



CENTER ON FATHERS, FAMILIES, AND PUBLIC POLICY

Fatherhood Programs and Public Policy

Jacquelyn Boggess



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The Center on Fathers, Families and Public Policy is a national nonprofit policy organization that addresses the concerns of low-income families who receive federal and state assistance. Founded in 1995 as a policy arm of the Ford Foundation-supported Strengthening Fragile Families Initiative, the Center works with practitioners, researchers, and policy advocates throughout the country to promote the well-being of low-income men, their children, and their families. The Center provides technical assistance to direct service organizations, analysis of legislative and policy initiatives that affect low-income families, and advocacy for the creation of holistic laws that are supportive of all members of low-income families, whether or not they live together or are legally married.

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Introduction

MANY practitioners who work with low-income fathers find themselves so busy providing services to their clients, making connections, and interacting with other people in the community, that they prefer not to further burden themselves with “policy” matters. It can, however, be very useful to social service providers and their clients to inform themselves on the general policy issues related to non-custodial parents in their community, and to specific issues being emphasized in community and government policy discussion.

It is particularly important to look at “fatherhood” policy from a broad perspective and use this knowledge to understand how funding, laws, and practices affect the families in a program. If a community service provider understands policy implications, he can make better, more informed decisions about involving his program and participants in demonstration projects and other grantmaker funded and directed ventures.

Some of the projects guided and structured by government funding in particular can include goals, objectives and strategies that do not recognize the issues and barriers of the participants in a particular program or community. Projects and research demonstrations in which a social service program is expected to be altered or directed to a certain research outcome can actually be harmful to the men in the program.

What You Should Know About 'Fatherhood Policy'

WHAT you may already know is that in 2003, at the time of the scheduled reauthorization of the 1996 welfare reform, proposed legislation included funding and program structure guidelines for “fatherhood programs.” The set-aside of funds and the inclusion of programs directed at fathers in social welfare policy can certainly be considered an accomplishment for those who advocate for low-income fathers and their families. However, the excitement of reaching this goal should not cloud the rational thinking of those considering using this funding for programs that serve non-custodial poor fathers. Clear and determined decision-making is especially important for programs that serve never-married fathers and fathers with large amounts of child support owed to the state that, if paid, are retained by the state. Service providers in programs with a substantial population of those participants must appreciate the fact that the funding guidelines may include expectations of grantees and child support payment requirements that will particularly (perhaps negatively) affect these men and their families. Some of the expectations may include marriage promotion, collaboration with the local child support agency, and domestic violence assessment.

Marriage Promotion

IN the relatively short history of the inclusion of services for low-income fathers in social welfare policy, marriage promotion has always been a part of that policy. In the early drafts in the late 1990s, it was “promotion of two-parent families,” and by the time of welfare reauthorization of 2003, it was frankly “marriage promotion.” The proposals were to provide funding for programs that work with fathers¹ and promote marriage. The proposals provide examples of marriage promotion such as teaching parenting skills, household management skills, and anger management skills. Programs that consider accessing such funding sources should carefully consider which goals and objectives will be expected in the programs being considered, and assess the chances of reaching such goals in that community.

A carefully written program plan could ensure that the goals of the grantmaker are practical ones for your program and your community.

Child Support Collaboration

ANOTHER strong push of welfare reform since the mid 90s has been toward stricter enforcement of child support. Research and policy analysis during that time period has suggested that children could be saved from poverty if their fathers were paying child support. Perhaps as a consequence of this analysis, state and federal governments have placed a much greater emphasis on strict child support enforcement.

This was also a time, coincidentally, that there came a push from some community activists and advocates of “responsible fatherhood” to include men in social welfare policy and programs. The rationale was that men need social services and employment assistance in order to ensure that they would be able to pay their child support. It seemed a natural alliance, and federal and state funding for fatherhood programs was directed toward programs that collaborated with local child support enforcement agencies. The premise of this collaboration is a valid one. Poor men who do not have the resources to obtain legal services, and who cannot decipher the complexities of the child support process themselves, should be connected to the child support enforcement agency through their advocates at the fatherhood programs. They could be informed and directed in order to avoid the pitfalls of accidental non-payment, and to correct (or be forgiven for) the mistakes and missteps they had made in the past. Many non-custodial parents are well served by being able to make a direct connection with their child support enforcement agency. It is helpful to men with child support problems to have a chance to explain their situation (with the assistance of a social service provider), and perhaps given more time and patient consideration to come into compliance with the order to pay child support.

However, there are two reasons practitioners who go into these collaborations are advised to study the practicality of this collaboration from the perspective of the men in their programs and their community. Men in the programs are usually required to commit to “pay their child support.” This means individuals in the programs have to sign a document that says they will pay, and the consequences of being unable to pay may be that they cannot continue to receive the services of the program.

There are two issues that arise here: one, for most men, in most programs, high arrears are not reduced. Some men approach the program in order to find

employment and get themselves in a better position to help their children. They can become frustrated and feel helpless when their brand new paycheck is so reduced that they cannot use their income to support themselves or their children.

The second concern is that for most men whose children receive or have in the past received welfare services, when they get a job, or a better job, and they finally are able to make enough money to help support their children, the “child support” they pay is retained by the state as repayment of past welfare benefits. Practitioners who provide employment services and job skills services for low-income men have expressed this frustration on behalf of the men they serve.

Please keep in mind, however, this is a very general discussion of this one aspect of fatherhood program/child support agency collaborations. Across the country, there are some state and federal demonstration projects that address the two concerns explored here. In your decision making process, inquire whether there exists some arrears forgiveness program, or some state or federal demonstration waiver, that could allow the child support payments of fathers in your program (whose families have in the past or currently receive welfare) to pass through the state and be paid to the child’s custodial parent.

It is clear from our conversations with fatherhood program service providers that the politics of these issues are not nearly as immediately important as the practical implications for community-based organizations that serve non-custodial parents. Given the circumstances of the lives of these men and their children, including poverty, lack of resources, and lack of social power and sometimes efficacy, programs designed to insist that the non-custodial parents are or could easily be in a position to pay their child support or marry the mother of their children can lead to frustration. Practitioners, the parents they serve, and communities in which the services are being provided are well advised to create programs that best fulfill their community’s needs, without regard to popularity or currency of the issue for other people and other communities. It is advisable for service providers to survey the issues involved in marriage promotion and child support collaboration. The information gleaned from this research can help practitioners decide whether the perhaps much needed funds provided by the “fatherhood” funding streams can be accessed without compromising or endangering the financial and personal security of the families they serve.

Fatherhood and Domestic Violence

AN insistent part of the policy discussion of families who receive welfare services and other low-income families is “fatherhood and domestic violence.” This is an unfortunate combination of words that can be heard and read in current discussions of social welfare policy. This phrase can be particularly uncomfortable for advocates for low-income fathers, and for advocates for battered women. For similar reasons, and for other, more distinct reasons, advocates can be overwhelmed and unsure about how to proceed in the programmatic and collaborative work implied in the policy to which this phrase alludes.

The implication has been that service providers for these two populations should collaborate on the creation and implementation of activities and programs for the prevention of, and intervention in domestic violence. Such a suggestion raises several questions. *What would be the structure and function of such a collaboration? What are the goals and expectations on which the work is to be based? Should we create programs, and activities within fatherhood programs? Is that a course of action that is safe for women and children? Will women and children be as safe as possible if these types of programs are not created and carried out? If the safety of some women and children would be enhanced by programmatic activities that address the issue of violence, what kinds of programs should be created, and who should design, administer, and evaluate them? Should domestic violence be addressed within or outside the context of the violence of society in general? Should we, for any reason, be concerned about the poor men and men of color who will be affected by such programs? Should these programs address themselves to both prevention, and intervention?*

All current indications—as we move to welfare reauthorization—are toward imminent implementation of programs and proposals. It seems clear that federal and state representatives and others who are crafting current social welfare policy, either do not have these same questions, or believe that the questions can be satisfactorily answered within the context of projects based on the conservative marriage and fatherhood agenda. Moreover, it is clear from the policy statements of the current administration, and the findings included in conservative legislation, that marriage promotion is one of the two major goals on which the objectives of government supported fatherhood programs are based.² To the extent that domestic violence awareness and prevention measures are included in fatherhood programs in order to “promote and encourage marriage,” advocates for both battered

women and low-income men are advised to proceed with extreme caution.

One way to address concerns such as these is for the above-mentioned advocates to deliberately plan and carry out activities and discussions in which the important questions about “domestic violence and fatherhood” are addressed. To start that discussion on some common ground, it is useful to articulate some social welfare policy notions on which advocates can agree. That agreement might include the following premises: (1) safety from family violence is of paramount importance; (2) fatherhood programs are not batterer’s intervention programs; (3) there is value for low-income fathers, their families, and for society to provide them with employment and other social welfare services; and (4) the great majority of the men and women who would be affected by these policy decisions are poor, as are their children.

Safety

THERE is very little that will ensure that women and children will be safe from domestic violence. However, regardless of any other program goals or objectives, *all* social services program activities should be conducted in ways that are sensitive to the reality of domestic violence and should be structured with family safety in mind. In some respects, it is especially important that this sensitivity apply for fatherhood programs because one of the objectives is to encourage intra-family relationships and involvement. Moreover, one of the important questions to be addressed is how (and whether) to support and facilitate safe interaction between children and their fathers who may have been violent in the past. These are clearly complex and complicated issues. The crafting and execution of this discussion and collaboration will require delicacy and forthrightness on both (all) sides.

Fatherhood programs are not batterer’s intervention programs

GENERALLY, fatherhood programs entail a set of services designed to help poor fathers by providing neighborhood mentors, and peer group support and other group support. The services are also provided to assist in the men’s attempt to find work and get education and training. Group support provides opportunity

for discussion around the issues of involvement with children, interaction with the children's mother, and an acknowledgment of the men's concerns about providing for themselves and their children while dealing with poverty and racial discrimination. Of these services, the group support around relationships with children and the children's mother indicates the necessity of input, collaboration and assistance from women, advocates for battered women, and child welfare advocates.

However, fatherhood programs are not batterer's intervention programs. Those who are concerned about safety for individual family members cannot expect fatherhood programs as they are currently structured to provide batterer's intervention services. It is helpful to make that point from two different perspectives. Men are not likely to have been referred or directed to the program because of an incidence of violence, and for the most part, the men have not been ordered by a criminal court to attend the program because of a judicial finding of domestic violence. One of the reasons for the cross-training and discussion, however, is that fatherhood programs, just like all other social service programs must be administered within the context of the reality of the existence of domestic violence in our society and in the lives of low-income families.

Common concerns

-poverty and safety

THE great majority of the men and women who are affected by "fatherhood and domestic violence" policy are poor, and social welfare policy directly and disproportionately affects poor men, women and children. There are clearly issues of social and economic justice, and the creation of the policy would benefit from the contribution of all advocates, and practitioners who provide services to low-income individuals and families.

There are certainly social justice issues to be addressed on behalf of poor parents and children in the current welfare system, and in proposals to change the current system. One important aspect of those changes is the government "promotion and encouragement" of marriage, and the use of national fatherhood policy to promote marriage. Both state and federal government officials have supported father involvement initiatives and child support reforms. Every federal legislative proposal to provide funding for services to fathers includes a

requirement for the grantee to submit to an agenda which includes marriage promotion, and government reimbursement for cash welfare benefits to the child's family.³

Current welfare reform proposals include more specific and directive references to marriage promotion than in the past, and on the basis of the premises outlined here, they are of particular concern on the issues of personal privacy, social justice and domestic violence.⁴ Without the answer to the questions posed above, it is unreasonable to suggest that fatherhood programs should move forward with domestic violence intervention. It seems clear that the marriage promotion strategy—and not the safety and security of individual family members—is the primary concern of the authors of legislation of this type.

We can all agree that children benefit greatly from the love and support of adults who are committed to their well-being, whether or not those adults are involved in an intimate relationship with each other. It is also clear that single parents can provide for their children, and give them firm and positive direction toward a successful and happy adult life.

The value of social welfare services for fathers

THE third point of common ground on which advocates for poor men and women must stand is a belief in the value of social welfare services for men.⁵ The discussion of services for men, usually provided by community-based organizations commonly called fatherhood programs requires some complex analysis. First, it seems clear that poor fathers need social services, and there are at least two essential services fatherhood programs must be able to offer low-income men. One is peer and mentoring support for men (particularly men of color) facing the issues of discrimination, lack of education and training, unemployment, and intractable poverty. The other essential service is preparedness for—and referral to—employment.

What is of most particular concern in the policy discussions surrounding fatherhood and fatherhood programs is that government programs and policies not exacerbate the problem for poor mothers and fathers who need the assistance and sanction of social service systems in order to meet the goal they have for their children's well-being.

How Legal Service Professionals Can Help You

ALL of the issues addressed in this handbook can most likely be better and more successfully addressed with the help of a lawyer or some other type of legal service professional. It is very difficult for parents to serve the best interests of themselves and their children without legal advice and advocacy.

The legal vocabulary of the child support system can put unrepresented low-income parents at a distinct practical disadvantage. When parents receive legal documents in the mail, or when they have conversations with child support enforcement or judicial representatives, they often see or hear unfamiliar, and in some cases indecipherable, legal terms. As a result, non-custodial parents are unsure what is being asked of them. If they cannot decipher the terms or conditions of an agreement they are presumed to have made, they are in danger of being held in contempt, waiving their rights, or agreeing to terms they cannot possibly meet.

Very often, non-custodial fathers ask how, or whether, they can visit their child, immediately after the child support order has been entered, or the enforcement tactics have been employed. They are usually told that they must retain the services of an attorney or “go to court,” to get their visitation rights established. For many non-custodial fathers this advice is useless because they cannot afford the services of an attorney, nor can they adequately represent themselves in an adversarial judicial hearing. Finally, they may not understand the difference between “court” and “child support office”, and therefore, feel that the child support system is “stacked” against them.

Community-based programs that serve non-custodial parents should seriously consider employing the services of legal services providers. Of course, legal services for low-income fathers are expensive and sometimes hard to find, but this goal deserves some imaginative thinking and serious consideration. If there are free legal services available in the community, there may be some way to explain the issues of the non-custodial parents in your program, and have that agency either work to provide the service or to help your program find a legal service professional who can help. There may be family lawyers in the community who are interested in providing “pro-bono” (free) services to the parents in your program.

Some programs that serve non-custodial fathers have tried to access legal services in this way or have these kinds of services in place. Many of the practitioners in those programs have said that the services have been of some help, but that they have not been as helpful as one might expect they would be. Free legal services agencies have been helpful to some extent, but they do not have the time or resources to provide services for non-custodial parents.

As to lawyers who are willing to provide pro-bono services: There is an important reason that that kind of service tends to be less successful than one might expect. For many very low-income non-custodial parents, a legal advocate's knowledge and understanding of local welfare policy, practice and law would be vital to their child support case. Most lawyers (even those who regularly deal with child support and practice family law) do not have the experience or understanding and cannot afford to expend the time and effort to gain knowledge that they cannot use for paying clients.

If both the program and the legal service professional recognize these issues from the beginning there may be some potential to address and overcome the concerns. Maybe one could use law students. Maybe there is some funding available for such a program, and the lawyers could be paid for their services. It is advisable that community-based organizations confront these issues with regard to legal services and find new and imaginative ways to overcome the problems.

It's your decision

IT is clear from our conversations with fatherhood program service providers that the politics of these issues are not nearly as immediately important as the practical implications for community-based organizations that serve non-custodial parents. Given the circumstances of the lives of these men and their children, including poverty, lack of resources, and lack of social power and sometimes efficacy, programs designed to insist that the non-custodial parents are or could easily be in a position to pay their child support or marry the mother of their children can lead to frustration. Practitioners, the parents they serve, and communities in which the services are being provided are well advised to create programs that best fulfill their community's needs, without regard to popularity or currency of the issue for other people and other communities. It is advisable for service providers to survey the issues involved in marriage promotion and child support collaboration. The

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Footnotes

¹ The early proposals were for programs that serve low-income fathers who owe child support and have children who receive or have in the past received welfare cash benefits; then it was for low-income fathers; the 2003 legislation is for programs that serve men, at least 50% of whom are low-income fathers.

² The other major goal is reimbursement of cash benefits to state and federal governments through collection and retention of child support owed to custodial parents.

³ For women and child who have received welfare services, and for the children's fathers "government reimbursement for cash welfare benefits to the child's family" can be indistinguishable from what the state and federal governments call "child support." Each parent is responsible to support their children financially. By law, this responsibility is to be based on the parents' ability to provide. The design of government supported social service programs for low-income fathers is based, in large part, on this financial responsibility. The vast majority of men in low-income fatherhood programs want to be able to provide for their children, above and beyond the child's financial needs. However, the men in these programs are poor and they have very little ability to pay, and the child support policies which are said to be motivated by a inclination to increase father involvement cannot have that effect for children who live in families that have received welfare benefits. What little money their fathers have to pay in "child support," overwhelmingly, is retained by the state and federal governments. Poor fathers who want to take care of their children, but see their money going to reimburse the state do not feel effective or useful to their children, and they are less likely to stay involved in their children's lives.

⁴ Current legislation.

⁵ This discussion is not meant to include the so-call "father's rights" organizations created, generally, by and for men who have the means to support their children. That type of organization is for fathers who are not low-income parents, and are not subject to the dictates of welfare policy. Father's rights organizations have, until very recently, been the most visible and vocal type of fatherhood organization in this country. Traditionally, they are comprised of white, more likely middle and working class men, who communicate widely by Internet. Much of their communication is to discuss and develop strategy for using the family courts and lawyers to gain visitation rights, reduce child support payments, and dispute sexual and physical abuse charges.



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