeding dealing with the establishment or enforcement of a child support order, the judge may refer the family for mediation services. And if the mediation plan includes an agreement for supervised visitation, the family can access the court's high-conflict service mix. If the parents fail to reach an agreement, their case will be heard by a family law judge who can order supervised visitation. Without the ready availability of court-based mediation services, however, it would be impossible to link child support populations who have severe conflicts about parenting with remedial services. Thus, a key requirement to the effective provision of services for high-conflict families is having services like mediation for families with lower levels of conflict.

Perhaps the most useful intervention for IV-D populations is the "facilitated" approach to supervised visitation that has been developed in San Francisco County. For families with inexperienced parents, where visitation is initiated for the first time or reinstated after a prolonged absence, the facilitated approach provides a vehicle for teaching parents how to do a better job of relating to their children during the visit. The supervised visit becomes an opportunity to monitor, demonstrate, and instruct. By incorporating feedback with supervised visitation, parents can be exposed to new parenting skills and practice them during the visit.

Of course, extending the use of a psycho-educational approach like facilitated supervised visitation will take more resources that financially strapped visitation programs can ill afford. Expanding the facilitated supervised visitation approach will also require additional judicial and mediator education since the service requires a specific type of order. Finally, the spread of facilitated supervision will take some basic adjustment of the field of supervised visitation including a review and revision of guidelines and standards for supervision practice, new forms of supervisor training, and a redefinition of what is appropriate with respect to supervisor intervention during the visit and feedback to parents.

SERVICES FOR INCARCERATED PARENTS

The objective of this review was to identify services designed to reconnect incarcerated parents with their children, particularly parents who will be released and move back into the family. The programs reviewed were in Indiana, Missouri, Nebraska, Pennsylvania, and Vermont.

Summary and Recommendations

Several states have made some first, tentative efforts to reach out to parents in correctional facilities. Often, these efforts have been limited to education programs that explain the child support process, the rights and responsibilities of parents to support their children financially and emotionally, and maybe the process for requesting an adjustment to the child support order while incarcerated. It is rarer that states have tried to facilitate parent-child contact by implementing access programs in the facilities. The primarily anecdotal findings from those programs suggest that they have promise for being beneficial to parents, children, and society.

The discussions with individuals involved in providing services to incarcerated parents yielded the following ideas to guide states as they consider implementing similar types of programs.

Working in the prison environment. Prisons are not the easiest environments in which to implement an AV program. Even an educational program needs to be concerned about the safety of people conducting the program and the safety of prisoners who participate. A visitation program runs into a larger set of obstacles, including ensuring the safety of the visiting families, finding a suitable environment to host the visitation, and monitoring contact to make certain it is appropriate. Clearly, all stakeholders in the program need to review the prison environment and make whatever accommodations are necessary to facilitate access.

Getting cooperation from parents (and children if the program involves visitation). All the programs noted difficulties, at least initially, in getting parents involved in the programs, whether they were educational in nature or involved direct parent-child contact. Inmates may need to be “sold” on the program (*e.g.*, what’s in it for them?), at least initially. For a visitation program, custodial parents may also need to be convinced that it is in their interest and in their child’s best interest to become involved. Making participation as easy as possible (*e.g.*, providing free transportation to the facility housing the incarcerated parent, locating the program close to the family’s residence, providing meals for long-distance commutes) may be a key to eliciting cooperation. The needs of the children should also be considered. They should be coached before they visit a correctional facility so that the environment, the security screening, etc., does not affect interaction with their mother or father.

Program eligibility. The prison programs have different criteria they apply in deciding who is eligible for services.

- Some programs are available to all incarcerated parents, while others are available to a subset of parents, generally those who are within a certain number of months of being released.
- Some programs are available only to parents, while others are available to everyone, regardless of whether they are a parent. The argument is that inmates may want to participate because they have a friend or a relative who is a parent or because they may be a future parent and they want to understand more about being a parent.

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- Some programs are available only to parents who have a good behavior record; that is, the program is supposed to be a privilege or a reward for good behavior.

Designing the program type and content. An educational program is easier to introduce into a prison environment than a visitation program. For this approach, states do not have to design their own programs. There are several national educational curricula that states can obtain at limited cost and can adapt to their own needs. The state programs we reviewed use some of these curricula in their prison programs, and the AV coordinators could be contacted to learn how well the curricula have worked in the prison environment.

Programs with the goal of connecting parents and their children physically face more difficult obstacles. Chief among these is how to address security concerns that both prison officials and program administrators share. For example, programs may want to screen parents for suitability to an access program and decide who is and who is not an appropriate candidate for inclusion. Prison officials and program administrators need to be concerned about security and the safety of both inmates and visitors to the facility. Both groups also need to set ground rules for behavior, set aside a location for parent-child contact, and provide the materials needed to facilitate contact (*e.g.*, furnishings, equipment, and materials such as books, crayons, pencils, and paper).

Staffing. Opinions about who should staff programs for incarcerated parents are mixed. One warden suggested that programs should be staffed with individuals from outside the correctional facility because of the perceived adversarial relationship between the prisoner and Department of Corrections staff. Another program used prison staff (case managers) to deliver educational programs. They attributed the success of that program partly to the fact that prison staff was of the same race and educational background as most prisoners. There is too little evidence to prescribe what staffing matrix is needed, but some analysis of appropriate staffing should be undertaken.

Funding. The AV funding for the programs we have reviewed is small. Thus, all the programs have used money from other sources, both public and private. Too, some of the programs rely on volunteers or in-kind contributions. This patchwork of funding is not a solution for the long-term viability of the programs. A more stable source of funding might be the departments of corrections in each state. If the benefits of incarcerated parent programs can be supported (*e.g.*, lower rates of recidivism, less violence in the prison environment, better family connections after release), state officials should be eager to fund these programs.

SERVICES TO ENFORCE VISITATION ORDERS

The purpose of this investigation was to review programs that prevent and/or address violations of court orders for visitation by providing *pro se* assistance, legal representation, and/or creating a complaint process under supervision of the court. We reviewed programs in Arizona, Oregon, South Carolina, South Dakota, Texas, and Washington.

Summary and Recommendations

The states we contacted pursue a variety of approaches to visitation enforcement: (1) preventive interventions to clarify unspecified orders; (2) mediation interventions; (3) education programs; (4) *pro se* assistance; (5) legal representation; (6) telephone monitoring; and (7) court actions. Our discussions lead us to draw the following conclusions about visitation enforcement.

All approaches target only noncustodial parents who have court-ordered visitation rights. Visitation enforcement interventions are designed to ensure that parents comply with court-ordered visitation agreements. Jurisdictions that focus on visitation enforcement should ensure that they have other mechanisms in place to assist unmarried, noncustodial parents with the establishment of visitation rights. For this reason, some jurisdictions use the same personnel to assist with both the establishment and enforcement of visitation orders.

Jurisdiction size will affect which approach is adopted. Some interventions, such as telephone monitoring and review of all interparty stipulations to ensure that visitation agreements are spelled out in an understandable way, can only be used in small settings where the number of potential cases is manageable. It may also only be possible to use a preventive approach (1) with a contract attorney who can review and clarify visitation agreements filed by other attorneys, and (2) in a small setting with a cohesive legal community that does not view such an intervention as invasive and threatening.

The best approaches recognize the complexity of the problem and offer a range of interventions. Some noncompliance cases reflect confusion about the order and can be resolved through re-statement of the agreement in understandable terms. In other cases, where the parties have changed their mind about visitation or where the circumstances have changed, mediation leading to the development of a new agreement may be an appropriate response. In order to get parents to comply with a visitation agreement, some of them may need to be reminded that visitation problems are fairly common, but that court orders are legally enforceable and that the court can invoke various remedies for noncompliance. This can usually be communicated to parents in education sessions or videos. Finally, parents who face more stubborn forms of noncompliance need to pursue court remedies either through *pro se* filings or legal representation.

Good enforcement programs have a variety of responsive, community services to which they can refer parents. Parents who fail to comply with court-ordered visitation often have complaints about safety during visitation. For these cases, the court needs access to supervised visitation services. For other parents who fight during pick-up or drop-off, or who come late to visits, the court needs to be able to order supervised exchange services. The court may also find it helpful to order families with persistent visitation problems to engage in longer-term supervision arrangements, such as telephone monitoring or the use of special advocates and other counseling personnel on a sustained basis to develop a “habit of visitation.”

While some child support agencies recognize that noncustodial parents need to access legal services in order to enforce their visitation rights, they are concerned about keeping such interventions distinct from the IV-D program. While child support agencies acknowledge that many noncustodial parents need help with accessing the legal system to establish and enforce visitation orders, they are concerned about keeping such interventions distinct from the child support establishment and enforcement services that the child support agency is mandated to provide. Thus, most child support agencies assign the process of enforcing visitation orders to courts and/or legal service providers. Visitation enforcement in Maricopa County, Sioux Falls, South Dakota, Oregon, and Washington is handled by the court, and the various services offered in those jurisdictions—conference officers, contract attorneys, court facilitators, and mediators—are all provided by court personnel or by community service providers to whom families are referred by the courts.

South Carolina is the one jurisdiction we found that provides visitation enforcement services directly through the child support agency. Here too, however, the approach that the child support agency adopted was shaped by the desire to avoid the appearance of “representing noncustodial parents” or engaging in the practice of law. Thus, the agency has used its AV grant funds to hire a certified mediator rather than a lawyer to help noncustodial parents establish visitation orders and enforce them. Although the program initially retained an attorney to provide mediation and *pro se* assistance to noncustodial parents, it switched to hiring a mediator in order to prevent the court and the public from viewing the child support agency as being advocates for both custodial and noncustodial parents. While child support personnel recognize the relationships between visitation and child support, they believe that they walk a thin line by trying to address the visitation needs of noncustodial parents, and they are clearly looking for Federal guidance on how to assist with visitation without violating law and policy.

WORKING WITH FAITH-BASED ORGANIZATIONS

This review looked at states’ attempts to make better use of the faith community to deliver services, services that many faith-based organizations (FBOs) may already be delivering on their own, or offering, using funds from other programs (*e.g.*, TANF). We reviewed programs in Hawaii, Indiana, Iowa, Massachusetts, New York, Pennsylvania, and West Virginia.

Summary and Recommendations

The states we contacted have had good experiences using FBOs to deliver AV services. For the most part, however, these FBOs are large national organizations (*e.g.*, YMCA, Catholic Charities) and are not small, local churches whose ministry is limited to a special segment of the parent population or limited in the types of services it delivers. From our discussions, we have distilled several lessons to help guide programs as they seek further involvement from FBOs in serving parents.

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- Program size is often a factor states consider in contracting with FBOs.
 - Sometimes, large FBOs do not provide services directly, but contract for those services.
 - Smaller FBOs face a learning curve in contracting with government agencies.
 - There do not seem to be barriers to contracting with FBOs.
 - The target population for services will affect the range of services needed from FBOs.
 - Smaller FBOs may consider becoming part of a service delivery consortium or community collaborative.

Program size. Most states we contacted are contracting with FBOs that are large, national organizations, not small, local churches or small nonprofits that are affiliated with a church or group of churches. There are several reasons for this, but one of the most important is that the large organizations can offer a full range of services and the smaller churches cannot. For example, Catholic Charities, at least in some locations, provides (1) services to deal with domestic violence problems; (2) counseling and therapy; (3) substance abuse treatment; (4) mediation; (5) anger management classes; (6) supervised visitation, and other services that promote access by creating the conditions needed to help parents re-connect with their children. One lesson we have learned from fatherhood programs around the country is that a wide and disparate array of services is often needed to establish a parent-child connection successfully. A program that can offer that range of services may be seen as a preferred provider.

FBOs as contractors and not service providers. In some instances, states have contracted with large FBOs, but the FBOs are not direct service providers. Instead, they arrange for services to be delivered through other professionals who work as independent contractors, or through other professional organizations. Some states like larger, as opposed to smaller, FBOs because they have a substantial infrastructure already in place to manage service providers.

Learning curve for smaller FBOs. Small FBOs, which include individual churches or groups of churches, initially face start-up problems because they (1) lack an organizational infrastructure; (2) lack management experience needed to provide services; (3) have limited capacity to deliver services and track service delivery; and (4) have limited finances to meet possible match requirements required by states. No states exclude smaller FBOs from applying for AV grant funds, but smaller FBOs often do not apply for grants either because they do not have the financial resources to meet the match requirements or they do not want to bother with the reporting requirements. Some FBOs have received money to provide services that do not have the financial and reporting requirements that are attached to the AV grants.

If states want to be more aggressive in involving smaller FBOs in providing or arranging for AV services, some training may be needed to equip them to be effective service providers. One state, Indiana, provides workshops to educate service providers about reporting requirements and how to use the software it developed for monitoring and reporting activities.

Barriers to contracting with FBOs. No state we contacted mentioned any legal or administrative barriers that had to be overcome to contract with FBOs. Our state contacts said that FBOs are

treated no differently than other contractors and respond to competitive grant announcements in the same way other service providers respond.

Target populations. One state mentioned liking smaller FBOs because they generally have excellent ties to the communities that they serve, they are often more flexible in their approach to service delivery, and their connections make it easier to recruit from hard-to-serve populations such as never married parents living in the inner city or incarcerated parents in community facilities (e.g., jails, work-release centers).

Involving FBOs as part of larger consortium/collaborative of service providers. One approach to involving FBOs of any size is to fund their services as part of a service consortium or community collaborative. In this manner, the lead partner in the consortium or collaborative can provide the infrastructure and administrative resources that smaller FBOs often lack. This may be one approach to helping FBOs develop the capacity to meet the requirements for Federal grant opportunities generally, beyond the opportunities offered through the AV program.

DELIVERING SERVICES IN RURAL AREAS

We looked for programs designed to help parents in low-density settings get assistance developing and implementing parenting plans. The programs reviewed were in Alaska, Colorado, Iowa, Maine, and Vermont.

Summary and Recommendations

Most states have used their limited AV grants to provide services to parents who live in their largest population centers. The experiences of a few states that have focused on serving rural areas shows that the process is challenging. Low density means that clients have to travel to obtain services. Multiple service sites are expensive to initiate and sustain. The lack of qualified personnel necessitates that staff be imported or local residents be retained and trained. Finally, the lack of privacy and anonymity in rural areas may make residents reluctant to pursue access and visitation services because they imply family discord and dysfunction.

Our conversations with states that have made the delivery of services in rural areas a priority suggest the following lessons:

- Use traditional geographical units for rural services delivery: States should identify and use traditional geographical units when planning to deliver access and visitation services in rural areas. For example, Vermont used established planning units that are consistently used for the delivery of most social and legal services. Iowa used multi-county collaboratives to achieve broad geographical coverage.
- Create a competitive process that requires rural coverage: States that want rural coverage should focus on it and require it of CBOs and other grantees that respond to an RFP process.

Rural service delivery will not happen accidentally, and interested states should recruit CBOs and other providers that are capable of serving designated geographical areas.

- Identify and train local personnel to provide services: While some service providers can ride-circuit, other service needs require more consistent staff availability. States should explore the feasibility of identifying and training local residents to provide various types of access and visitation services.
- Identify local service needs: Successful providers appear to be those that are able to identify a service niche and fill it. Knowing the pulse of the community and the types of services that parents will use is critical to successful program implementation.
- Obtain the support of other public and private agencies and civic organizations: Personal contacts and relationships are key to successful service delivery in rural areas. CBOs and other entities that offer access and visitation services must cultivate ties with community leaders, key employers, and others who can help to publicize the programs and influence parents to utilize them. Financial support from these organizations and entities should also be explored.
- Utilize existing facilities and resources: To minimize costs and maximize access, programs that service rural areas should collaborate with local churches, schools, courts, and other public programs for physical space. Classes should be offered in settings that residents already frequent for other purposes.
- Experiment with distance-learning techniques: Telephone mediation is frequently used in cases that involve parents who live far apart. While many parent education programs include videos to convey information on child reactions to divorce or parental conflict, there is no information on their effectiveness as alternatives to programs offered in face-to-face and group formats. States need to explore these and other distance-learning techniques.
- Be patient, supportive, and persistent: In many rural areas, programs have to be started without any existing infrastructure. It takes time to create programs, generate publicity, cultivate ties, attract clients, and become visible. The state office can facilitate by helping to disseminate best practices to grantees and bring them together for information exchange and to jointly pursue publicity, funding, and client referrals. The state office can also help to stabilize service provision by controlling the amount of competition that effective providers face when they pursue grant renewals. Finally, the state office can explore potential funding and service arrangements with other state agencies.

CONCLUSIONS

The review of state AV programs resulted in the following conclusions:

- Diverse array of services: States have used their AV grant funds in many different ways to develop and/or augment the array of services they offer to families to enhance parent-child contact.
- Targeting the never-married population: Some states have used their AV funds to create ways for never-married parents in child support proceedings who lack visitation arrangements to obtain mediation services and develop enforceable orders dealing with access.
- Limited funds: AV grant funds fall far short of meeting state needs. As a result, most states restrict services to a small number of jurisdictions, target services to a limited population (*e.g.*, low-income parents), and/or limit the number of services they offer.
- Supplemental funds from other sources: A few states have contributed monies from other sources (*e.g.*, surplus TANF dollars, appropriations from the states' general fund, judicial department funds) to supplement their AV funding. In 2002, these other funding sources are facing cutbacks because of states' budget shortfalls, which has meant a reduction in funding available for AV services.
- Evaluation of outcomes, until recently, was nearly nonexistent: Until recently, there was little outcome information available on AV grant programs. Fortunately, that situation is beginning to be addressed. In October 2002, the DHHS Office of Inspector General (OIG) released a study that assessed the impact of mediation services on increasing noncustodial parents' access to and visitation with their children and child support payment compliance in five states (OIG, 2002). Although the study entailed only a limited number of parent interviews and child support record reviews, the findings were decidedly positive. Interviewed parents reported that visitation increased following mediation; their child support records showed improvements in patterns of payment. OCSE has a study in progress that will also evaluate the extent to which mediation, as well as parent education and supervised visitation programs, are associated with increases in noncustodial parenting time with children and resulted in additional benefits. Finally, OCSE received approval from OMB to include an assessment of parenting time outcomes on its required reporting form which is completed by all grant recipients.
- Data collection for evaluation is difficult: There are several obstacles to collecting data for evaluation purposes. Among others, these include (1) the large number of providers funded by the AV grant program and the great variety of services they offer make it extremely difficult to collect meaningful outcome information across sites; (2) service providers do not keep information about their participants that would allow for follow-up; (3) parents may not

participate if they have to provide background information (*e.g.*, inmates); and (4) not all participants are IV-D clients, so payment compliance data may be difficult to collect.

- AV grants have had several unanticipated benefits: Among others, these benefits include (1) several states credit AV grants with changing state culture and making access issues and services visible and available for the first time; (2) several states credit AV grants with improving relationships between the child support agency and the courts; and (3) IV-D technicians appreciate being able to refer noncustodial parents with visitation problems to courts and community-based service providers.

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APPENDIX A

OVERVIEW OF STATES' ACCESS & VISITATION PROJECTS

State	Mediation (voluntary)	Mediation (mandatory)	Counseling	Parent Education	Parenting Plans	Monitoring	Supervised Visitation	Neutral Pick-up/ Drop off	Develop Visitation Guidelines
MT	x	x	x	x	x		x	x	
NE	x	x	x	x	x	x	x	x	x
NV		x	x	x	x		x		
NH	x	x	x	x	x	x	x	x	x
NJ	x	x	x	x	x		x	x	
NM	x	x	x	x	x	x	x	x	x
NY	x	x		x	x	x	x	x	
NC	x			x	x				x
ND	x				x	x	x		x
OH	x	x		x	x				
OK	x			x	x		x		
OR	x	x	x	x	x	x	x	x	
PA	x	x	x	x	x	x	x	x	x
RI		x	x	x	x		x		x
SC	x			x	x				
SD						x	x	x	
TN	x	x	x	x	x	x	x	x	x
TX	x	x	x	x	x	x	x	x	x
UT	x	x		x	x	x	x	x	
VT	x	x	x	x	x		x	x	
VA	x	x	x	x	x	x	x	x	x
WA	x	x			x		x		
WV		x	x	x	x		x	x	
WI	x	x	x	x	x	x	x	x	
WY	x	x		x	x			x	x

Source: FY 2001 Grant Application Summaries

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

12/28/01

State	Administrative Arrangements	Target Population	Services	Research	Comments
AL	Courts and judicial volunteers. AV grant funds only.	Divorced	Parent education and facilitation aimed at producing parenting-time agreements.	No	
AK	Courts and individual contractors. No other AV funds, but free mediation and <i>pro se</i> center funded.	No target group, but serve rural and indigent populations.	Mediation, supervised visitation and parenting plan template. Developing video on parenting plans.	No	Experience with rural outreach. Lectures not effective. Using videos.
AZ	Courts in 11 counties. No funds beyond required local match.	Divorced and never-married with court ordered visitation.	Mediation, supervised visitation and telephone monitoring. Varies by county. Development of visitation guidelines in some settings.		
AR	DSS and individual mediation contractors.	Divorced and never married.	Voluntary and mandatory mediation.	No	
CA	Courts and CBOs in 28 counties. Local match to AV grant funds. Varies by county. Free court mediation.	Divorced and never-married with supervised visitation order or stipulation.	Supervised visitation, parent education and counseling. Do “directed” supervised visitation where supervisor intervenes to help inexperienced parents with visits.	Yes. Must report to legislature.	
CO	Courts and individual contractors.	Indigent, never-married, and high conflict.	Mediation, parent education. Parenting coordination/special advocates for high conflict cases.	No	Statewide supervised visitation conference to stimulate new programs with CBOs and faith-based organizations.

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OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
CT	Courts. Matched funds 3 x AV award (i.e., \$300,000).	IV-D population. Paroled and released parents.	Negotiation and mediation of visitation issues at court with direct referral by masters who hear child support cases. Parent education at multi-agency release centers.	Tracking outcomes but no data.	Magistrates incorporate visitation stipulations in child support orders.
DE	Division of State Services and CBOs, Family Court and DSS. General funds. Used to use VAW and Victims of Crime Act monies.	Abuse and neglect cases and family court cases with supervised visitation orders.	Supervised visitation, neutral exchange at non-traditional hours at state service centers. Video phone visits with parents in prison. Security services at centers.	No	State staff supervised visitation centers. AV funds enhance security and extend services to non-traditional hours. CPS and family court populations.
DC	Court	Mostly abuse & neglect.	Supervised visitation. CRC operates a hotline on access.	No	
FL	Domestic Violence Unit within Office of Safety. Some districts use family preservation dollars.	Domestic violence cases referred by CPS agency or family court. Mostly abuse and neglect.	Supervised visitation.	No	
GA	IV-D and CBOs. Augment with TANF funds (\$600,000).	IV-D population.	Parent education, mediation and Father programs. Referrals by CSE technicians.	Georgia State University study of father programs and Families First evaluation of parent education.	Very supportive IV-D director and governor.
Guam	Court	NCPs with child support problems.	Supervised visitation, d.o./p.u. and mediation.	No	Formative stage. Exploring programs.

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
HI	Court and CBOs	Domestic violence families in abuse and neglect and family cases.	Supervised visitation for all cases with court order for supervised visits.	No	May have YMCA collaborate.
ID	Courts and individual contractors. AV funds augmented with State appropriation of \$640,000 for family law coordinators in every district court. Parent education and parenting plan development paid for with other county funds.	High conflict families in family law cases that are filed in court.	ADR screenings to flag high conflict cases and refer for parent education, mediation, supervised visits, and high conflict case management. This would include domestic violence or substance abuse evaluations, anger management classes and expedited court hearings.		Expect that state funding for family law coordinators will be lost or at least reduced due to required cuts for all state agencies. Family law facilitation legislation was the culmination of a 7 year effort by the court, bar and mental health community (Children & Family in the Courts Committee). SB 1171 and 1172 enacted in 2001.
IL	Court and CBOs with services in Dupage, Cook, and Peoria counties. Court based mediation available.	IV-D population that comes to court for child support actions (paternity, establishment, modification, enforcement) and wants AV.	Education and supervised visitation services in Peoria; Holistic services in Dupage and Cook. If mothers agree, judges and hearing officers send NCPs and CPs to court or CBO for facilitation to set up a visitation plan. If mom objects, NCP files motion for mediation and judge orders.	Dupage has collected data about families who get AV services.	Legislature says counties can add \$1-\$8 to civil court filing fees for neutral exchange services. This passed in January 2001 in Dupage. Began in St. Clair County in 2000. Judges are introducing AV issues in child support proceedings.

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
IN	AV grant combined with TANF block funds to create \$1.45 million for grants to CBOs and child support agencies and other service providers	Fathers and families below 250% of the poverty level.	Services differ by county and include parent education and other outreach aimed at promoting co-parenting in more comprehensive program settings.	Extensive use of performance measurement for payment.	Catholic Charities has a parenting skills program for incarcerated fathers in pre-release settings. Archdiocese of Indianapolis works with local prosecutor's office on co-parenting issues.
IA	HHS awards funds to local collaboratives of public and private agencies to serve NCPs. Had combined with TANF funds but new state legislation requires AV funds be awarded to nonprofit CBOs.	Fathers living apart from their children or at risk of separation, at all income levels but per new legislation, AV services must focus on increasing compliance with court orders.	Comprehensive services for NCPs including mediation, supervised visits, and parenting plan development for those with court/ordered access or at time of divorce.	No	As a result of lobbying efforts by Dick Woods of Fathers for Equal Rights, AV funds must be awarded to a nonprofit CBO and not mingled with TANF block dollars to support services through "collaboratives" for comprehensive services. Some churches are sites for neutral exchange.
KS	AG and CBOs.	High conflict parents with court orders for supervised visitation (mostly family court).	Supervised exchange at 10 sites, three of which also offer parenting education.	No	
KY	Courts and CBOs.	Court referred populations, both divorced and never married.	Parenting education, mediation, supervised visitation, and visit exchange.	No	

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
LA	CSE staff administer and provide all services. 18.8% state match (in-kind).	IV-D population.	Parent education classes on needs of kids, coparenting, and voluntary mediation.	No	Struggling with problem of one parent not showing for mediation since program is voluntary.
ME	Courts and contractors	Separated, never married. High conflict at one site.	Parent education at 15 sites. Some offer supervised visitation and drop off/pick up.		
MD	CBOs and public agencies.	Every local area targets own population.	Seven projects offering: mediation, counseling, drop off/pick up, and CRC Hotline.	No	Washington County serves YF and RF population with mediation and counseling.
MA	DOR administrators at Probate Court. Services by project staff with court staff help on donated basis at two courts.	Unmarried parents, IV-D and Responsible Fatherhood project participants.	Group sessions on cooperative parenting at court during child support block time when new orders and enforcement matters are addressed. Mediation available at Suffolk County.	No	Experimented with faith-based collaboration with 10 Point Coalition for visitation support services, but they couldn't come through with needed services. Use GPS agency for supervised visitation instead.
MI	Courts in 11 counties with some FOCs collaborating with CBOs. AV grant funds plus required local match.	Divorced and never married families in court system. IV-D cases at paternity and order establishment phase.	Parenting time programs involving supervised visitation. Developing a custody guidelines booklet for parents.		Feels as though AV grants have helped courts and IV-D improve relationships.
MN	Courts and CBOs General Funds, \$100,000 per year.	Parents with parenting problems. No income cut off.	Mediation and visitation expediting where the expediter makes a recommendation.	SCAO's evaluation of "Cooperation for the Children	Have released an RFP for parent education and hope to focus on never married, teen or incarcerated parents.

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
MS	CSE, Child Welfare, and Headstart collaboration in three counties.	Separated/divorced or Child Support. Rural population.	Mediation, supervised visitation, and parent education at Headstart sites.	program" almost done December 2001. No	M.O.U. with Headstart allowing IV-D to use those sites for programs.
MO	CSE and courts. M.A.R.C.H. in 11 judicial districts. AV grant plus State General Funds (\$272,000) plus \$136,000 for mediation services in court system.	IV-D population (80%) CSE referrals. Divorced, never married, paternity and re-litigating parents.	Mediation.	Evaluation of prison visitation program by University of Miss-Kansas City (Kathy Fuger).	Sec 1115 grant for fathers at two prisons with minor kids; 12 months before release. Child support kiosk at visitation centers, transport kids to prisons, 12 weeks of parent education classes, mediation. Referrals to PFS for employment services.
MT	CBOs; state-wide coverage.	Divorced and never married with court contact.	Parent education.	No	Trying to extend services to rural areas. Single parent "camp" planned.
NE	CSE has awarded AV monies to DOC with in-kind services by DOC. Also, seven CBOs.	IV-D and non IV-D referrals (mandatory if both parties agree).	Mediation by six CBOs. Children's Rights Council does access counseling. DOC does parent education for soon-to-be-released fathers with Headstart.		Incarcerated parent project at Hastings-NE facility involves individual interventions with both parents at prison.
NV	Court and contractors. Mediation services available at courthouse.	IV-D population referred from child support hearing	Parent reunification services. Six to eight sessions at courthouse, mediation, and	No	Visitation/access agreement can be entered as a court order that can be enforced as part of the child

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
	Reno and Las Vegas programs.	masters at court. Targets nonpayers who say they are not getting access.	supervised visitation.		support action. Waive filing fees.
NH	Courts and CBOs in four counties.	Divorced and never-married parents referred by domestic relations judges and IV-D technicians in four low-income counties.	Free, comprehensive mediation services in court and community-based settings. Child support addressed in mediation as well as access.		The AV grant and the mediation services it provides are very appreciated by the judiciary and has led to improved relations between courts and CSE agencies including faster review and adjustment hearings. Some judicial and mediator reluctance to include visitation terms in child support orders for never-married parents.
NJ	Courts and contractors at 10 sites. Collaborate with hospital in Essex with extra funding.	Everyone with a court order for support; young fathers and never married parents in some sites.	Supervised visitation, parent education program for young fathers in Camden and never married in Essex.	No	Developed a parenting time pamphlet that won award from father's rights group
NM	Court and CBOs. Legislature awarded general funds February 2001 (\$220,000).		Supervised visitation/ exchange services.		Unclear description.

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS

State	Administrative Arrangements	Target Population	Services	Research	Comments
NY	Ten CBOs. State picks up administrative costs with \$75,000 savings that go for services. Local share doubles AV award.	Separated families with high conflict or at risk.	Supervised visitation.	No	Several CBOs are faith-based like Catholic Charities and YWCA.
NC	Courts	Separated, divorced, and never married parents in courts.	Mediation in courts Fatherhood Summit.	Father Initiative Document.	Plan a project with incarcerated mothers.
ND	Child Welfare Division of HHS and CBOs.	Divorced and foster care cases with divorce/custody or abuse/neglect issues.	Supervised visitation and exchange services.		
OH	CSE and Court or CBOs in 10 counties.	Abuse/neglect and family court cases with order for supervised visitation.	Supervised visitation, and drop off and pick-up. Each county had different mix of services.	No	Does not have much upper level CSE support. Some attempt to serve migrant workers in northwest part of Ohio.
OK	Court and CBOs. Free court mediation in all counties.	IV-D Tulsa counsel staff come to "docket day" at court. IV-D and non-IV-D referrals in Norman, OK.	Mediation, counseling, and early settlement. Direct referrals in Tulsa from court where paternity, establishment and enforcement cases. CSE technician referrals.	Evaluation of Norman program shows "+" increase in payment.	Visitation terms included in IV-D agreements.
OR	Court and CBO Self Help Family Law Center available, but not thru AV grant.	<i>Pro se</i> parents, never married, and divorce, high conflict IV-D in Multnomah County.	Supervised visitation, and parent education. Focus in 2001 on mediation: develop, modify, and enforce parenting plans with IV-D case target.	No	

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OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
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PA	Court and CBO, University, and county agencies with matching funds from providers.	Referrals by domestic relations court.	Each of 6 providers has unique mix of services to facilitate access.	Possibly thru one provider (University of Pitt- Allegheny.)	One provider offers program for parents in prison or newly released. Faith-based CBOs (Salvation Army and YWCA.)
PR	Court, Women's Affairs, and ACF.	Domestic violence protection order cases.	Supervised visitation.		Special issues with grandparent visitation.
RI	Court with in-house contractors. Mandatory court based mediation available.	Court orders with never married population.	Supervised visitation at court during non-traditional hours.	Brian Hayden at Brown University is evaluating child's relationship with parent after supervised visitation.	
SC	DSS in two counties plus partner with statewide collaborator of 16 fathers' groups.	Rural populations, <i>pro se</i> , unmarried from child support court.	<i>Pro se</i> process for visitation enforcement in rural courts including help with filing, paying filing fees, and scheduling filings on same day with administrative judge. Also parenting classes, and mediation.	Evaluation report prepared in 2000 by PSI.	Sisters of Charity are looking at visitation guidelines. Sisters also help fund 16 fathers' groups.

**EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
INITIAL FINDINGS FROM TELEPHONE CONFERENCE CALLS**

State	Administrative Arrangements	Target Population	Services	Research	Comments
SD	Courts and CBOs and contract attorneys.	Separating and divorcing families with court orders for visitation where there is evidence of conflict.	Providing security systems, toys, and equipment for established visitation centers that offer supervised visitation services. Sioux Falls pilot calls for contract attorneys to review divorce court cases to ensure that visitation terms are unambiguous.	None	
TN	Administrative Office of the Courts.	Divorced population referred by court and attorneys.	Mediation		
TX	CSE with CBOs and county agencies.	Varies by vendor. Includes rural, abuse, and IV-D population in Houston and Dallas.	Supervised visitation, mediation, and parent education. In Houston, Volunteer Lawyer Program helps IV-D population with visitation orders. In Dallas, Legal Services of North Texas does the same.		

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OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
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UT	Courts. Legislature approved \$20,000/year for match funds.	High conflict parents who file a motion alleging visitation rights are denied. Low income folks with visitation order (post-decree cases).	Mandatory mediation in 3 rd judicial district (50% of state population), when visitation denial alleged. "Talking Circle" to reinforce mediated agreements. Parent coordinator and parent-time enforcement officer pilots.	Use a six month follow-up questionnaire.	Planning a parenting-time visitation officer to make recommendation to parties and court in high conflict cases and parent coordinators to try to do behavior modification and change destructive behavior.
VT	CSE and CBOs (nine Access and Visitation centers throughout state.)	Domestic violence allegations. Rural parents. Incarcerated pilot.	Supervised visitation. Web site for Fatherhood Initiative.		At Rutland pre-release, a visitation room jointly supervised by DOC and CBO.
VA	Eleven CBOs.	Not clear	Supervised visitation and parent education. Comprehensive access services.		
VI	3 CBOs at 7 sites on three islands.	NCPs	Visiting programs for fathers and kids offering arts and computer activities or nature walks; mediation for adults.		Public relations effort needed to counter suspicions about programs since CSE is mistrusted.
WA	PAs in Spokane County. Court. Free mediation available for court referred parents. Supervised visitation also available.	IV-D and never married parents who sign paternity affidavits at hospitals, establish orders, etc. <i>Pro se</i> NCPs in Olympia.	Getting unmarried parents legally enforceable visitation orders through hospital outreach and CSE referrals in Spokane. In Olympia, services through courthouse facilitator.		State statute allows county to impose \$10 surcharge on filings to pay for court facilitators. Olympia doesn't charge this, so AV grant is used to pay for facilitator.

EXHIBIT A-2
OVERVIEW OF STATES' ACCESS AND VISITATION PROJECTS
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State	Administrative Arrangements	Target Population	Services	Research	Comments
WV	Courts and CBOs Some VOCA match funds.	Domestic violence cases.	Supervised visitation or neutral exchange. Also programs for parent education, mediation, and other access services.	Evaluation of parent education by Anne Fishkin, retired professor.	State legislation requires each county to provide parent education programs and to evaluate them. AV funds pay for evaluation of parent education.
WI	CBOs. Some programs get Safe and Stable Family funding. \$25,000 local match for one project offering case management in serious abuse cases.	Domestic violence and abuse cases. Never married parents.	Parent education. Mediation for high conflict families. Supervised visitation.		
WY	Five CBOs offering state-wide coverage. Some programs use CASA funds and Children Trust Fund dollars appropriated by the legislature for supervised visitation services.	Divorcing parents who are pro se, domestic violence cases, divorce and never married who need help establishing or enforcing visitation. Abuse and neglect cases.	A mix of services including parent education, supervised visitation, mediation, and pro se assistance.	None	AV grant has made the issue visible in the state and has led to creation of a Wyoming Children's Access Network. Attempts to generate faith-based proposals with the Wyoming Church Coalition have not been successful chiefly because they did not want to comply with Federal reporting and ten percent match requirements.

APPENDIX B

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