

# California's Access to Visitation Grant Program: A Sister OCSE Grant

21<sup>st</sup> Annual AB 1058 Child Support  
Training Conference  
September 12-15, 2017

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## Goal

- Learn about AV program – cross over with Title IV-D population
- Highlight research findings between the AV program and child support
- Discuss options for enhancing services to better meet the needs of noncustodial parents
- Explore collaboration and coordination efforts between AV and child support

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## EXERCISE ACTIVITY

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# Federal Child Access and Visitation Grant Program

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## Federal [Child] Access and Visitation Program

- 42 U.S.C. 669B, Sec. 469B (Public Law 104 – 193): Grants to States for Access and Visitation Programs
- Authorized as part of the 1996 welfare reform legislation (Personal Responsibility and Work Opportunity Reconciliation Act)
- Statutory Goal: "to support and facilitate noncustodial parents access to and visitation with their children"
- Funding: Approximately \$10 million is appropriated annually for the federal Access to Visitation (AV) Program, which provides funding to all 50 states and three territories
- Formula grant: The number of single-parent households per Census

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## Allowable Services (federal)

- Mediation (custody and visitation)
- Development of parenting plans (custody and visitation)
- Education
- Counseling
- Visitation enforcement (which includes supervised visitation and exchange)
- Development of guidelines for visitation and alternative custody arrangements

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## How it works (federal)...

- Allocation of Funds: \$10 million in federal funds is divided among the states annually based on a funding formula contained in the statute
- States are required to provide a 10% share (cash or in-kind)
- Every three years: States are required to submit to OCSE an application and plan for funding AV services
- States have discretion (except in California limited by statute) on which services to provide, and which agencies and organizations provide the services as long as the proposed activities support the goal of the program
- States are required to collect and submit to OCSE annually program data that includes a program outcome measure: “# of NCPs who increased parenting time”

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## Federal Standards for Program Operations

- 45 CFR Part 303
- Monitoring
- Evaluation
- Reporting

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## California's Access to Visitation (AV) Grant Program

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## Background

Judicial Council shall (FC section 3204):

- Administer and distribute funds
- Determine funding allocation awards
- Submit an annual application to federal OCSE to fund access and visitation programs
- Submit report to the state Legislature, even-numbered year

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## How it works (California)...

- Federal allocation award to states on annual basis
- Family Code sections 3201- 3204 sets forth grant requirements
- Judicial Council submits state application to OCSE
- CFCC conducts open competitive Request-for-Proposals Grant Application process
- The superior court's family law division is required to administer the program
- Contract agreements with lead administering superior court; court MOU agreement with subcontractor

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## Allowable Services (California)

- Family Code section 3204(b)(1) limits funding to three types of programs:
  - Supervised visitation and exchange services;
  - Parent education (education about protecting children during family disruption); and
  - Group counseling for parents and children
- Family Code section 3202 defines "eligible providers"

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## Eligible Grant Recipients

- Low-income NCP parents
- Separated, separating, divorced, or never married NCP parents
- NCP parents involved in custody and visitation proceedings under the Family Code
- NCP parents with cases with local child support agencies are eligible to receive AV services

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## GRANT FUNDING AMOUNTS

- Judicial Council approved funding methodology for the program, effective FY 2015-2016
- Funding cap and funding amounts divided into three categories:
  1. Maximum of \$45,000
  2. Maximum of \$60,000
  3. Maximum of \$100,000
- Demographic factors determine which category applies to a given court: (1) the number of single-parent households in the county; and (2) number of individuals with income below the poverty level in the county

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## Amount of Funds Available

- Subject to the availability of federal funding
- Formula grant
- Funding awarded to courts statewide; seeks to ensure geographical diversity re court and population size
- Approximately \$770,000 (each year fiscal year)
- FY's 2015 - 2018 funding allocation awarded to 11 superior courts – includes 18 counties and 17 subcontractor agencies

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## AV and Child Support Linkages



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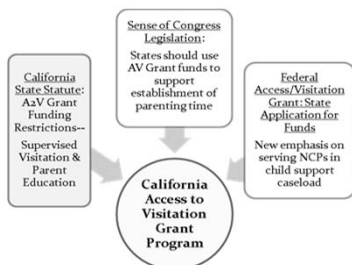
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## “Nudges” from Washington



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## “Sense of” Congress

- Establishing parenting time arrangements when obtaining child support orders is an important goal, which should accompany strong family violence safeguards
- States should use existing funding sources to support the establishment of parenting time arrangements, including child support initiatives, Access to Visitation Grants ... (*Preventing Trafficking and Strengthening Families Act, 2014*)

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## Why AV services?

- Parenting time and parenting education is a component of the divorce process; often disconnect with unwed parents
- Gap between establishment of paternity and establishment of parenting time/visitation for noncustodial parents can be bridged through funded AV services (e.g., parent education and counseling)
- The AV grant can provide parents in the Title IV-D caseload with services that the Title IV-D agency cannot directly provide
- Provision of AV services to NCP in Title IV-D caseload can result in an increase in payment of and/or compliance with child support orders

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## Studies Show...

- Child Access Demonstration Projects (1990 – 1995)
- OCSE Child Access and Visitation Program: Participants Outcomes:  
<https://www.acf.hhs.gov/css/resource/report-on-child-access-and-visitation-programs-participant-outcomes>
- OCSE Child Access and Visitation Program: Promising Practices: <http://centerforpolicyresearch.org/wp-content/uploads/AccessVisitationReport.pdf>

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## Studies Show...

- DHHS, Federal Office of Inspector Attorney General, Effectiveness of AV Programs:  
<https://oig.hhs.gov/oei/reports/oei-05-02-00300.pdf>
- OCSE Noncustodial Parents: Summary of Research, Grants, and Practices:  
[https://www.acf.hhs.gov/sites/default/files/ocse/dcl\\_09\\_26a.pdf](https://www.acf.hhs.gov/sites/default/files/ocse/dcl_09_26a.pdf)
- An Evaluation of the State AV Program: Family Court Review (July 2005)

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## Examples AV-Child Support

- Arizona AV and DCSS Program:  
<https://des.az.gov/services/child-and-family/child-support/arizona-child-support-access-and-visitation-program>
- Colorado Virtual Pro Se Clinic:  
<http://douglasselbertbar.org/virtual-pro-se-clinic/>
- Indiana Parenting Time Help Line:  
<http://www.jaspercountyin.gov/eGov/apps/document/center.egov?view=item:id=484>

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## Examples AV-Child Support

- Commonwealth of Kentucky's Custody and Visitation Hotline: <http://kentucky.gov/Pages/Activity-stream.aspx?n=CHFS&prId=76>
- Addressing Visitation Problems in Child Support Offices: The Tennessee Experience  
[http://www.ncsea.org/documents/Tennessee\\_Access\\_and\\_Visitation\\_Results\\_FORMATTED.pdf](http://www.ncsea.org/documents/Tennessee_Access_and_Visitation_Results_FORMATTED.pdf)
- Texas Access to Visitation Hotline :  
<http://www.txaccess.org/access-visitation-hotline/>

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## JACKET ACTIVITY

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**Challenges and Opportunities for Increasing Parenting Time:  
AV, Courts & Child Support**

Open Yourself to the Connections!



Image: slideplayer.com  
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**What we know ...**

- Costs
- Fear
- Compliance
- Lack of information, knowledge, and education about the various processes (court, child support)
- Safety concerns
- Building collaborative partnerships
- Need for available resources statewide

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**Possible Ideas...**

*How to integrate parent education and counseling services to address NCP access and parenting time issues*

- Family Code section 3011
- Family Code section 3202(b)
- Consider / develop a Court Order Parent Education Program
- Consider / develop "Parent Information Sessions" – at Self-Help, FLF, child support agency
- Consider / implement Parental Access and Visitation Enforcement (PAVE) Program – modeled after Georgia  
<http://www.familiesfirst.org/parenting/>

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## Ideas (cont.)

- Consider / develop statewide Access to Visitation Hotline
- Consider / develop statewide Access to Visitation NCP Parenting and/or Visitation Enforcement Helpline
- Consider/ develop divorce process workshops and/or counseling sessions
- Consider / implement a *"Child Access Specialist (CAS)"* – a specially trained worker at the child support agency
- Consider using POP model for AV services - options for education and counseling

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## Coordination of services

- Encourage child support referrals
- AV programs include basic information about importance of child support
- Incorporate / distribute AV program information into child support Title IV-D population
- Display / post resource materials on key websites (e.g., DCSS, FLF, Self-Help)
- In-service presentations and various learning sessions
- Establish partnerships and information exchange systems

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## Voice of Child of Divorce

<https://www.youtube.com/watch?v=lbTFZ8cvHo4>



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## Contact - Questions

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- Anna Maves; 916-263-8624;  
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- Access to Visitation Grant Program;  
<http://www.courts.ca.gov/cfcc-accesstovisitation.htm>

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