Report to the Department of Health and Family Services

Focus Groups with Child Welfare Workers and Non-Custodial Fathers
(January, 2006 to June, 2006)

October 31, 2006
Prepared by the Center on Family Policy and Practice
Lead Writer: Jacquelyn Boggess, J.D.
ACKNOWLEDGMENTS

This report was prepared for the Wisconsin Department of Health and Human Services at the Center on Family Policy and Practice. The opinions, findings, conclusions, and recommendations herein do not necessarily reflect the views of these individuals or organization.

CFFPP publications are available on the Internet. The CFFPP Web site can be accessed at the following address: www.cffpp.org.
Report

Child Welfare and Noncustodial Fathers

Focus Groups January, 2006 – June, 2006

The Center for Family Policy and Practice (CFFPP) joined with the Wisconsin Division of Children and Family Services to undertake focus groups in southeastern Wisconsin designed to explore the inclusion of noncustodial fathers in child welfare practices. As is true for most other states, Wisconsin’s child welfare division has been directed by the federal government to improve its ability to reach out to and include noncustodial fathers in its child welfare policies and practices (see DHHS, ACF, Administration on Children, Youth and Families Children’s Bureau, Final Report: Wisconsin Child and Family Services Review, January 13, 2004). Frequently, if the parents of a child involved in the child welfare system have not been married, it can be difficult for child welfare staff to identify and/or locate the noncustodial father of the child. Moreover, even in instances when the father has been identified, practices have not been put into place that easily enable child welfare staff to incorporate the father in their efforts to work with the child and family. For example, fathers may be less likely to have on-going visitation with their children if they are in foster care, relationships between the children and relatives on their paternal side may not be carefully explored, fathers may not receive services they require in order to maintain positive relationships with their children, and, ultimately, fathers and paternal relatives may not figure into the state’s permanent placement plans for the children.
The reasons for this lack of attention to noncustodial fathers are clearly complex and numerous and are not exclusively related to the state’s child welfare policies. However, in order to improve the state’s ability to incorporate noncustodial fathers, it is important to identify the various issues that present barriers to fathers’ involvement and to gain an understanding of these fathers’ experiences with, and perspectives on, the child welfare system.

CFFPP conducted focus groups with staff from county child welfare agencies to gain an understanding of the issues they confront as they work with children and their families. These were held in southeastern Wisconsin (Milwaukee, Dane, Racine, and Rock counties), which together represent the some of the state’s highest caseload of children involved with the child welfare system. Each of the meetings was facilitated by CFFPP staff and lasted 1½ to 2 hours. Through the focus groups, we intended to explore not only specific child welfare policies and practices that enhance or deter father involvement, but also other state policies that can affect father involvement (e.g., child support policies; housing policies), as well as broader issues of race and class that affect families and their engagement with state and other agencies in southeastern Wisconsin.

We also conducted two focus groups with noncustodial fathers that centered on their experiences with the child welfare system. The focus groups were held with noncustodial fathers whose child(ren) have been involved with the child welfare system, and included both fathers who had been involved with the process and fathers who had not been involved. The focus groups explored specific child welfare policies and practices that enhanced or deterred father involvement, as well as other state policies that can affect father involvement (e.g., child support policies; housing policies).
The purpose of the focus groups was to provide information and insight into the current practices of the state’s Division of Children and Family Services, and to explore potential policy and practice modification to enhance the involvement of noncustodial fathers in the child welfare system.

Focus group questions pertained to provision of services for fathers and inclusion of fathers in family plans. The central inquiry was whether, or why workers had difficulty locating fathers. The general consensus was that they were not having much trouble locating fathers. Changes in technology, and reassessment and modification of social welfare policy and practice over the last ten to twelve years have made it more difficult for fathers to escape detection. Moreover, the responses suggest that, though stakeholders at state, local and federal levels continue to frame the issue to include the question of location, for most workers, with regard to father involvement, location was not the most urgent concern. The perspective of child welfare workers has changed, and the question has changed. If the question before was “How do we find fathers?,” it is now, “What do we do with the fathers after we find them?” And there are more questions to consider. How do we integrate them into the institutional social welfare processes? How do we provide services to them so that they can, in turn, contribute to the well-being of their children and families? What further policy changes in this regard are necessary to insure the best outcome for children?
Results from Focus Groups

There was important and enlightening discussion in the focus groups about locating fathers, and those responses are included in this report. Moreover, in addition to location of fathers, focus group participants emphasized other important issues to be addressed, including:

- child welfare policy;
- inter-agency disconnection;
- and the multiple barriers to success encountered by parents and families.

Each of these issues will also be explored in this report. However, after facilitating these focus groups and collating and assessing the responses, it is clear that overwhelmingly, respondents cited the interface of their work with the family court system as the most salient, and urgent issue with regard to father involvement in child welfare cases. Therefore, we will address this issue first.

Family Court System Policy and Practice

In Wisconsin, child welfare agencies petition and respond to the orders of children’s court and juvenile court. Dispensation as to the care and placement of a child in the system is made by that court. A separate court system, the family court, has jurisdiction over matters of divorce, spousal maintenance, paternity establishment, custody, placement, and child support. It is with regard to these last four issues (paternity establishment, custody, placement, and child support) that child welfare agencies run into the most intractable impediment to father involvement in the child welfare system. Various and, in some cases, seemingly unrelated questions elicited responses that
implicated the family court system in workers’ ability to involve fathers in permanency planning.

_Paternity Establishment_

In some cases, the issue was that paternity had not been legally adjudicated. The father was known or located, and there was an agreement between him and the mother about his paternity, but they had not gone to court for the necessary legal processes. There are many practical implications in such a situation. Some of the child welfare staff provided the following comments on this topic:

“I’ve had some fathers say they want tests done, but they can’t afford them and so that’s one barrier is the paternity testing.”

…I think, if we can get the fathers right at the front door, a lot of dads think that if they sign the birth certificate, they’re adjudicated. And when you go out there a couple of days later and you tell dad, you know, she could put my name down as the dad doesn’t mean that I’m the dad. And he’s like “Oh, so I’m not the father?”

Respondents say that they cannot place the children with relatives in a kinship situation unless the father has been adjudicated. “We can’t consider them relatives… we special license them as foster parents.” In one group they said that they needed “one piece of paper that says its 99.9% positive that this is the father of this child…unless we have that little piece of paper…that’s all we need.” Most of the child welfare caseworkers do not have a formal legal training so there is some question what this “little piece of paper” is. Is it actually a copy of the test results from the testing laboratory, or is it a court order establishing paternity which is based on, and refers to the 99.9% probability of paternity? Two of the groups suggested that the test result was sufficient to allow them to place the children in kinship care with paternal relatives.
Some staff members talked about the unadjudicated father who came to the child welfare agency with concerns about abuse or neglect of the children. One staffer remarked that because his paternity had not been legally established, his only option for placement with him was to go through the family court system on his own.

One worker said that, in some cases, she was in a position to go to the family court with the father in order to get primary placement. In the case she spoke of, the father was awarded full custody. The worker said that before she went with him he was having trouble getting the paperwork filled out and figuring out what they were asking of him. It should be noted here that the documents these men are being asked to fill out are usually documents prepared and understood by attorneys. Most people do not try to negotiate the family court system without a lawyer, and in the case of this population, where literacy and resources tend to be an issue, the expectation that they can negotiate the system on their own is unrealistic.

One respondent said, “And I think that the court expects these people to be able to fill out this paperwork when a lot of them don’t have a high school diploma…let alone the ability to read and understand exactly what’s in there.”

“And we tell them that we can either take them into custody or we can tell you to go to family court. I mean that’s …[the] only thing we can do because [you]can’t put the kids with this man because we know that…”

The fact that some of the men cannot or will not go to court to be adjudicated is one problem. Another concern is that, in some cases, paternity is established without the court process and without a DNA test. Since the early 1990’s the voluntary paternity
acknowledgement document has been used in hospitals and other places to allow parents to voluntarily (without process or genetic test) acknowledge the legal establishment of paternity. Some respondents said that in some cases, the person they are assuming is the father is not related to the child in question. As a result, in those cases, they are terminating the parental rights of the wrong person, and more importantly, not terminating the rights of the biological father.

One of the respondents talked about a situation where the child was obviously not biologically the child of a man who had signed a voluntary paternity acknowledgment. The children’s court judge was asked to order a DNA test for this man, but the judge declined to do so. The agency’s only recourse was to terminate the parental rights of the man who had signed the voluntary acknowledgement. The biological father kept his rights, and the child went into kinship care with the “wrong” family.

This issue of the impact of the voluntary acknowledgment document has been raised in other contexts such as child support cases and in the family court system. Many organizations that are concerned with the interests of low-income fathers have made numerous policy recommendations to state and federal agencies to reassess and adjust the voluntary acknowledgment process. It is clear from our conversation here that this voluntary acknowledgment process can have a negative impact on the child welfare process:

And, I guess, they can’t swab everybody—I know that’s very expensive—but, you know, it becomes difficult, too, because then the kids think that they’ll eventually go home one day with their father. And I don’t know how to tell these kids that that’s not your father because he is stepping up as far as being a man and taking on that responsibility. But as far as legally, I can’t place those kids there.
… I actually [had] just got a case where the case has been in the [Termination of Parental Rights] TPR status for almost two years. And father had signed a voluntary—acknowledgment...When the child was born and during the course of the TPR, the mom and the kid—he might not really be the father—and the genetic test came back that he wasn’t the father. But because we were still part of this case, they [kept] him on as a contested party in a TPR. And it’s like “How can we even pursue failure to assume parental responsibility for a child that’s not really his child in the first place?” And it just seems like the DA and everyone even argued that he should be dismissed from the case.

This concern about the voluntary acknowledgment was prevalent, but there were also general concerns about paternity. For example, a common problem was the father who was not only unadjudicated, but also unknown.

“I mean sometimes the mothers don’t want to share or it’s several people who can’t be located. . .[the]father doesn’t know that he even has a child or maybe the mother doesn’t know enough about him. I know I’m working with a mother [and] that she happens to be a teenager but all she knows is the father’s first name. Doesn’t know where he lives…doesn’t know what he does…nothing about him.

Another comment from a child welfare worker focused on another dilemma in working with the mother and locating the father:

Sometimes it is easier to deal with the mother because she is a legally established parent. “So it goes back to where the system caters to the mother because we know who she is and we hold that accountable for being the motherly figure to this child. But the father is just as important.”

“Basically, we have them go to Child Support and have Child Support work through that.”

When fathers are sent to “child support,” they are bringing themselves under the jurisdiction of the family court. If the father wants to go any further with the child welfare agency and participate in the permanency plan, the workers must prepare to manage the disconnect between the children’s court and the family court. Respondents
often spoke of this jurisdictional issue between the children’s court and family court. Their perception was that the children’s court takes precedent over decisions made in family court. They believed that the result of this primacy was that the family court either:

1. refused to rule on cases that were still under the jurisdiction of a children’s court, or

2. that family court judges would make rules regardless of the rulings and processes in the children’s court, and that this resulted in inconsistent and sometimes contradictory orders.

One child welfare worker expressed his views on this issue in this manner:

“So we …may have made a case management decision to place the child with the father…when we’re done…the original family court order is till in place that has the placement and custody to the mother, which then, you know, leaves the father vulnerable to the mother just coming and wanting the child back.”

It was the perception of the staff that, in both of these scenarios, parents were responsible to bring motions and petitions in the two courts in order to bring them into reconciliation. They understood that the parents were likely to be required to make many court appearances and retell their stories many times before resolution. One staffer said that this was an unreasonable burden on families for many reasons, not the least of which was the reality that “these families, they don’t work a job where they get vacation and sick pay.”

Respondents acknowledged that many of the families they work with are low-income earners and they have very few resources. Many workers said that it is
problematic for them to involve the father in their case plan, because one of the goals would be to get their family court order changed, “and that costs money.”

Respondents said that they had been asking for several years for a more coordinated effort between juvenile court and family court. “Juvenile court supercedes family court, but once juvenile court is done, then whatever is in place in family court is in place. That order is still in effect.”

“we could not close the case out until we had family court and family court established that he had custody and he had primary placement. ‘Cause if we closed the case, legally that mom could have gone right back in and said, “She’s mine.”

“And legally, if he’s not dead, we get the case and we find out that those kids are living with him—and where we don’t know where mom is—legally, we can’t always just say, “Okay, never mind.” We have to legally do something to make that legal. And if then we legalize—we take them into custody, we put them with dad and he—five, six months later they’re still working adjudication status because of taking that long, he’s not getting any benefits. Those kids technically cannot be in a home so at that point, those kids are being moved into a foster home because the system—it’s so slow at getting the father adjudicated or getting them established as the father that we can’t legally keep children in those kind of houses for that long. So then the father is frustrated, and he’s like “Well, fine. I was trying to take care of my kid. You guys stepped in. Now you took him away. I want nothing to do with it.” And we lose him at that stage because legally we can’t keep those kids in that home if he’s not the father.”

One staff member gave the best example of the overwhelming problem of the disconnect between the family court and the child welfare agency.

“And we might end up putting a family in a system who doesn’t need to be put in there because in a case where dad’s adjudicated and mom has full custody and mom is maltreater, she can—we’ve dealt with pain. You know, if she’s not cooperating, we don’t take those kids into custody until he goes to family court and gets custody. She can at any time come and get the kids so we can’t guarantee their safety. We can’t even protect dad because if she shows up with paperwork and the police and then we have to give them up to her.”
So the worker has to take steps because the mother is the maltreater, and she might come and take them because she has the legal right to do so.

Child support debt is one of the identified problems that come from family court, but, of course, the issue is more complex than simply the debt. Some fathers owe child support and have a warrant out for their arrest for nonpayment of the debt. At every one of the focus groups that are the subject of this report, the respondents agreed that the men are concerned about dealing with any family service agency because they are afraid they will go to jail or be otherwise sanctioned for nonpayment of child support.

I think a lot of fathers are afraid of the system because a lot of fathers owe child support, and now that once they get involved in the system that that’s going to catch up with them. Because they’ve been kind of in hiding, and they know that as soon as they get into the court, then that child support is just going to catch right up to them. And I think that’s a big barrier for a lot of them. And even though they may have been on the sly pay and a little bit here and a little bit there.”

One of my fathers that is involved owes like $8,000 in back child support. Even though he does contribute money, he still owes a bunch of money, and he’s afraid that some day it’s just to catch up to him—

That is the main cause: that they’re going to end up owing a ton of child support.

A lot of times dads aren’t adjudicated. And then you know you get into this whole thing, too, where sometimes they’re not—they don’t want to be adjudicated because then they are concerned about child support payments.”

These central issues of child support, paternity establishment, and placement are the purview of both of these systems. The individual system responses to the family issues are not coordinated, and, as has been made clear by the respondents here, the potential for harm to the children because of this disconnect can be great. Also, because the agency is working primarily with low-income families who cannot afford legal representation to
help them negotiate these systems and bring the systems into concert, agency

collaboration and communication is essential.

Child Welfare System Policy and Practice

Given the emphasis on father involvement and on the need to incorporate fathers

into child welfare system processes, there have been responsive changes to policy over

the past few years. However, according to respondents, there remain processes and

policies that should be reassessed. For example the issue of the formal case head in a

child welfare case. It seems clear that the creation of a clear and definite policy about

how that head is chosen, other than by default, would be constructive:

“I have two cases where the father is involved in and we don’t know

where mom is. And yet, the case has—is still in the mom’s name…I think

we—the way that we frame things—you know, if there’s a dad and a mom

the case has—is still under the mom. I think the way that you think of

things and frame things makes them an obstacle.”

“the mother was the case head no matter whether she was alive or dead.”

Even if the mother is deceased, it is still in her name…And it does not

matter what the circumstances are, who the alleged abuser is, how things

are in the house.”

“One thing I’ve noticed a lot that is troubling to me is that even on a case

where … the father is not the alleged person. The father is in the home

and legally the father of the children, and if he is [not] the abuser, a lot of

times the case is still in the mother’s name. And which I don’t really

understand why that happens. We get that a lot. And so the mother is

immediately there and she knows that the case is in her name and

sometimes, she’s even, you know, takes over the responsibility of working

with the parenting assistant, whatever, so especially in those cases I just

try. I don’t understand why it always…always defaults to the mother.”

Respondents said that though the reality is that the mother is almost always designated

the case head, they did have access to a reference person’s flow chart, that would help
them discern the appropriate case head, but that it had not been much used. They also said that an individual staff person could go into the computer and change the case head.

Cooperation is another policy issue that should be reassessed and perhaps clarified. One concern with regard to both noncustodial and custodial parents is that those who work tend to be in lower paying insecure jobs. The child welfare systems and the family court system require weekday, business-hour participation. Some of the workers said that this creates a problem for parents who work and cannot take all of the necessary time off from their jobs to work with the agency and to respond to its requirements. Parents who choose to go to work, are often cited as “non-cooperative.”

One respondent talked about families that have to leave their houses so early to get the bus to the children’s court in Milwaukee:

“family has their kids for half the week so now they have the struggle of getting their kid to school on time but yet not being home for that hour and a half before the bus comes. And they can’t leave the child alone by himself because heaven forbid if they do that, you know—we’ll take them again”

“going off that with just the legal system in general—for example, the dad that wanted placement that was really involved, he lost his job because he had to come to all the court dates…that just pushed our placement with him at least a month back because he had to find another job and make sure that it was stable, and so here’s a dad who wants to do everything that’s right, he’s taking care of everything that is needed to be—and then he gets punished by the system for doing the very thing that we’re asking him to do so…I think the thing that’s holding back the dads from getting involved—or some of them, at least—is just--. I mean, they want to work hard, but the amount of compromise and work that the system expects from them is just a lot.”
“In children’s courtroom if we have a court hearing at 8 in the morning, we can sit out there until five. We have to tell the parents to be there at 8 in the morning, but some days we sit out there in our cars until five o’clock, 4 or 5 in the afternoon for a ten minute hearing, and they’ve lost a whole day of work. And they don’t, you know, they can’t afford to, on one hand...then they don’t have any way to get back home, and that”

He’s not the most stable guy in the whole world— but he loves the kid, and he’s been interested. And he’s struggling, but if he was a mom, I feel like he would have a better shot kind of.

Some of the concerns related to perceived sexism by the workers:

Most of the social workers are women.

“the fact of the matter is most child care workers are female…and I think that in a lot of ways just kind of brings a bias.”

“and the other thing, also, is that I find that sometimes we as workers are—that we give more support to our mothers than we do to our fathers...because of you know, we might be judging them.” “we just give them a little bit, you know, whereas we really, really fight for our moms—and that’s where that kid has already been.” “We base our judgment on what we’re told rather than by gathering direct information.”

Yeah. I think there’s a pretty big stigma out there for fathers. And I know a perfect example is one of the initial assessment cases that I got. It was a twelve-year-old girl who was left home alone for the weekend by her mom. And she was pretty freaked out when she called to save herself. And I needed a detainer. Well, she couldn’t remember her dad’s phone number so the original assessment worker assumed that he didn’t have a relationship with her because she didn’t know her father’s phone number. So she put in her report that he was a deadbeat dad. Well, this girl like went to her dad’s every weekend. They had a pretty good relationship. So she didn’t even consider him as a placement option for this girl. So she put her with a maternal great aunt who wasn’t even actually related to the family, rather than putting her with dad. And when I went up and talked to the dad, he told me flat out “I’ve been paying child support for ten years every month. I see her all the time.” He’s like, “I know you’re not going to give me the kid because I’m her dad, and that’s just the way it is. Like when I went to family court, I had to pay child support because I’m a dad. That’s just the way it is.” And I think a lot of fathers feel that way—that there is this big thing out there that the women get the kids and dad—it’s the dad’s fault
Finally, on this point, respondents suggested that abrupt and constant change in the rules and policies of the agencies are negatively affecting the quality of services to families.

“When all of a sudden there are all these new requirements of them, they’re like, “Wait a second!” For some of the families that have been involved in the system for years, it’s definite—I think it’s decreased from the ASFSA law and all that kind of stuff. I think the length of time the others are staying in has decreased, but you get families still that haven’t been in for a long time or another family of theirs was in several years ago…and it gets very hard for the families to understand and to be flexible enough to go with those changes. Because I think in general with the whole child welfare system, if we don’t think of—the policy makers don’t think about that when they make these changes or even the agencies, when they make these big changes and require all of these new things, I don’t think they take into consideration the fact that the family members are not as flexible as we are.”

“And sometimes a person can be at the end of their rope…and a big change comes and they’re done. And I think we lose a lot of parents that way, a lot of fathers especially.”

Coordination and Collaboration between and among Systems

Parents have difficulty negotiating and responding to all of the systems that require their attention in order to access the services they need for themselves and their children. In order to support parents as they attempt to fulfill all of their responsibilities, it is incumbent upon the systems and agencies created to provide services to families to coordinate and streamline their work.

Respondents did not have much evidence that there is any coordination or collaboration among social services agencies. However, one group provided information about their “Social Services Specialist” position. This job had been filled by an employee who does a number of different things. And one of them is to be a liaison to the Child Support system:
"we will give referrals to him and then he’ll go directly to the Child Support people. He’ll establish relationships with them, and hopefully, that will—you know, just like anybody—any consumer will call Child Support, and you know, it takes a while to connect with somebody. And then different people give you different answers."

Unfortunately, this kind of overlap of service provision was an exception to the rule of individual agency processing. Most respondents agreed that systems should work together. One said that when, for example, a parent is trying to work toward reunification, the TANF system should be in a position to help them out. But usually they cannot get services because the children are not legally “in their custody.”

Sometimes child support will not give child welfare workers information even when the client is present in the conversation saying, “it is ok to talk to my social worker.”

One of the things the groups brought up was that parents can be in more than one system at a time, and sometimes they both require that certain conditions be met. They went on to say that since the agencies are not coordinated or in communication with each other, the two sets of conditions may be contradictory or mutually exclusive.

According to one respondent, disconnection has been carried to the ultimate absurdity. She was involved in a case where an established communication between child support and the child welfare agency would have alleviated a problem, and perhaps brought permanency to a child’s life much sooner. The worker summarized their experience in the following manner:

“and I think that sometimes both systems aren’t communicating. I had another case which I had inherited at the TPR stage. And the father was contesting the TPR, and he had a jury trial. And the whole argument in front of the DA and the GAL was that the father had never gone down to establish paternity. And the bureau had written in the documentation that they provided him letters, told him how to do it, and everything. And so the jury found that he had not assumed parental responsibility for this child. But then when it came to the best interests’ phase, someone from
child support was actually subpoenaed to come down. And they indicated that, yeah, they’ve been working with this father for months on establishing paternity. And it was during this period of time where the bureau was saying dad wasn’t doing anything. So that case is actually in appeals with the State.

“They need to share location and contact information. Whether or not this happens is not policy right now. It depends on the relationship, discretion, and disposition of the workers involved in the case.

Locating fathers

Generally, respondents said that finding the fathers was not a great problem. Recent policy changes require that workers make a good faith effort to locate and notify a father of the status of his children.

“For initial assessment, you have to involve the father.”

“There has been a push from our corporation counsel to at least send monthly letters”

“D.A.’s office makes an effort to search out fathers.”

“If the mother or family members are not willing to give the information, you go through the child support system to get all the names we can of the alleged fathers or adjudicated fathers. And so we serve them a court notice and hope that we make contact with them that way.”

“Even if there are fathers who are incarcerated and should not be involved…Even if they are alleged and they kind of want to stay away because they don’t want anyone to find them, yeah, we at least have an address.”

One of the reasons they were contacting more fathers is because the computer program requires them to input some information about the father.

And you know whereas before we had permanency plans, I think it would be easier to write on a court report, ‘father unknown.’
“I think our job center are holding people more accountable, saying, ‘You know, we are not going to give you benefits until you tell me everything you now about this man.’ Even in kinship cases. Even when you have relative caretakers, grandma goes there and they are giving her the third degree about who the father of this kid is:”

Several workers discussed that there are still some older cases where the father is unknown. In some cases the mother (for whom there may be little hope for reunification) does not give information about other relatives. And, because of confidentiality requirements, workers cannot talk to people who may call or inquire as to the status of the children’s case.

Again, one group spoke of a person specifically assigned to help them find the father—“kind of like a detective.” They exchanged information with people in the local child support office before they created the position.

They got IV-D money to create this position. He also researches child welfare information, and does caregiver background checks.

One of the other groups representing a larger county, however, spoke of some difficulty in location:

“I’ll say that I had difficulty knowing where the fathers are. Sometimes my mothers don’t know where the father is. Yeah, I really honestly only have a couple of fathers that I’ve worked with.”

Some respondents in that same group went further to say that because of case load issues, and the fact that children in the family were so desperately in need of permanence and attention to their issues, they believed that finding and notifying fathers was a relatively low priority.
“And then the children just have no memory or idea who the father is. And it’s just—they have so many other behavior issues and other current issues that need to be addressed that finding their father is just not even something that needs to be addressed at the time. But where they need to go for their next placement is the issue. So unfortunately, I think the father issue, to me, is not always a priority. I do make efforts. If I know of a name of a father, I will try to find out who the father is—I to try to get them involved. But if I don’t have a name, I don’t know where to look. And it’s not a priority to me.”

Perhaps because of the caseloads and the urgent time and attention they require, the group recommended that a staff position or department charged with the responsibility of locating noncustodial parents and their relatives be created within the child welfare agency. The position that the other group of respondents talked about, as something of a liaison between child support and child welfare, may be a prototype that the rest of the state can use to test the effectiveness of such a position.

One group representing a more rural county said that they had a lot of the fathers involved in their caseloads. Some of the respondents suggested that the workers in the cities would be more likely than they would be to deal with families where the father was unknown or unreachable. According to one respondent:

I was doing initial assessment in..[a unit] which is in the city. And when…I was there, there were definitely more fathers that were just not involved-- and more single mothers that I just worked with. But here, I feel like—really, maybe we’ve just got lucky ‘cause I don’t really feel like I’ve had any cases where the father has been totally unknown.

Generally, the respondents from counties with a larger caseload did have more of a concern about location, but that was not their greatest concern with regard to fathers. All of the groups proceeded from the assumption that fathers were a valuable resource in their permanency planning. In two of the groups, in fact, respondents were particularly clear that they usually locate the father, and in most instances had some kind
of contact. They tended to cite other issues and concerns besides the actual location of the father.

We have to look at the other parent for relatives and then foster care. I think that’s the order that I look at it: other parent, relatives, foster care.

Respondents in only one of the groups spoke at any length about family conferencing. They discussed these conferences as a wonderful and effective way to get the child’s parents, relatives and others of significance in one room to discuss the plan for stability and permanency. They suggested that it was a very good way to make sure that the children’s father or his relative had some input into the permanency plan.

_Incarcerated Fathers_

Across all groups, respondents were interested in finding and working with fathers who were unable to take custody or to participate in permanency planning because they were incarcerated. Most believed that, at the very least, the worker should have some contact with the father and with the prison system, and facilitate phone calls between fathers and children. They were clear, however, that this should only be tolerated in cases where this kind of contact was in the best interest of the child, and that it should not be initiated merely because the “parent is bored.”

Some respondents said that there is no formal facilitation of visitation with the children during the period of incarceration. Others, representing other counties, said that they had been in a position to contact the prison and the father, and there was some possibility of ongoing communication with them.

“I think another barrier with court on the other end of that is the fathers that are in custody, the ones that we can’t locate, obviously, because they are currently in custody. They’re going to be in custody for, let’s say, six months and we’re trying to work with his family…the father is coming out
of jail but he’s still there. We don’t have any access to talk with him through the criminal incarceration system very easily. I mean, we can sometimes—you can call up and get a social worker who’s willing to burn down and have him contact you through her office but if they don’t have a good social worker—they don’t have a social worker that has the time and effort to go through this, a lot of times we can’t contact those fathers unless we send them a letter.”

“you had to notify the jail two days in advance that you’d be coming. I think you had things like all of your badges had to come off; everything has to be out of the way. You have to go through this huge intake process that takes over an hour. Up the elevator. Just to get there is an hour’s worth of work, just to get into this building, and also, a couple of hours arranging it way in advance. And on the one case when we would show up, they didn’t have it on record that we had asked for it. We had to come back, resettle, came back another day and he was moved to Children’s Court ‘cause he was there for another case. And so he wasn’t there, we couldn’t see him,”

Again because of their time constraints, the workers were not willing to deal with parents who are unwilling to follow through on plans and processes. They were particularly vocal in this regard about fathers who, while they are in prison, seem very interested in fulfilling their responsibilities, but then when they get out, do not respond at all to child welfare contacting them.

Most of the respondents had a positive response to the possibility of connecting a parent visitation program to one of the many re-entry programs that exist in their local area.

*Fathers Who Are Actively Involved*

When we asked respondents to estimate the percentage of cases in which the father (in respondent’s own individual caseload) was actively involved, the range of responses was from about 50%-80%. This number, of course, would change over time, and change with each individual definition of the word “involvement.” Indeed, an
individual father may be “involved” sporadically, constantly, or only once. However, the response was significant, and it suggested a need to explore their perception of father involvement.

“And our biggest question is this. Say that this is a case where mom and her current boyfriend does something to abuse the kid, and all of a sudden this other dad appears and says he wants custody. And then we say, “Okay, where were you when all of this other stuff is going on?” and that slows down the process, too, because we need to make sure that, you know, if he wasn’t on the ball to realize this stuff is going on, how is he going to be able to manage things himself?”

In situations where the maltreater is the mother, the father is still required by court order to do certain things toward reunification, and if he is not a maltreater [he] resents hav[ing] to “jump through all those hoops.”

“I’ve had that same problem with keeping up with everybody’s dad’s residence and keeping correspondence continuing. And I’ve had a lot of problems with them following through with services. And a lot of time the response that I get from fathers is they blame the mothers for getting the children involved in child welfare in the first place and then feel that, you know, that it’s unfair they’re ordered to have services even though they didn’t do anything wrong.”

**Barriers to Active Involvement**

In response to the focus group questionnaire, respondents emphasized the issues of general poverty, lack of understanding of, and/or access to institutional processes, and lack of transportation. Respondents said that these issues played a pivotal roles in fathers’ (and, of course, mothers’) ability to support their child.

“For the parent, it’s the feelings of being an inadequate parent that leads to higher rates of AODA use in men since they can’t have adequate employment…Are they really going to feel they’re an inadequate parent if they can’t support their families? So that I think that unemployment in Milwaukee is another barrier to really engaging fathers in getting involved.”
“I think when fathers have their kids and they hear W-2, they think only
the mothers—or the women—can get the W-2 because you very rarely
hear of fathers who are on W-2 with their children. And I think that’s the
stigma that needs to be changed or addressed so that the fathers that are
getting—that do have their kids, feel they’re able or capable of qualifying
for the W-2 system. And so I think that’s one of the big barriers because
they don’t want to take the kids ‘cause they don’t think they can support
them because they don’t have the resources. The W2 is for women. (Grp 1
21)

They suggest that a change in the policy and the culture of all governmental
systems to recognize that the goal is for a low-income parent—whether that parent is
mother or father—to be able to take care of and support the health and well-being of their
children. If that goal is to be reached with parents who have issues with regard to
employment or housing or child care, they must get services, both mothers and fathers.
To the extent that we can bring more fathers, more appropriate parental support services,
they will be more available to work with the child welfare agency on their child’s
permanency plan.

Public Education about the Child Welfare Process for Parents

Each of the respondent groups talked about the need to provide public education
to parents about the child welfare process and the family law process. Most people who
have to deal with the judicial system prefer and need an attorney to help them understand
the proceedings and negotiate the process. According to respondents, few of the fathers
of children in the system have private attorneys. Of course, there are private attorneys
involved in some cases, and often there is a court appointed attorney, however, many of
the parents, including most of the fathers are poor and unable to afford this kind of personal service.*

If parents have a distorted or uneducated perception of the child welfare agency, they are less likely to be successful in meeting conditions for reunification and visitation. If they do not know the processes or the contexts of the conditions, it is more difficult for them to anticipate and choose the best course of action in any given situation with which they are faced.

For fathers who need this kind of education and direction a good fatherhood program can be a valuable resource. Fatherhood programs tend to provide at least two essential services:

- They provide information and parenting skills to men who come to them because they are interested in being more involved with their children, and
- They can become an intermediary between the father and the child support enforcement agency.

We would recommend that child welfare agencies approach fatherhood programs about the possibility of providing this same kind of service with regard to fathers’ education about the child welfare agency. It would most likely require that the agency create a training for fatherhood service providers. A benefit of this kind of educational activity could be derived from a cross-training where child welfare service providers receive a training on the issues of low-income fatherhood service provision.

---

* It is interesting to note, however, that the group that spoke the most about private attorneys being part of the process was the group from a smaller, more rural community. They also made it clear that they were more likely to deal with married or previously married parents.
According to workers in Milwaukee, the issue of transportation is an almost
insurmountable barrier. The Children’s Court building is located at 102nd and
Watertown, and families have a very difficult time getting to and from the facility which
is in an area very far away from their neighborhoods. One staffer suggested that even if
they can pay for a bus pass to get there and back, it is not an easy trip to make.

“So it’s not an easy, direct route to get to these places so if yes—if we
could have some kind of financial resource that we could tap into, if not a
children’s court, something that we could tap into to get these fathers and
mothers even to court and back. That is what we hear a lot. They’ll get
there, but then they have no resources to get back. So then you’re telling
them, “Well, I’m sorry. I can’t give you that money” ’cause technically
we’re legally only responsible for the children at this point. And so that’s a
big barrier, too, and the same with once they get there, they’re like they
said they’re wasting the entire day. They do have little forms that you can
ask for to give them notice of court hearings to take back to their jobs.
And a lot of these people don’t want their jobs to know they’re involved in
a court system so they’re not getting that information. And then “Where
were you on such and such a day; you took a day off, you know, or you
called in sick. That counts as one of your days.” So they’re making it very
difficult for our parents to get the support they need out there because of
the fact that they don’t feel that it’s important. “I can’t think.” They think
that it’s not as important as it should be thought of.”

“I think a major barrier is transportation from the families we work with.
Just today I just grabbed a flyer that’s on a father group that’s just
specifically for fathers and parenting. So the resources in the community
are out there; barriers like transportation is setting—“

Another group from a smaller community also cited transportation as an issue for
their families. They have to appear in court in the city, and it is sometimes difficult for
families without a car to get into the city. Even though the respondents consider this a
barrier, they said that they are able, on an informal and case by case basis to provide
some transportation through the use of a county van, bus passes, and gas cards. One respondent, however, suggested that parents need to be responsible to transport themselves:

“I feel that is something they have to do to demonstrate responsibility. They have to get themselves where they have to be. I don’t have a huge problem. Sometimes people can’t get there, but we give them gas cards a lot of times.”

Adoption and Safe Families Act Requirement

Generally, respondents liked the changes to the system brought by AFSA. They had some concerns, but most believed that AFSA was firmly grounded in the best interest of children.

One respondent said that in mental health and substance abuse cases, the timeline is to fast. The parents need more time to get themselves together. Another likes AFSA because it leads more definitely to permanence.

“If our parents have made some progress in their treatment and they’ve had a relapse, I mean, I think we can make a case for that and I think that’s our job to say why we don’t think—The other thing is that you’re looking at what’s in the child’s best interest…If this kid is ten years old and has a significant relationship with mother, who is very mentally ill, we’re still—we still may not do a termination because it may be detrimental to that child to terminate that relationship and sever that relationship.”

“This law has made the courts focus more, for the last couple of years or so—they’ve been more willing to take the plans and things like that. They’re looking at that time frame too.”

Given this generally positive response to the policy, most respondents believed that it would not be an impediment to helping fathers to be more involved in their children’s lives.
Respondents suggested that education of parents and families about termination of parental rights is especially important. Most said that they advise parents of the possibility of termination right away, at the beginning of the case. One respondent said that in some cases helping fathers understand the ramification of termination of parental rights, encouraged them to cooperate.

“Yeah, I just want to plainly note that, usually, fathers don’t really get involved in my cases that I noticed until I give the termination of parental rights referral. And I found out that in court—and that’s when they start showing up and saying that they want their child back.”

Others said that the reality of termination also affects potential kinship care providers. Respondents said that in some cases relatives know when their relative children are taken into custody, but they feel unprepared to take over the placement and custody of the children. They wait to see if some situation can be worked out with some other relative or if reunification with parents is possible. However, if it comes down to adoption outside the family, relatives may make a decision to take in the child regardless of the disruption to their own household. One respondent told the story of an aunt who was in a particularly uncomfortable situation in that she felt responsible for a number of children to whom she was related, but she was not in a position to take care of all of them.

“And the TPR got filed and we got to trial, and part of the trial phase was just a hearing on the paternal aunt because she was still wanting her nephews. She was qualified. She was a treatment...provider, but the year before, she had been on for placement of her nephews when we needed to put them somewhere...she didn’t want to give up the treatment kids she had in her home to take her nephews in. So, you know, at that trial she was saying, “Well, I’m a relative. I still want them.”
Race as an Issue

The respondents in the one focus group of child welfare workers perceived the racial breakdown in the caseload to be about 50-50 black and white. None of our focus group participants suggested that there was any discrimination or differential treatment of parents or families of color. However, the reality of the racial demographic of the south central and southwest geographic areas of Wisconsin, and the other demographic information with regard to poverty, unemployment, and educational attainment in the same area would suggest a need for further inquiry into this issue. As one respondent said:

“I think it’s something else. I think the demographics out here are different enough. And I think—and I don’t know if this is a stereotypical statement—but when I was working in South Madison—and I worked there for two years just doing initial assessment, which is getting in these new cases and trying to locate people, I feel like especially the people that moved here from Chicago—and in Milwaukee you’re going to get a lot more of those people—fathers often they can’t find them.”

It was not always easy for respondents to talk about these issues in terms of race, and none of the questions required an analysis based on race. (The only questions in that regard were demographic). But, as in the previous quote, there were times when respondents broached the subject. For example, during a discussion about incarcerated parents and visitation one respondent said:

"Cause I’m part of a group in Madison that’s mostly social workers--And we are—we visited that issue about parents that are incarcerated--and ways we can work around. We still haven’t decided about [the]issue everywhere. But the first thing we’re starting to look at—and maybe down the road we’ll see some positives come out of it….my other opinion is that it’s a race issue— because I think that, you know, the parents that are incarcerated are--parents of color.”
In one smaller rural community, respondents also said that the majority of the families in their caseload were white. They said that—to the extent that their numbers included families of color—it was a reflection of the “demographics of western Dane county,…it also includes Middleton, and a little portion of Madison.”

In conclusion, respondents were eager to adapt or modify the routine to insure that fathers were included in permanency plans. Almost every respondent was in complete support of the goal of working with fathers toward the ultimate goal of better outcomes for children. Respondents were not, however, willing to compromise the welfare of children, and the said that in order to avoid that outcome, all parents must be held accountable to their children and to their responsibilities. They were clear in their responses that, even though there are systemic problems, and even though fathers have legitimate barriers to involvement, the general opinion was that individual fathers should be expected to meet their responsibilities.

We heard in almost every group that in many cases fathers are not stepping up to their responsibilities. This is a generalization, but it is a sentiment expressed at some point in each group.

“Some fathers take advantage of the fact that most people assume that the mother should be the main custodian. They don’t want to be a full time parent. “Like the father not calling his kid forever… you know, he’d show up maybe on the weekend…”

“The lack of follow through, where it’s like I have a father who like called me right when my case came in and was going to go to court. And he found out about the court date and called immediately to the judge and did the thing over the phone. And then the next court date he’s disappeared. And I’ve had that happen with two or three different fathers who really had hardly any conditions to do. It was just maybe like an assessment or an evaluation or, you know, maybe just getting a couple of supervised
visits, you know, underway so we could have just some kind of observation. And they really voice it at first, but then there—yeah, there’s absolutely no follow through for them.”

Still, we also heard, sometimes in the same comment, that fathers had different barriers to overcome that were not being addressed by the systems that dealt with their families.

“the other part is that they have some responsibility and accountability as well…if they know where I am, where my office [is]…what my phone number is, they are just as responsible for calling me and giving me information that they need to as I am for them. “

“I don’t think that in general fathers take up and stand up to their role as much as the mothers do. And I think the system cares for the mothers because really, they’re the only ones that we’re guaranteed they know where that kid came from. A lot of times mothers don’t know who the father is or they don’t have any verification that the particular father they say is their father. So I think the fathers don’t often get as much credit as I think they deserve.”

“sometimes I think it’s pride, too, for the dad to come in and ask for help.”

“ I think it is more of a stigma for a guy to walk into the job center and say, ‘I need help. I need food stamps. I need this…I think sometimes the dads are really like, you know, I look weak.”

Recognizing and responding to these issues will help child welfare agencies engage fathers in the process, and it will provide more permanency and positive outcomes for children.

**CFFPP Recommendations**

Our recommendations are based on focus group response and on our experience in the area of policy and social service provision for low-income men. Based on that experience and expertise we support the recommendations made by focus group respondents which follow here, and encourage the child welfare agencies to take up these recommendations.
Additionally, we submit the following broader policy recommendation for consideration. The primary recommendation of intersystem coordination and communication will have to be carried out through a very long term plan. However, we believe that the state of Wisconsin should set these goals and objectives, and explore their potential impact through research and demonstration projects over the course of the next few years. Wisconsin can become a model for other states that face exactly the same concerns about father involvement in their child welfare systems.

Work on the other two recommendations, with regard to education, training and community collaboration can be initiated immediately.

1. **Coordinate family court and child support policy with child welfare policy**

This is the most important issue for father involvement and for permanency in the lives of children in the child welfare system. This recommendation is based on discussions with the noncustodial fathers and child welfare workers in these focus groups. The results from our focus groups show that the disconnect between these two systems is negatively affecting workers’ ability bring fathers into the permanency planning process. This is a very long-term goal that will require time and preparation and education throughout all the systems involved.

Some steps toward meeting this long term goal are:

- Quantitative and qualitative research of the questions raised by the respondents here. How are fathers, mothers and children affected by the disconnect between the systems?
- Education and training for child welfare staff and front line workers about the child support system and the family court system.
• Technological interface and communication between these two systems.

• Work with stakeholders in each system to advocate for broad state policy change that will facilitate this collaboration and coordination.

2. **Facilitate and encourage communication and collaboration between state child welfare agencies and local fatherhood programs**

   In order to adequately provide for their children, some very low-income fathers need education, services and support. Our general social welfare system does not provide services to men unless and until they have custody of children (and most fathers do not have custody of children). Fatherhood programs have been created to fill this gap in services. Child welfare agencies can support this service provision by providing referral to fatherhood programs for the fathers connected to their system, and by exchanging information and training with the those community-based programs.

3. **Provide child welfare agency staff training on paternity establishment and the child support system**

   Because of the requirement that noncustodial parents be notified in each child welfare case, all of our respondents had some interaction with the family court system. They had some idea of the specific rules and policies that govern that system. However, because they did not understand the general purpose and charge of the family court system, they were unable to predict or anticipate the effect that the system would have on the individual families in their caseload.
Recommendations and Suggestions from Respondents

Over the course of these focus groups, as respondents answered our questions and shared their experience and knowledge on the issues presented, many of them made suggestions for policy change that in their opinion would support the mission and goals of the child welfare agency.

- Provide adequate resources to standardize the process for intake and ongoing work with non-custodial, non-residential fathers.
- Work with other systems to advocate health care benefits, food stamps, in some cases, W-2 cash and services for parents who are working toward reunification, even if their child has been removed from the home. This will put them in a better position to meet return conditions.
- Set up a policy or system for visitation with incarcerated parents—work collaboratively with local and state re-entry programs.
- Provide more information and education about paternity establishment for parents.
- Provide more information and education about the child welfare processes.
- Do not abruptly change child welfare policy or process rules. The abrupt change in policy negatively affects the quality of services provided to families.
- Recognize and respond to the fact that in Wisconsin, we have a highly disproportionate number of black men in prison, and children of color in the juvenile justice system.
- Provide free paternity testing with immediate results.
- In abuse and neglect cases, require identification of the maltreater at the initial assessment.
- Consider licensing and/or providing more financial support (perhaps in line with the amount of support foster families receive) to kinship care relatives.