

# The Safe Access for Victims' Economic Security Demonstration Project:

Ensuring Safe Access to Parenting Time for Survivors of Domestic Violence

Jacqueline Whearty, Ph.D.

Rachel Wildfeuer, Ph.D.

Ana Martinez-Mullen, Esq.

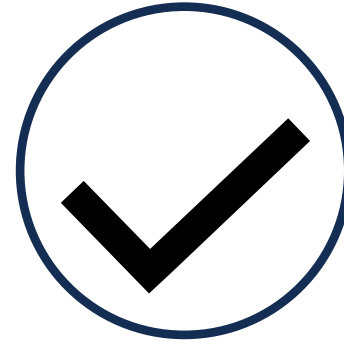
# Learning Objectives



Increase awareness of the intersection of child support program services with parenting time and family safety



Understand the legal disconnections and practical connections between child support and parenting time in the child support program



Apply practical strategies to engage the judiciary in developing parenting time arrangements that prioritize child and survivor safety



Identify what the SAVES Demonstration Project is doing to make parenting time safer for survivors of DV in the child support program

# Agenda

1

Background: Importance of child support and parenting time and their legal and practical interconnections

2

State child support programs' limited involvement with parenting time

3

Practical strategies to developing parenting time plans that prioritize child and survivor safety

4

Examples of SAVES demonstration sites' safety enhancements that affect parenting time

5

Takeaways and next steps

6

Question and answer

# Background: Importance of Child Support and Parenting Time

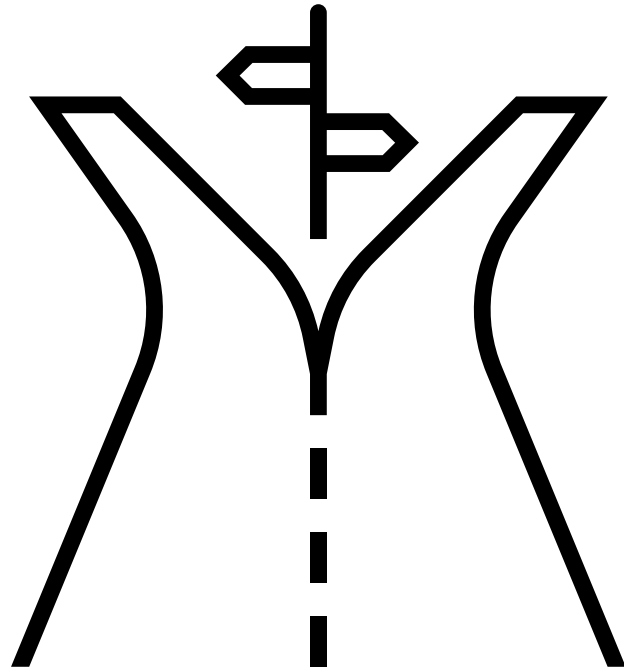


NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

# Background

- Children, regardless of family structure, benefit from consistent financial, and emotional support from two parents
- As of 2022, approximately one-third of children lived apart from at least one of their parents<sup>1</sup>
- Policymakers acknowledge (e.g., via PL 113-183) that parenting time and child support go together

<sup>1</sup> [Childstats.gov - America's Children: Key National Indicators of Well-Being, 2023 - Family Structure and Children's Living Arrangements](https://www.childstats.gov/publications/2023/23-01)



## **Child Support Processes and Formal Parenting Time Agreements Differ for Divorced and Never Married Parents**

- Divorced parents: Final divorce decree covers both child support and parenting time guidelines
- Never married parents: Without formal document to terminate their relationship, they must navigate both child support and parenting time separately

# The Child Support Program has Limited Involvement in Establishing Parenting Time Orders

- Parenting time is not an allowable child support activity
- Without regular federal funds, staff time cannot be devoted to:
  - Asking about parenting time
  - Helping parents discuss it
  - Resolving disagreement about it or developing a schedule

# The Child Support Program has Limited Involvement in Establishing Parenting Time Orders

- The only funding available to address parenting time are the Access and Visitation (AV) grant awards
  - The federal Office of Child Support Services (OCSS) administers the program to support noncustodial parents' access to and involvement in the lives of their children
  - Fixed budget of \$10 million annually; state awards depend on the rate of out-of-wedlock births to total births

# **The Child Support Program is Involved in Parenting Time (Funded or Not)**

- The state (including the child support program) is not a disinterested party when it comes to child and family safety
- 41 states have adopted an adjustment to their child support guidelines that consider parenting time in the calculation of the child support order amount
- Parents view them as inherently connected issues

# The Child Support Program is Involved in Parenting Time (Funded or Not)

- Parenting time orders ↔ Child support payments
- Children who receive consistent financial and emotional support from both parents tend to have:
  - Better social outcomes in younger childhood
  - Higher academic achievement in older childhood/adolescence
  - Less likely to be impoverished in adulthood

# A Few States Handle Parenting Time in the Child Support Program

- **Texas:** Statute says a child support order must be accompanied by parenting time order (Texas Family Code § 153.005)
- **Michigan:** Required by statute to support both custody and parenting time order (MCL 722.717b and MCL 552.452)
- **Florida**, some counties in **Indiana**, **Minnesota**, and **Wisconsin:** will address parenting time in the child support program “at all times when parents can agree”

# A Few States Handle Parenting Time in the Child Support Program

- **Oregon:** Online fill-in-the-blank parenting time plans that parents can download and develop
- **Missouri** and some counties in **Illinois:** Refer parents who want help with parenting time to court and/or community-based mediators

# But What About When Parents Need Help?

- Approximately 40% of custodial parents disclose having experienced domestic violence (DV) with the other parent on their child support case<sup>1</sup>

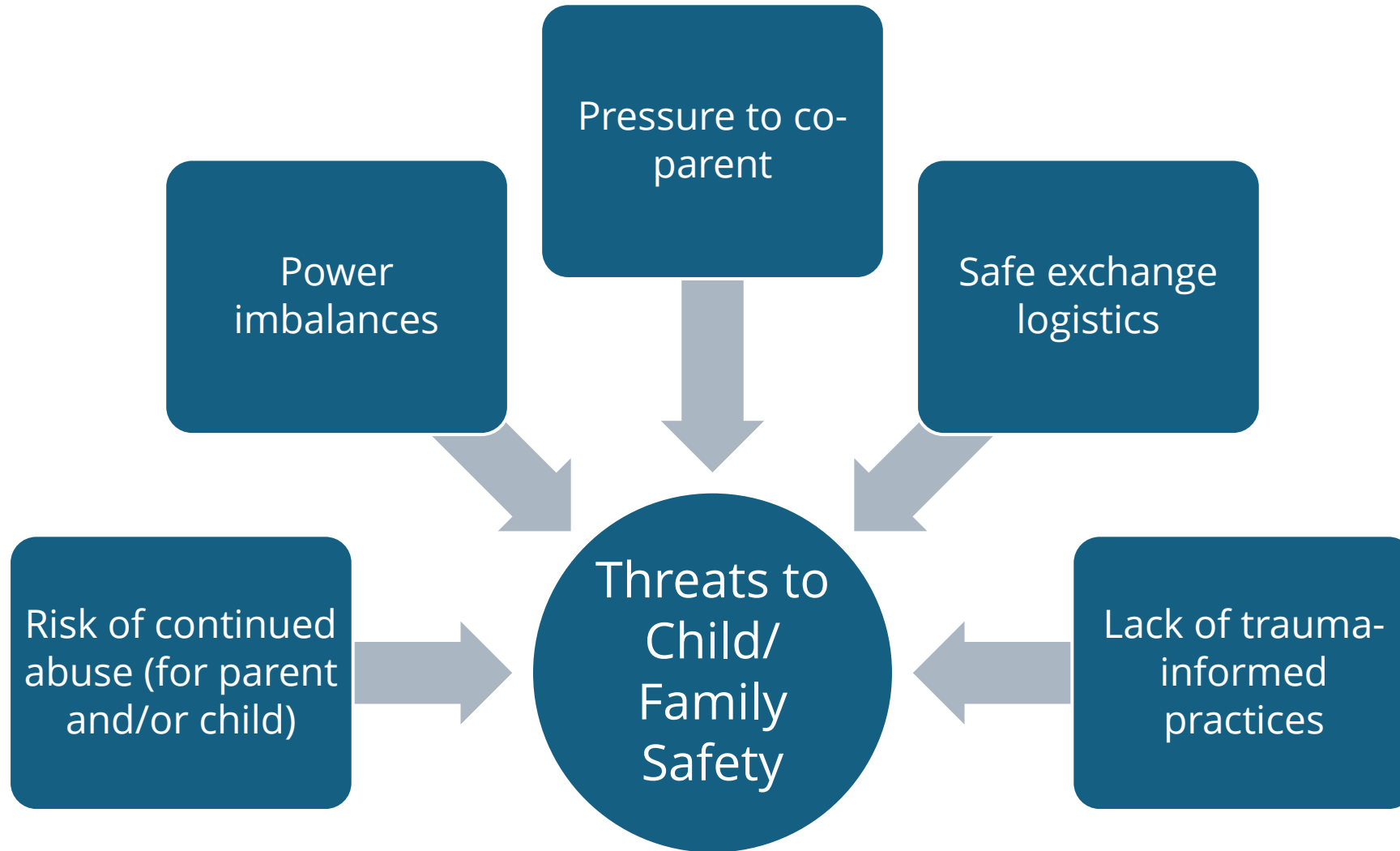
<sup>1</sup> [Balancing Safety and Self-Sufficiency](#) - JESSICA PEARSON, ESTHER ANN GRISWOLD, NANCY THOENNES, 2001

# Safety Considerations and Practical Guidance to Enhance Safety in Parenting Time

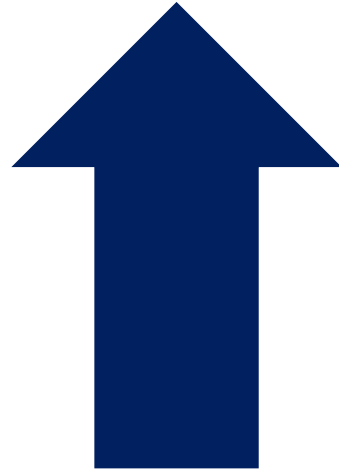


NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

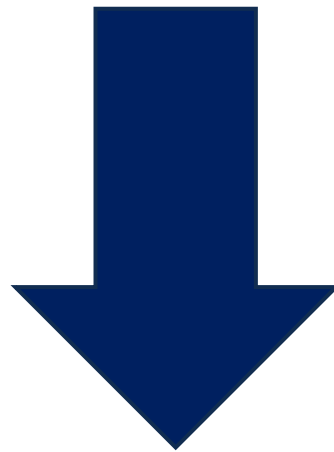
# Key Safety Issues for Parenting Time



# Key Safety Issues for Parenting Time



People's  
Experience of  
Domestic  
Violence



System  
Responses to  
Domestic  
Violence

# SAFeR Model for Establishing Safe Parenting Time Orders



SAFeR

Screen for  
IPV

Assess the  
Nature &  
Context of  
IPV

Focus on  
the Effects  
of IPV

Respond to  
IPV

# SAFeR Model for Establishing Safe Parenting Time Orders

## Screen for DV

- Conduct DV screening in family court
- Implement screening protocol.



## Assess the nature and context of the abuse

- Understand the different forms of abuse
- Evaluate who is using violence, the motivation behind it, and the risk it poses
- Determine how the abuse affects the parent causing harm parenting decisions



## Focus on the effects of the abuse

- Consider how DV has impacted:
  - The child's safety and wellbeing
  - The safety and wellbeing of the parent who experienced harm
- Parent's ability to co-parent



## Respond with appropriate custody and visitation recommendations

- If parenting time is appropriate, develop order or recommendations that will account for safety and power imbalance

# Co-Parenting Benchmarks

- Relationships are free from violence, threats of violence, and coercive control
- Parents recognize and support child's needs
- Child feel safe, secure, and supported by parents
- Communication between parents is direct, civil, constructive and focused on the child
- Parents separate their role as parent from their role as a partner

# Addressing Safety Priorities

1

Protect  
children

2

Promote  
the safety &  
wellbeing of  
non abusive  
parent

3

Respect  
autonomy of  
parent  
experiencing  
abuse

4

Hold the  
parent that  
causes  
harm  
accountable

5

Support  
least  
restrictive  
parenting  
time order

# Safety-Focused Parenting Plans



Parenting  
time specifics:  
supervised  
versus  
unsupervised



Parent to  
parent  
communication



Parenting  
time  
specifics:  
child  
exchanges



Compliance  
mechanisms  
and review  
hearings

# The Safe Access for Victims' Economic Security (SAVES) Demonstration Project

Strengthening Survivor Safety in Child Support and Parenting  
Time Efforts



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

# **What is the Safe Access for Victims' Economic Security (SAVES) Demonstration Project?**

- Five-year demonstration project funded by OCSS
- Works to increase safe access to child support, parenting time, and establishment of parentage services for survivors of DV

# The SAVES Center



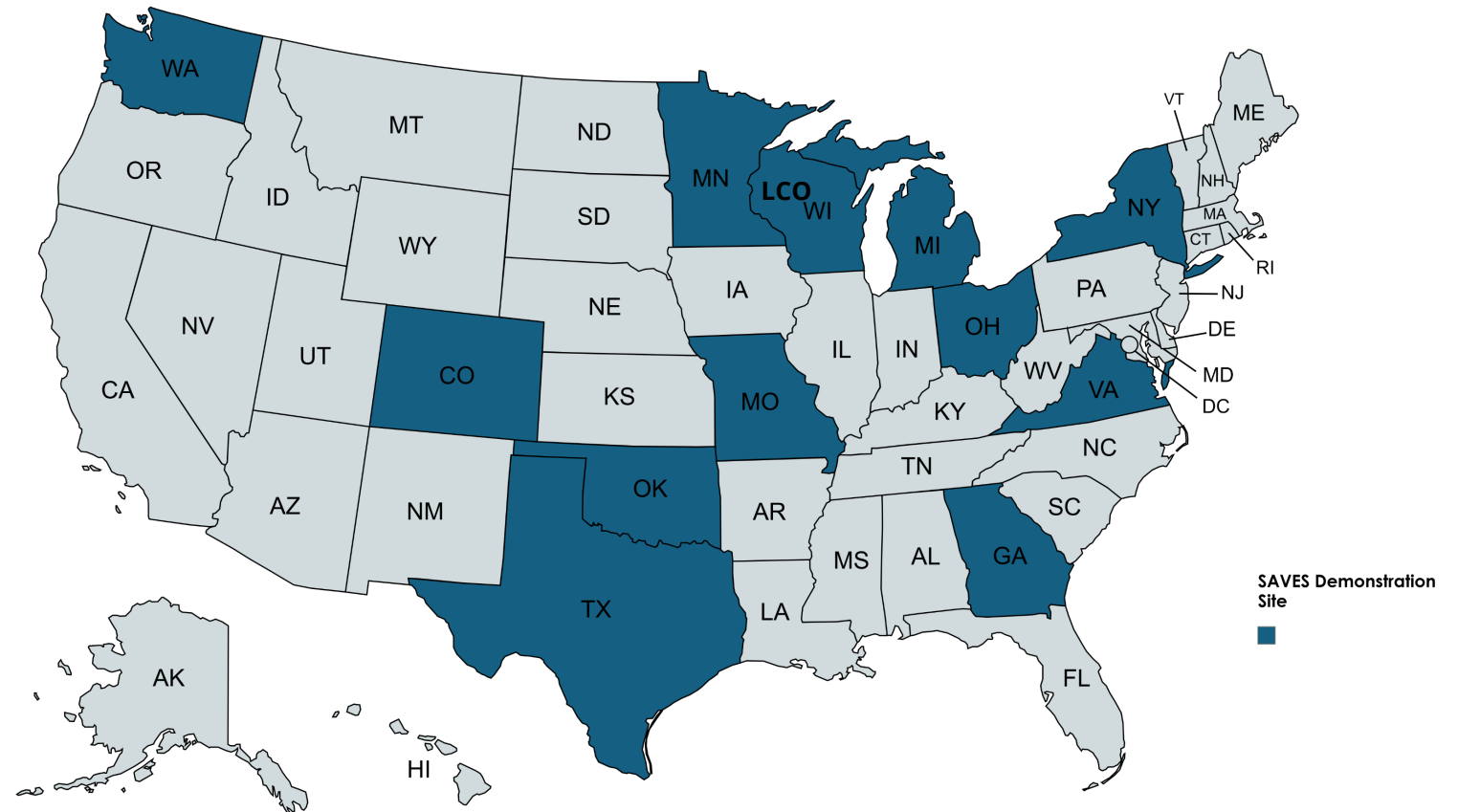
National resource center, offering

- Training
- Technical Assistance
- Research
- Evaluation
- Policy
- Resource development and dissemination

# SAVES Demonstration Sites

## 13 SAVES Demonstration Sites

- 12 state child support programs
- 1 tribal child support program
- Develop, test, and disseminate child support policies and procedures to increase effective child support enforcement services for victims of domestic violence



# SAVES Demonstration Sites are Advancing Safety in Parenting Time Through:

Universal safety screening

Specialized case workers for survivors of DV

1. Conducting risk assessments
2. Connecting to resources

Safety-enhanced court practices

1. Specialty dockets
2. Trainings for judges

Parenting time enhancements

1. Resources for parents

# Muskegon County (Michigan) Friend of the Court



**SPECIALIZED STAFF FOR DV  
SURVIVORS**



**SPECIALTY DOCKET**

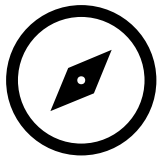
# Texas Office of the Attorney General, Child Support Division



Universal screening in child support application



Safety modifications to presumptive parenting order



Case navigator (being piloted in 1 Region)



Option for virtual hearing (with additional optional breakout rooms)

# Minnesota



**Standpoint Action Line**

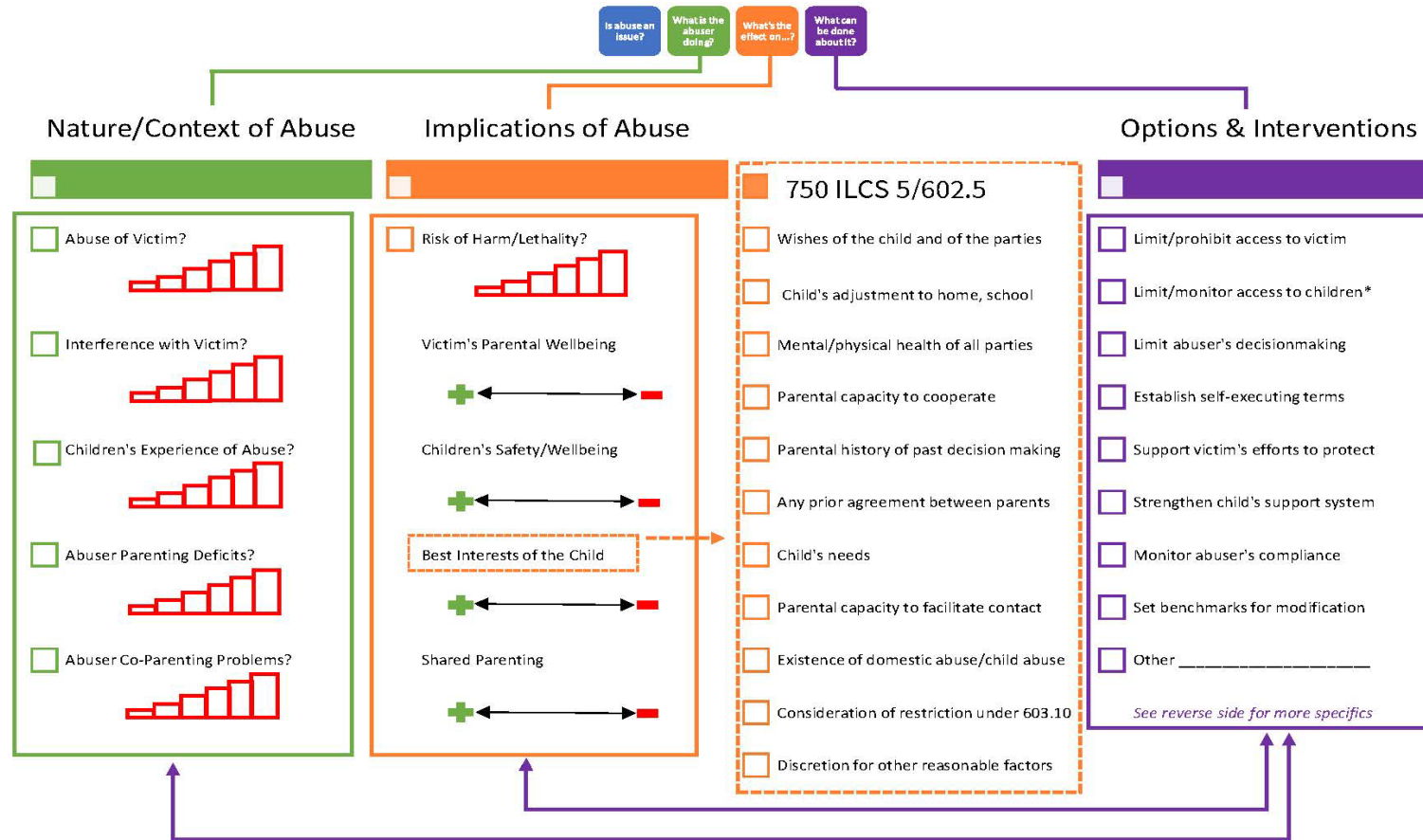


**Paternity Pilot Program**

# Resources in the Work

Custody and  
Parenting Time  
Resource for  
Parents

Judicial Training



# Takeaways and Next Steps



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

# Takeaways

1. Parenting time and child support are deeply interconnected
2. Child support agencies have limited authority over parenting time
3. Despite limitations, states have a stake in parenting time
4. DV considerations are crucial
5. The SAVES Demonstration Project integrates DV expertise into parenting time
6. Best practices focus on safety and access

# Next Steps

- What would you like to see more from child support agencies when it comes to parenting time?
- What support could you and your judicial partners use to enhance safety for families seeking parenting time in your jurisdiction?

# Next Steps

OCSS will disseminate model practices from SAVES demonstration sites to additional state and tribal child support agencies

**OFFICE OF CHILD SUPPORT SERVICES**

*An Office of the Administration for Children & Families*

# Question & Answer



NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES

# Thank You

Rachel Wildfeuer: [rwildfeuer@centerforpolicyresearch.org](mailto:rwildfeuer@centerforpolicyresearch.org)

Ana Martinez-Mullen: [amartinez@bwjp.org](mailto:amartinez@bwjp.org)

[info@savescenter.org](mailto:info@savescenter.org)