

Procedural Justice in the Child Support Process

An Implementation Guide

Kate Wurmfeld, Center for Court Innovation
March 2022



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This guide is for child support agencies that would like to develop people-centered practices—using principles of procedural justice—to build trust, better engage participants, and create a more fair and effective process for serving families and supporting children.

INTRODUCTION

The Procedural Justice-Informed Alternatives to Contempt (PJAC) demonstration project, which began in 2016, integrates principles of procedural justice into enforcement practices in six child support agencies across the United States. Procedural justice involves perceptions of fairness in processes that resolve disputes and result in decisions. Research has shown that if people perceive a process to be fair, they will be more likely to comply with the outcome of that process, whether or not the outcome was favorable to them.¹ It is important to note that procedural justice should not be a replacement for examining underlying structural issues and unfairness in systems. In other words, the focus should be not only on how people perceive a process but also on addressing underlying problems. Principles of procedural justice should be considered as tools in a toolbox to achieve broader reforms in the way systems interact with and affect the public.

The target population for the PJAC demonstration project is noncustodial parents who are at the point of being referred to the legal system for civil contempt of court.² These parents have not met their child support obligations, even though child support agencies, based on state guidelines, have determined that they have the ability to pay. The PJAC demonstration project aims to address parents' reasons for not paying, improve the consistency of their payments, and promote their positive engagement with the other parent and their children, as well as the legitimacy of the child support program.

¹ The PJAC demonstration was developed by the federal Office of Child Support Enforcement (OCSE), which is within the Administration for Children and Families in the U.S. Department of Health and Human Services. MDRC is leading a random assignment study of the model's effectiveness in collaboration with research partners at MEF Associates and the Center for Court Innovation. Between 2018 and 2020, over 11,000 parents were assigned at random, either to a group who was offered PJAC services or to a "business-as-usual" group who instead proceeded with the standard contempt process. The Georgia Division of Child Support Services provides oversight of the evaluation. For an overview of the PJAC demonstration, see [A New Response to Child Support Noncompliance: Introducing the Procedural Justice-Informed Alternatives to Contempt Project](#), Mage, Baird, and Miller (2019); Swaner et al. (2018).

² The noncustodial parent is the parent who has been ordered to pay child support, and is generally the parent who does not live with the child. The other parent is referred to as the custodial parent.

In 2020, PJAC added five new “peer learning” sites,³ selected to address specific agency challenges and develop their own procedural justice-informed projects at various stages of the child support process. As opposed to focusing only on the contempt phase, they also considered the establishment, modification, and enforcement of child support orders. These new sites benefited from the experience and expertise of the original PJAC sites and from training and technical assistance from the Office of Child Support Enforcement (OCSE), MDRC, MEF Associates, and the Center for Court Innovation.

This guide is intended to assist child support agencies to develop more people-centered practices, using the principles of procedural justice to build trust, better engage participants, and create a more fair and effective process for serving families and supporting children. The guide begins with some principles for the field and suggestions for how to plan and assess needs. It then offers examples of strategies and processes (developed by the original PJAC sites) that agencies could consider implementing as alternatives to the traditional, coercive contempt process. This is often the point where parents need the most support to avoid the most severe sanctions, including potential jail time. The guide then provides tips and examples (developed by the peer learning sites) from earlier stages of the child support process, beginning with the initial establishment of an order, through modification requests, and enforcement. When child support agencies can adapt processes to fit their unique needs and characteristics, they are better able to promote procedural justice in the context of broader efforts to reform child support systems. The last section contains 14 examples of materials the PJAC sites used that reflect principles of procedural justice. They include planning, implementation, and assessment tools for child support staff members, and new call scripts, sample letters, brochures, and other written materials to engage participants.

Procedural Justice Principles: What Does the Research Say?

The guiding principle of procedural justice is that people believe that they are being treated fairly and with respect and that their concerns are taken seriously. Research demonstrates a connection between how participants experience the process and their willingness to engage with the system.⁴ While procedural justice is well established in the legal field, the PJAC project is the first rigorous test of the impact of procedural justice on the child support process. The foundational research shows that people are more likely to view the legal system as fair when the following elements are present:⁵

- **Voice (participants have an opportunity to be heard):** For participants in the child support process, being able to speak out (if they so choose) and to be heard and acknowledged by caseworkers and other agency personnel is essential. Custodial parents, who may have encountered other professionals who ignored or minimized their experiences, may be more likely to see the agency as a source of help. For non-

³ The five peer learning sites are Georgia; St. Joseph County, Indiana; Minnesota; Texas; and Brown County, Wisconsin.

⁴ Tyler (2003); Swaner et al. (2018).

⁵ Center for Court Innovation (2012); Rempel (2014).



custodial parents, research from other legal contexts demonstrates that when people feel they are being heard, their perceptions of fairness increase. They may then be more likely to engage with the child support system and make more consistent support payments.

- **Respect (participants feel that they are being treated with dignity):** When caseworkers and other agency staff members interact respectfully with all parties to a case (including respecting their roles as parents), participants are more likely to feel that the process is fair.
- **Understanding (participants understand the child support process and how decisions are made):** Participants are often confused by child support processes and procedural rules, the language the agency uses, and other aspects of their cases. When agencies clearly explain the rules and how they are applied, research confirms that participants are much more likely to understand how to meet their support obligations and to see the agency as a helpful resource.
- **Neutrality (participants believe that decision-making is free from bias):** Promoting neutrality does not mandate that all participants receive identical services and support. Instead, it requires that they be treated equitably and that they receive meaningful information and support tailored to assist them in their particular circumstances with their specific needs. Promoting this type of equity in service delivery can improve perceptions of fairness and help address underlying systemic issues that act as barriers to fairness, particularly among people from marginalized communities.
- **Helpfulness (participants believe that staff members are interested in their specific situations, to the extent the law allows):** Many noncustodial parents have complex needs that serve as barriers to complying with their child support orders. They may have had negative and punitive experiences with the child support agency, making it difficult for them to trust that the agency is there to help. Promoting helpfulness—by supporting parents holistically and addressing their particular needs—has been shown in other contexts to shift perceptions and can encourage parents to engage with the process. Custodial parents may also have had negative experiences. A helpful process will make it more likely that they, too, will trust the agency and view it as a resource.

All staff members in the child support agency can contribute to the fairness of the child support process, based on how they treat participants and the policies and procedures they promote. Child support professionals may recognize good, common-sense practices that engage clients, and may already be incorporating all or some of these practices in their work. However, many aspects of child support systems can serve as barriers to engaging participants positively. This guide discusses effective strategies for acting on guiding principles consistently, both in individual practices and throughout the system.

Guiding Principles and Overcoming Barriers to Implementing Procedural Justice

Promoting fair and equitable processes is critical to increasing access to justice and building trust in legal and social service systems. The following principles address barriers to promoting procedural justice and access to justice generally.

Cultural Responsiveness and Bias Reduction

Cultural responsiveness may be defined as “the ability to learn from and relate respectfully with people of your own culture as well as those from other cultures.”⁶ A culturally responsive agency will ensure that it is welcoming and truly accessible to individuals from all cultures within a community, including those from underserved or marginalized groups, and that child support processes are fair and understandable. Child support agencies may find it more challenging to engender trust among marginalized communities. People in these communities may be wary of government systems. They may have experienced historic oppression based on race or gender identity, disproportionate rates of incarceration, and negative interactions with law enforcement and other legal entities. Promoting cultural responsiveness and working to eliminate bias in all child support services is critical to building trust. In addition to training staff members, agencies should develop policies and use tools and resources that address bias and intercultural competence. In particular, they need to increase awareness of how bias or cultural blindness affects their delivery of services to a diverse caseload.⁷

Practices That Respond to Trauma

One of the biggest challenges for child support systems is to understand the trauma many people, including participants in the child support process, have experienced in their personal lives and in their interactions with systems intended to help them. If child support agencies can enhance procedures to account for trauma in the child support process and in their policies and decision-making, participants will be better able to avoid retraumatization, engage with the system, and take advantage of interventions. Raising awareness among staff members of the existence of trauma and its effects on participants’ willingness to view the child support agency as a resource is essential to serving parents and children effectively.⁸

Promoting Safety and Enhancing Responses to Domestic Violence

A total of 10.9 percent of child support cases nationally have a family violence indicator—that is, a mechanism in child support data systems that identifies a party to a child support case as needing to

⁶ National Center for Culturally Responsive Educational Systems (2008); Warshaw, Tinnon, and Cave (2018).

⁷ The State of Minnesota is using the IDI (Intercultural Development Inventory; <https://idiinventory.com>) to build intercultural competence and to inform its procedural justice work.

⁸ Warshaw, Tinnon, and Cave (2018); Trauma Stewardship Institute (2021).



have personal information protected because of risks of domestic violence.⁹ (Policies vary by state, but violence indicators can also guide service delivery in other ways, typically involving additional safeguards to promote safety.) Nevertheless, it is difficult to accurately measure the percentage of child support cases involving domestic violence. Survivors of violence often do not feel safe reporting their experiences. However, one large-scale survey of custodial parents suggests that close to 4 of 10 fathers in the child support system have a history of domestic violence against the mother or child.¹⁰ Domestic violence involves coercive, controlling behavior by one partner against the other. It can affect how parties to a case interact with each other and with the child support agency. If it is not adequately understood or addressed, the agency risks being complicit with the individual causing harm and endangering the safety and security of survivors. For example, survivors may not be able to advocate for themselves because of power imbalances or may be fearful of engaging in the process at all. Parents who cause harm may try to use the process to further exert control or harass the other parent. Agencies should account for the possibility of domestic violence throughout the process and in every case. They need to train staff members, implement screening, develop specific case management strategies, and collaborate with service providers for appropriate referrals and interventions.¹¹

APPLYING THE PRINCIPLES OF PROCEDURAL JUSTICE TO SUPPORT PARENTS NAVIGATING THE CHILD SUPPORT PROCESS

The following section is intended to guide child support agencies as they consider designing and implementing new or enhanced strategies to better assist parents during all stages of the child support process. It begins by outlining a process to assess needs and develop plans that respond to gaps and challenges in delivering services according to principles of procedural justice and that improve outcomes and efficiency in child support cases. The guide then describes the strategies, policies, and practices PJAC grantee sites have developed, using the principles of procedural justice, to offer new approaches and alternatives to the traditional contempt process. The final section sets forth each of the steps a parent may take going through the child support process, whether the parent owes or is requesting support, from the establishment of a child support order through the modification and enforcement of the order. This section includes examples from the PJAC peer learning sites on how to incorporate procedural justice into various aspects of the child support process. The guidance and examples are meant as a starting point and can be adapted to the needs and characteristics of each community. The information in the guide is also designed to help agencies apply the principles of procedural justice to improve programs and practices in the context of broader, systemic reform.

⁹ This statistic is based on 2021 OCSE data from the Federal Case Registry (not publicly available).

¹⁰ Osbourne et al. (2013).

¹¹ Center for Court Innovation (2016); Battered Women Justice Project (2021).

Initial Planning

Before getting started on your project to improve the child support process using principles of procedural justice, it is helpful to engage in a careful planning process. Assess needs and barriers and move your project forward in a way that is responsive to those needs. The planning process should include:

- I. **Planning team:** Start by creating a diverse team of professionals with a broad range of experiences to guide the work. This team should ideally include a range of staff members, from those in leadership positions to people on the ground, who can help test ideas. Consider meeting regularly to keep the project moving forward.
- II. **System mapping:** System mapping involves walking through your agency's process and creating a map of the steps parents must take to navigate it. Your planning team should carry out this exercise early. This system mapping will help you decide whether you should focus on a particular aspect of the process or on changing policies and practices throughout your system. Points in the process that you should consider include:
 - A. Outreach: Examine what happens before the process even begins and how you can improve communication and build trust with the public at the outset. Look at the web page, frequently asked questions, and other materials aimed at the public.
 - B. Intake and application processes
 - C. Call center
 - D. The establishment of child support orders, including paternity establishment
 - E. Finance and accounting
 - F. Enforcement
 - G. Review and adjustment
- III. **Needs assessment:** Examine each step of the process identified in your system map and assess how it promotes the principles of procedural justice: voice, respect, understanding, neutrality, and helpfulness. Assess the individual steps and forms used in child support processes, focusing on whether any component is needlessly complicated or burdensome, or even unnecessary. For example, are all required affidavits necessary and is notarization really needed for certain forms? Are some documents overly complicated and specific? Do participants frequently misuse them, resulting in dismissals or the rejection of forms? You should constantly strive to streamline your documents and processes. Participants' experiences with them should be at the front of your mind as you work to make child support processes as user-friendly and accessible as possible. Pay particular attention to collecting data about participants' lived



experiences, and incorporate meaningful opportunities for them to offer their views during and after the process. Consider using a checklist to inspect processes through a procedural justice lens. See Example 1: “Arizona Procedural Justice Checklist,” developed by one of the original PJAC grantees. Some strategies for assessing gaps or opportunities for promoting procedural justice include:

- A. Examine forms, materials, and procedures for plain language, language accessibility, and clarity.
 - B. Review and identify strategies for engaging participants.
 - C. Identify what is confusing or what questions are frequently asked.
 - D. Identify points in the process to insert procedural justice checklists.
 - E. Consider implementing a participant comment process. It not only can promote procedural justice by giving participants a voice, but also can help you to develop procedural justice-informed services based on the experiences of people using the process. Make sure that the process for obtaining participants’ perspectives is meaningful and is not limited to a customer survey.
- IV. Action plan:** After the needs assessment, the planning team should define the mission and goals for the project and create an action plan to address the identified problems. Make sure the plan is SMART (specific, measurable, achievable, relevant, and time-bound).
- V. Develop a timeline:** It is important to set specific benchmarks in your planning to ensure that your project moves forward in a timely manner.
- VI. Implementation team:** This group could be the same as your planning team, or a smaller group may help put the plan into operation.
- VII. Training:** Develop a plan for training and other activities that will help build expertise and knowledge to ensure that principles of procedural justice are promoted in individual practices and throughout the system. Continuing training will also help ensure that the services will be consistent, responsive, and sustainable as you bring on new staff members.¹² To promote change that is meaningful and comprehensive, you should offer additional training to address systemic challenges, such as the impact of bias, trauma, and domestic violence.
- VIII. Evaluation:** Determine what changes you intend to make and what type of data you will need to collect to evaluate outcomes and understand the effects of those changes.

¹² Appendix A includes presentation slides for providing introductory training in procedural justice, along with an annotated “train-the-trainer” curriculum guide that walks through how to deliver the training presentation.

For example, set clear outcomes and determine whether you can access administrative data to track them. Continuing evaluation of the effectiveness of processes, especially from participants' perspectives, should be an integral part of your agency's work. You should pay particular attention to collecting data about the lived experiences of participants, including meaningful opportunities for participants to offer their views during and after the process. Agencies might want to explore developing relationships with community-based organizations and stakeholder groups or committees in order to connect with participants outside the process and collect their perspectives. Also, surveys of judicial officers, court and agency staff members, and other community members, as well as stakeholder focus groups, may help provide a more in-depth analysis of the gaps in services for child support participants and their families. See Example 2: Using Data to Assess Programs and Policies and Example 3: Indiana Procedural Justice Court Satisfaction Survey.

Procedural Justice-Informed Alternatives to Contempt

The PJAC demonstration model was developed as an alternative to a contempt process that may feel impersonal, difficult to understand, and lacking in human engagement. At the point when a noncustodial parent is on the verge of being referred to the contempt process, a trained PJAC case manager begins working with the two parents. This relationship between the case manager and both parents is guided by principles of procedural justice. It is the common thread that runs through all aspects of service delivery. PJAC services are meant to increase the consistency of child support collection and parents' engagement with the process. If noncustodial parents assigned to the PJAC services group are unwilling to engage with the child support agency and participate in PJAC services, they may eventually be referred to the regular contempt process. The PJAC model may be instructive to agencies in designing their own parent support programs that avoid the pitfalls of the traditional, coercive process.¹³

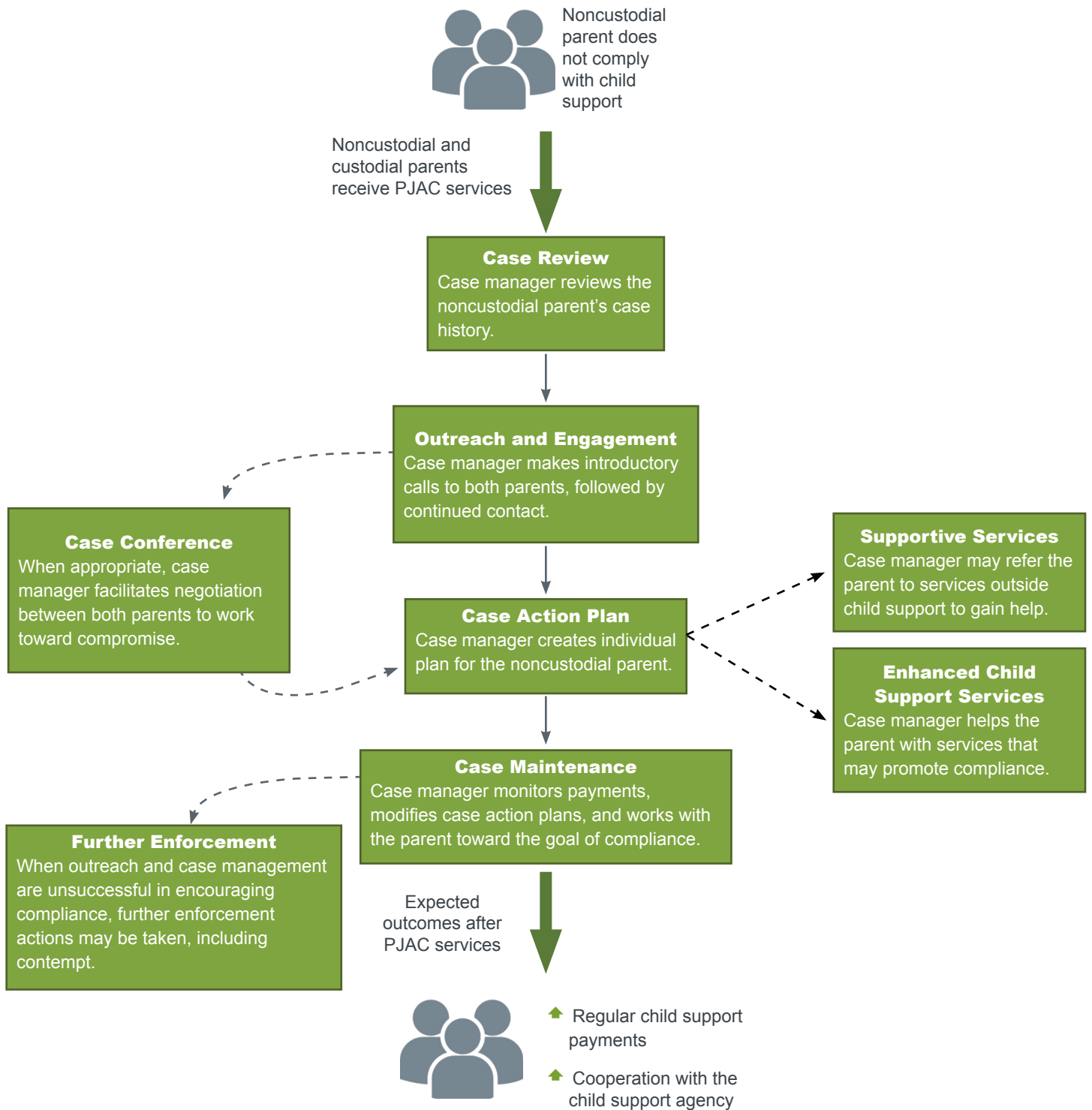
Figure 1 illustrates the five main components of the PJAC model. See Example 4: "Virginia PJAC Service-Delivery Plan Template" to see one PJAC grantee's approach to adapting the PJAC model to its local context.

- 1. Case review:** The initial phase of PJAC services involves a thorough review of the nonpaying parent's cases, including payment history and previous enforcement actions. The case manager also reviews available data, such as employment and criminal justice records and the parent's activity on social media, to help gather relevant details such as location or employment information. The case review seeks

¹³ The Center for Court Innovation developed the Parent Support Program that was pilot tested in Onondaga County, New York, and in Brooklyn, New York, and is now expanding across New York City. A resource coordinator works with noncustodial parents to help overcome barriers to meeting their support obligations and engaging with their children, using principles of procedural justice throughout. The program began with cases at the contempt phase, but now includes support for parents at all stages of the process, from establishment through modification and enforcement proceedings. For more information, see Office of Child Support Enforcement (2015) and www.courtinnovation.org/programs/parent-support-program.



Figure 1. The PJAC Model



Before-and-After Spotlight: Arizona

In Maricopa County, Arizona, cases that are reviewed for contempt require that a case manager determine whether the parent who has been ordered to pay child support has the ability to pay the obligation. For cases not assigned to PJAC, the case manager attempts to reach the parent by phone and by sending a Notice of Obligation. If there is no response or contact, and evidence exists of the parent's ability to pay, the case is sent to the Attorney General's Office, and a contempt action is filed. The Department of Child Support Services makes no other contact with either parent until the court date.

In contrast, cases assigned to the PJAC services group have been approved for contempt, but the process of outreach and engagement looks different from that of the cases in the business-as-usual group described above.

First, the case is reviewed back to when the child support order was first established. This review has been helpful in discovering issues that could affect payment balances. The PJAC case manager will attempt to reach the noncustodial parent by text, phone, and welcome letter. If the noncustodial parent does not respond, the PJAC case manager will not attempt to make contact again for another 30 days. After 30 days, the process of outreach will begin once again.

The PJAC case manager will also make contact with the custodial parent to explain the goals of the process and go over balances and all options for collection. Both parents receive the PJAC case manager's direct contact information. The PJAC case manager also asks the custodial parent to assist by reaching out to the other parent if the relationship is safe and communication is open.

Often, during case conference discussions, the case manager discovers that there has been a change in the noncustodial parent's ability to pay the ordered support. The PJAC case manager will explain the options for review and adjustment. Often, the order just needs to be "right-sized" for the parent to be able to make complete payments. If the need to file contempt arises, and a court date is scheduled, the PJAC case manager continues to engage with the noncustodial parent, by helping the parent log onto the hearing and answering any questions. At the first hearing, rather than the court finding the case to be in contempt, the commissioner will order the noncustodial parent to meet with the PJAC case manager. The case manager will discuss the barriers to payment with the noncustodial parent and attempt to resolve them. This discussion allows the case manager to maintain the relationship and continue to build trust even though an order of contempt has been filed.

to understand the parents' history with the child support program, focusing on both parents through a procedural justice lens and examining areas where one or both may have experienced the previous process as unfair or unhelpful. The case manager will also learn of circumstances such as periods of incarceration, health problems, or existing domestic violence indicators that will be important factors in working effectively with the parents. The case review allows the case manager to identify potential reasons for nonpayment and past mistakes on the case or cases. This background knowledge is intended to create the foundation for the case manager's ability to communicate with the parents and tailor services to their situation.



After the case review is completed, outreach to the parents begins. See Example 5: California Case Assessment Checklist.

- 2. Outreach and engagement:** The PJAC case manager reaches out to the custodial and the noncustodial parent, using language informed by procedural justice. The goals of the initial contact include explaining PJAC services and answering parents' questions (to help with parents' *understanding*), obtaining updated information about the case from the perspective of each parent (allowing the parent to have a *voice*), conducting additional screening for domestic violence, and, when appropriate, trying to schedule a case conference. The PJAC model specifies that a case manager should make contact with a custodial parent first to determine whether there are any safety concerns or other issues between the parents that may be helpful to know (for example, issues related to parenting time) before making contact with the noncustodial parent. Additionally, the first contact attempt is made to the custodial parent, in order to get that parent's cooperation, since the contempt action is being deferred. The custodial parent may also be able to provide information about the nonpaying parent that may not be in the case file and offer insight into why the noncustodial parent is not paying. Outreach methods can consist of phone calls, texts, social media messages, and letters. If a noncustodial parent cannot be located at any point in the PJAC process, the case manager will undertake an enhanced investigation to find the parent (using methods such as contacts with extended family, fee-based location services, and social media searches). This phase offers an opportunity for the agency to describe a process that is very different from what the participant has previously experienced. See Example 6: Stark County, Ohio Brochure for Custodial Parents, Example 7: Franklin County, Ohio Custodial and Noncustodial Parent Call Scripts, Example 8: Arizona PJAC Scripts and Welcome Letters, and Example 9: Michigan Initial PJAC Contact Scripts.

Before-and-After Spotlight: Michigan

Before PJAC, Michigan's contempt process was that nonpayment would trigger the sending of official state notices to the noncustodial parent: a "Notice of Arrears" and a "Show Cause" to appear in court. The Michigan PJAC team replaced this impersonal and coercive process with outreach and engagement efforts to provide an alternative to contempt. These efforts involved personal contacts, materials, letters, and scripts to promote understanding and respect and to explain to participants how this new, helpful process was intended to replace the coercive process.

- 3. Case conference:** When both parents are reached, the case manager invites them to participate in a case conference when appropriate. These conferences may be repeated, depending on the needs of the case. A case conference is intended to identify obstacles to regular payment and begin a conversation about potential solutions,

with all parties in direct communication, building on knowledge gained during case review and outreach. Case conferences may be held in person or with one or both parents on the phone or on a video call. Alternatively, if one or both parents are not comfortable participating in a joint conference or scheduling is difficult, the case manager may conduct a “shuttle” case conference. In this instance, the case manager facilitates negotiations by going back and forth between parents. It is particularly important to screen and account for domestic violence when considering whether to host a case conference. Failing to recognize these dynamics and power imbalances may endanger the survivor and embolden the parent causing harm as the case manager attempts to negotiate and resolve issues related to the case through mutual agreement. The case conference may also be a setting in which to begin development of a case action plan. See Example 10: Arizona Joint Case Conference Checklist.

4. **Case action plan.** Case action plans are written documents created by the PJAC case manager with the noncustodial parent (and sometimes the custodial parent). They are used to document agreed-upon next steps to address reasons for nonpayment and set a path to reliable payment. PJAC case managers develop these plans after they complete the case review, initial outreach, and, if applicable, a case conference. Case managers use these plans to connect parents to enhanced child support services (such as help reaching parenting-time agreements, modifications of child support orders that better reflect current economic circumstances, and compromises on child support debt). (See Box 1 for an explanation of some inherent challenges to perceptions of fairness related to parenting time and the child support system, as well as suggestions for addressing these challenges.) Case managers may also help parents find other supportive services outside the child support agency (such as employment services or parenting support services), if needed, and set goals with noncustodial parents. Once a noncustodial parent has finalized and agreed to a case-action plan, a PJAC case manager uses it as a tool for communicating with that parent about compliance on the case. By developing and using case action plans with parents, PJAC case managers give them a *voice* in determining the next steps in their cases, support their *understanding* of how decisions will be made, and document how the child support agency can help them. Case action plans may be revisited if necessary. See Example 11: Arizona Case Action Plan.
5. **Case maintenance:** The case-maintenance phase of the PJAC model focuses on delivering the services agreed to in the case action plan and monitoring the noncustodial parent’s progress toward making regular child support payments.



BOX 1

Parenting Time and Child Support Processes

Child support agencies regard financial support and parenting time as legally separate issues. There are valid reasons for this policy. Child support agencies are prohibited from using federal funds to address issues related to parenting time. Additionally, parenting-time decisions are often addressed in different courts from those that address child support, and some state statutes specifically prohibit child support judicial officers from issuing parenting-time orders. And of course, when domestic violence is an issue, as it is in so many cases, there is a danger in having parenting time addressed administratively along with child support unless agencies are implementing the proper training and screening and other safety protocols discussed above. However, the separation of these two core parenting functions by child support systems poses a fundamental challenge in how parents perceive the fairness of the child support process. From noncustodial parents' perspective, the system is focused solely on their responsibilities and completely uninterested in their rights. Custodial parents—even parents who have experienced domestic violence—may not understand why they cannot have access to safe parenting-time orders without the need for a separate legal action. Parents' confusion may be further compounded as a total of 36 states include some parenting-time calculations in their child support guidelines. These policies tacitly acknowledge the intertwined relationship of financial support and parenting time. The foundation of procedural justice is the importance of fairness and how people who are involved in child support systems perceive it. It does not sufficiently address parents' distrust of the policy to simply tell them that child support and parenting time are two separate legal issues, and that agencies cannot use federal child support funds to address parenting time. Child support agencies must account for how parents perceive the separation of support and parenting time, and for the ways the policy could contribute to actual unfairness or lack of access for some parents. A limited number of child support agencies have developed mechanisms for addressing parenting-time rights. Agencies should streamline services for parents so that they can facilitate access to parenting time when it is safe to do so. The Office of Child Support Enforcement has helped states identify ways to use federal Access and Visitation Grant funding to provide this kind of assistance to parents.*

* Examples of Access and Visitation Grant-funded innovations include: free access to mediation and waived filing fees for parenting time orders established at the same time as a child support order; online platforms that generate legal forms, providing parents with a ready-to-file parenting-time order; and statewide legal assistance hotlines to help parents resolve parenting-time conflicts and get access to legal services when needed.

Incorporating Procedural Justice Throughout the Process (Before Contempt)

The five PJAC peer learning sites conducted their own needs assessments and developed projects responsive to the gaps, challenges, and disparities they identified. These sites were encouraged to examine their entire child support processes and explore the potential for the early application of procedural justice principles before parents accrued significant child support debt. Each site created a detailed problem statement and action plan outlining which part of its process it was seeking to enhance or reform, the goals and implementation steps for those reforms, and an evaluation component to mea-

sure the impact of the applied interventions. The following subsections include examples of the sites' approaches, strategies, and materials, and cover important points in the general child support process.¹⁴

Outreach, Intake, and Application Processes

Before a case is initiated—by the child support agency or a custodial parent—parents may have questions about how child support works and how to navigate the process. At the same time, many non-custodial parents, in particular, feel that they have little information about their cases and the process for establishing their child support orders. Negative public perceptions and misconceptions may be a barrier to initiating a case or willingness to engage once a case has been filed. Agencies can work to incorporate principles of procedural justice early in the process by examining whether materials for the public, including the website, brochures, and forms, are clear and easy to find, help explain the process, dispel myths, answer frequently asked questions, and provide helpful resources. It is important to examine intake and application processes and call-center protocols, as they offer opportunities to engage families early on. See Example 12: Indiana Welcome Packet, mentioned in the box below.

Establishment of a Child Support Order

Although it is not the first opportunity to engage parents, the establishment of a child support order is a critical point when an agency can set the tone for the process, initiate and build relationships with parents, and obtain needed information to tailor child support orders and services. Incorporating principles of procedural justice—more respectful interactions, clear explanations, and opportunities for parents to ask questions, be heard, and share information—can promote a helpful process, rather than a coercive one. This approach may contribute to better outcomes, including support orders that are the right size and more consistent, durable payments from the outset without the need for further enforcement or contempt actions. See Example 13: Wisconsin Establishment Process Map.

The PJAC peer learning site in Brown County, Wisconsin, assessed and documented gaps and challenges in establishing paternity and engaging with parents. It developed a plan to improve the process that incorporated procedural justice. Brown County's plan included creating welcoming sample letters to send to custodial and noncustodial parents, which clearly explain the process and remind the parties about next steps and their rights and responsibilities. It also created a mapping tool in the form of a gameboard illustrating the establishment process in a creative and interactive way. The evaluation includes measuring the effects of new procedures on parents' engagement, prevalence of default orders, frequency of warrants, stipulation versus hearing rates, case processing times, frequency of paternity establishment without court intervention, caseworkers' satisfaction, and participants' knowledge about and satisfaction with the process.

¹⁴ There are good reasons to move upstream in the process when orders are first established and before significant debt has accrued, but depending on your agency's needs assessment, you might find that the focus should start at the contempt phase if you determine that there is sufficient need at this point in the process.



Enforcement

Agencies may want to examine what is getting in the way of effective enforcement practices and how incorporating principles of procedural justice can help to engage parents in more productive ways. This examination may also offer an opportunity to address how enforcement practices may have a disproportionate impact on communities of color or may reflect other structural or systemic biases.

In its assessment, the PJAC peer learning site in Minnesota found that its current enforcement practice involving the use of driver's license suspension was ineffective at collecting support and had a disproportionate and detrimental impact on people with low incomes, particularly people of color. Its proposed intervention includes making contact with individuals who have had their licenses suspended and sending them a letter informed by procedural justice explaining their options and the path to license reinstatement. The agency also uses an assessment template and an outreach script to better understand parents' barriers to participation. It offers different payment options for participants with low incomes and provides resources for those who have lost jobs or are facing other barriers to meeting their support obligations. The evaluation plan consists of identifying pilot sites and comparing their outcomes with statewide outcomes, to determine the intervention's impacts on engagement and communication, on how many parents entered into flexible payment agreements, and on whether payments increased or modifications of child support orders were triggered. Notably, the agency will also assess demographic data to determine whether the procedural justice interventions reduced the bias and disproportionality it had previously identified.

Review and adjustment

Examining how parents make use of the process to modify their child support orders is critical to ensuring that orders are for the right amounts and that barriers to consistent payment and collection are removed. See Example 14: "Texas Modification Autoresponse Email."

The PJAC peer learning site in Texas chose to reform its current process for modifying child support orders. It determined that parents who filed for modification on the agency's website did not know how long the process would take. Delays in responding to filings were contributing to repeated requests, frustration, and barriers to engagement. As part of its implementation plan, the agency created an autoresponse to let parents know that their requests had been received. It also provided helpful information about the process and how long it would take. The agency created supplemental materials to promote understanding, including an innovative instructional video explaining the modification process. The evaluation plan will measure the effects of the new procedures on reducing repeat requests (which should make the system more efficient) and on longer-term outcomes regarding consistency and reliability of payments.

CONCLUSION

Child support programs should be a port of entry for helpful services to combat poverty and ensure that parents can meet their support obligations and nurture their children. But too often, parents experience the system as punitive and unhelpful and lack trust in the legitimacy of the process. By instituting people-centered practices using principles of procedural justice, agencies have the opportunity to transform participants' experiences and create a more fair and respectful process. Parents will be more likely to engage with the process and view it as a resource.



EXAMPLES

Example 1: Arizona Procedural Justice Checklist

Example 2: Using Data to Assess Programs and Policies

Example 3: Indiana Procedural Justice Court Satisfaction Survey

Example 4: Virginia PJAC Service-Delivery Plan Template

Example 5: California Case Assessment Checklist

Example 6: Stark County, Ohio Brochure for Custodial Parents

Example 7: Franklin County, Ohio Custodial and Noncustodial Parent Call Scripts

Example 8: Arizona PJAC Scripts and Welcome Letters

Example 9: Michigan Initial PJAC Contact Scripts

Example 10: Arizona Joint Case Conference Checklist

Example 11: Case Action Plan

Example 12: Indiana Welcome Packet

Example 13: Wisconsin Establishment Process Map

Example 14: Texas Modification Autoresponse Email

EXAMPLE 1: Arizona Procedural Justice Checklist

This is an example of a checklist a case manager might use when beginning to work with a new client to gauge how procedurally just a client's child support services were in the past and to ensure that new services operate using principles of procedural justice.

UNDERSTANDING

1. Review all noncustodial parent's cases, but treat each separately.
 - a. Case #: _____
 - i. Action started: _____ Date follow-up: _____
 - b. Case #: _____
 - i. Action started: _____ Date follow-up: _____
 - c. Case #: _____
 - i. Action started: _____ Date follow-up: _____
 - d. Case #: _____
 - i. Action started: _____ Date follow-up: _____
2. Review all entries from the start of the case.
 - a. Is locate an issue? Yes No
 - i. If yes, start locate process.

VOICE AND PARTICIPATION

1. Call the custodial parent
 - a. Has a domestic violence screening been completed? (Check agency database to confirm). Yes No
 - i. If yes, date completed: _____
 - ii. Has domestic violence status changed? Yes No
 - b. Use a script informed by procedural justice to introduce yourself to the custodial parent and discuss the case at hand.
 - c. What does the custodial parent want?: _____
 - d. Has the custodial parent received any direct payments from the noncustodial parent (not through the child support agency)? Yes No
2. Call the noncustodial parent
 - a. Has a domestic violence screening been completed? (Check agency database to confirm). Yes No
 - i. If yes, date completed: _____
 - ii. Has domestic violence status changed? Yes No
 - b. Use a script informed by procedural justice to introduce yourself to the noncustodial parent and discuss the case(s) at hand.
 - c. What does the noncustodial parent want?: _____
 - d. Has the noncustodial parent made any direct payments to the custodial parent (not through the child support agency)? Yes No
3. Ask both parents if they have any questions or would like you to explain anything.



RESPECT

1. Explain your role to each party
 - a. Custodial parent: _____
 - i. Yes Date completed: _____
 - ii. No
 - b. Noncustodial parent: _____
 - i. Yes Date completed: _____
 - ii. No
2. Determine actions that need to be taken
 - a. Actions to take: _____
 - b. Completion date provided to custodial parent: _____
 - c. Completion date provided to noncustodial parent: _____
 - d. Follow-up needed: _____
3. Ask both parents if they have any questions or would like you to explain anything.

HELPFULNESS

1. Which actions need to be taken? _____
2. When will the action be done? _____
3. Have you notified the custodial or noncustodial parent? Custodial Noncustodial
 - a. Date for follow-up: _____
4. Have you updated items in the system? Yes No
5. Ask both parents if they have any questions or would like you to explain anything.

NEUTRALITY

1. Is the action you are taking in the best interest of the child, rather than favoring the custodial or noncustodial parent? Yes No
2. Ask both parents if they have any questions or would like you to explain anything.

OUTCOME AND ACTIONS TO TAKE

1. Barrier identified?
 - a. Yes—Date: _____
 - i. Is a referral to supportive services needed?
 - b. No
2. Does the noncustodial parent have the ability to pay this order?
 - a. Yes
 - b. No—Why? _____
3. Has a case conference taken place? (Note: a case conference is a meeting with both parents—in person, over the phone, or through an indirect conversation facilitated by a case manager—with the intention of mediating conflicts and reaching mutually agreeable compromises on a case)
 - a. Yes—Date: _____
 - b. No



4. Has a case action plan been created?
 - a. Yes – Date: _____
 - b. No
5. Is parenting time an issue?
 - a. Yes
 - i. What actions need to be taken to mediate or resolve? _____
 - b. No _____



EXAMPLE 2: Using Data to Assess Programs and Policies

Data can help a child support agency learn more about the program or policy changes it is making through a procedural justice intervention. Collecting and analyzing information about an intervention, who takes part in it, the content and structure of services, and participants' outcomes can help child support agencies pinpoint challenge areas, identify successes, and set goals. This guidance document suggests some questions a child support agency might try to answer about a procedural justice intervention, data sources it can use to answer those questions, and ways to put that data to use.¹

Identify your questions

The best questions address topics that are *meaningful* to your intervention's stakeholders, such as parents, program staff members, and policymakers. They can help a child support agency understand whether an intervention is working as intended and meeting the needs and expectations of the people who take part in it.

It is also important that the questions you identify can be *answered* with data you have or can gather. As you develop your questions, consider what data you will use to answer them. Questions that are too broad (*Does this intervention solve the problem?*) or leading (*Why is this the best intervention ever?*) do not lend themselves to measurement, making them hard to answer. It is also worth remembering that in most cases, agencies conducting self-assessments will not be set up to answer causal questions (*Does the intervention cause a particular result?*).

Below are a few examples of questions you can use data to answer:

- Who is participating in the intervention? What are their characteristics?
- Do participants align with the stated target population for the intervention?
- What draws parents to the intervention? Why do they want to participate?
- What makes it more difficult for parents to start the intervention?
- What services are delivered as part of the intervention?
- Is the intervention operating as intended?
- How do parents use the services being offered?

¹ This guidance builds on tools developed by MDRC researchers working on the Building Bridges and Bonds (B3) study. For examples of how some fatherhood programs participating in B3 used data, see Emily Brennan, Michelle Manno, and Samantha Steimle, "Using Data to Understand Your Program," OPRE Report 2019-90 (Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services, 2019) www.mdrc.org/publication/using-data-understand-your-program.



- Are some services used more than others? Are there points where parents drop off?
- What are the (payment, compliance, etc.) outcomes of parents who take part in the program?
- What do parents/staff members like about the intervention? What do they dislike?
- How much does the intervention cost?

Identify your data sources

Data sources go hand in hand with the questions you are trying to answer. For example, if a child support agency wants to learn something about all parents taking part in the intervention, it might want to rely on administrative records that the agency already collects. If a child support agency is interested in learning about staff experiences implementing the intervention, it might conduct a few interviews.

In general, *quantitative data sources*—such as surveys and administrative records—excel at providing concrete measures and showing trends. *Qualitative data sources*—such as interviews and case reviews—will yield richer data that are less generalizable, meaning that they are good at capturing the experiences and perspectives of the people you speak to, but may not reflect everyone’s (or even most people’s) experiences.

Below are some data sources that child support agencies might use to help assess the program or policy changes they make. Agencies may use multiple data sources to answer a question.

Quantitative data sources

- **Child support administrative records.** Agencies can refer to the child support system for important information on services, orders, payments, debts, enforcement actions, and more. These records can be a great way to learn about the characteristics of parents who take part in an intervention (their incomes, ages, payment patterns, or other factors of note to your intervention) and their outcomes. Depending on an agency’s records, it may be possible to use these records to assess what services parents are receiving as a part of the intervention.
- **Surveys.** Surveys allow researchers to ask a group of people a defined set of questions whose answers can be quantified and compared. For example, a child support agency might ask case workers to rate their satisfaction with the intervention on a scale of 1 to 5 twice a year, and examine trends. One drawback to surveys is that it can be challenging to achieve high response rates that are consistent across diverse groups. For example, staff members who are particularly excited about an intervention or parents who have had bad experiences may be more likely to respond to the survey than those with less extreme opinions, limiting the representativeness of your data.



- **Cost data.** Timesheets, salary information, and expenditure records can be used to estimate the cost of implementing an intervention. Cost is often a factor in considering whether to expand an intervention to a larger scale. Costs may vary throughout the year (for example, with training or program recruitment cycles) and over the life of a of a project. Researchers often estimate costs when a program or intervention is in a steady state because the cost of developing and refining the intervention is not likely to be replicated.

Qualitative data sources

- **Case reviews or case studies.** Consider reviewing the case histories of participants in the intervention. Reviewing even a few cases in depth can give you a sense of what's going on with each case, what was going on with the case when the parent decided to take part in the intervention, and whether and how the intervention is affecting the parent's case. It may be productive to couple case reviews with parent interviews.
- **Interviews with staff members, parents, and other stakeholders.** Interviews can shed light on individual experiences with taking part in or implementing the intervention, including what works and what is challenging. Interviews with parents can be extremely useful in determining what questions parents have about the child support program and whether efforts to make processes more understandable or easier to navigate have been effective. As with surveys, interviews only reflect the perspectives of the people you spoke with. Consider talking to people who have had a range of experiences with the intervention so as not to bias your sample toward those with the most positive or negative experiences.
- **Observation and participant observation.** Observation is when you watch a service or intervention as it is delivered. It can help you understand what the service or intervention looks like in practice. It is typically used for public or group activities, as one-on-one conversations, like case management, can be highly personal. For example, researchers might observe a recruitment or orientation event and notice whether people seem engaged and what questions they have. Seeing the forms that must be completed or how staff members explain something may also uncover additional parts of the intervention that could be more procedurally just. Participant observation has the observer take part in the activity, for example by entering information into a system as a case worker would.



Putting it all together

The table below shows how you might use the data sources described above to answer some common questions about programs.

Questions	Potential Data Sources
Who is participating in the intervention? What are their characteristics?	<ul style="list-style-type: none"> ➤ Administrative records on the characteristics of parents when they start the program or intervention ➤ Intake forms ➤ Demographic surveys ➤ Case reviews (for an in-depth look at a few cases)
Do participants align with the stated target population for the intervention?	<ul style="list-style-type: none"> ➤ Administrative records on parent characteristics
What draws parents to the intervention? Why do they want to participate?	<ul style="list-style-type: none"> ➤ Interviews with parents or staff members
What makes it more difficult for parents to start the intervention?	<ul style="list-style-type: none"> ➤ Interviews with parents or staff members ➤ Observation or participant observation
What services are delivered as a part of the intervention?	<ul style="list-style-type: none"> ➤ Interviews with parents or staff members ➤ Observation or participant observation ➤ Case reviews
Is the intervention operating as intended?	<ul style="list-style-type: none"> ➤ Interviews with parents or staff members ➤ Observation or participant observation ➤ Administrative records on service receipt
How do parents use the services being offered?	<ul style="list-style-type: none"> ➤ Interviews with parents
Are some services used more than others? Are there points where parents drop off?	<ul style="list-style-type: none"> ➤ Interviews with staff members ➤ Administrative records on service receipt
What are the (payment, compliance, etc.) outcomes of parents who take part in the program?	<ul style="list-style-type: none"> ➤ Administrative records ➤ Surveys
What do parents/staff members like about the intervention? What do they dislike?	<ul style="list-style-type: none"> ➤ Interviews with parents or staff members ➤ Surveys
How much does the intervention cost?	<ul style="list-style-type: none"> ➤ Timesheets and salary information ➤ Expenditure records for supplies, training, etc.

Data can help you understand what is happening at a specific point in time. Data can also help you monitor changes over time. Continuing to review data is a great way to learn about how the strategy and any changes you make to it are working. If possible, plan to review data about your program or intervention on a routine basis, such as monthly, quarterly, or semiannually.



Additional resources and approaches

There are many ways you can put data to work to understand and evaluate an intervention. Below are some additional approaches and resources:

- Logic models help map the relationship between an intervention's activities and anticipated outcomes. Developing a strong logic model can help a team agree on the components of the intervention and its aims. It is also often the first step in developing a plan to evaluate a program or intervention.
 - See this thorough guide from the W.K. Kellogg Foundation: www.wkkf.org/resource-directory/resources/2004/01/logic-model-development-guide
- Measuring program performance can help child support agencies identify ways to improve programs or initiatives.
 - This guide from the John Hopkins Bloomberg School of Public Health on measuring program performance was specifically developed for public health and human services practitioners: www.thenationalcouncil.org/wp-content/uploads/2020/01/Busy-Persons-Guide-to-Measuring-and-Improving-Performance.pdf?daf=375ateTbd56
- Human-centered design and behavioral science techniques can help child support agencies think about a program or intervention from the user's perspective.
 - Ideo is an established design organization that uses design thinking to address real-world public health and human services challenges. Its website provides an overview of design-thinking approaches and methods to solving problems: www.designkit.org/methods
 - Process maps provide a visual representation of a program from the user's perspective. Seeing the process from start to finish can help practitioners identify places where participation drops off, steps that are difficult to complete, and opportunities to make a program operate in a more user-friendly manner. For more information and an example: www.mdrc.org/publication/process-maps-many-voices-help-make-change



EXAMPLE 3: Indiana Procedural Justice Court Satisfaction Survey

This is an example of a survey that was offered to parents leaving court after their establishment hearings in St. Joseph's County, Indiana.

A. Please rate how well you understood the topics presented in court today.

Not Well Very Well

B. Please rate how well you felt the court heard your voice and opinion today.

Not Well Very Well

C. Please rate how neutral you felt the decision-making was today.

Not Neutral Very Neutral

D. Please rate how helpful you feel our office has been.

Not Helpful Very Helpful

E. Please rate how respected you felt by our office.

Not Respected Very Respected

F. Please rate how fair you felt the process was today.

Disappointing Exceptional

G. Did you receive materials from our office to help you prepare today?

Yes No

H. Please share any additional comments:

I. If you'd like a case manager to be able to contact you, please enter your name and preferred email address. This information is not required.

Name: _____

E-mail: _____

EXAMPLE 4: Virginia PJAC Service-Delivery Plan Template

This service delivery plan template provides an overview of how child support agencies can adapt the Procedural Justice-Informed Alternatives to Contempt (PJAC) model. The left column offers an overview of minimum expectations for each service component and the right poses questions that agencies can use to guide development of their own service-delivery plans.

<p style="text-align: center;">Case Assessment</p> <ul style="list-style-type: none"> ➤ Review of all previous case actions and notes (for all noncustodial parent cases) ➤ Interview/contact with the custodial parent ➤ Review of electronic data sources 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for completing elements of the case assessment?</p> <p>How will procedural justice inform this process?</p> <p>Additional assessment steps proposed:</p>
<p style="text-align: center;">Outreach and Engagement</p> <ul style="list-style-type: none"> ➤ Make contact via phone calls, letters, texts, email, and social media ➤ Offer a description/explanation of PJAC services ➤ Perform initial domestic violence screen of the noncustodial parent ➤ Gather additional contact information ➤ Schedule a case conference or meeting ➤ Explain the case action plan to parents and begin planning 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for completing elements of outreach and engagement?</p> <p>How will procedural justice inform this process?</p> <p>Additional outreach and engagement activities proposed:</p>
<p style="text-align: center;">Enhanced Investigation</p> <p><i>When a noncustodial parent cannot be reached</i></p> <ul style="list-style-type: none"> ➤ Expand contact to additional family members or child support cases ➤ Search social media ➤ Do an administrative database search (for example, a credit bureau or Veteran’s Affairs) ➤ Use additional paid location services (if possible) 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for completing elements of enhanced investigation?</p> <p>How will procedural justice inform this process?</p> <p>Additional enhanced investigation steps proposed:</p>
<p style="text-align: center;">Case Conferences</p> <ul style="list-style-type: none"> ➤ Offer parents preconference information ➤ Follow domestic violence screening protocols ➤ Decide whether to host a joint in-person, phone, or shuttle case conference ➤ Perform a barriers assessment ➤ Seek out ways to mitigate barriers ➤ Determine ability to pay ➤ Develop a case action plan ➤ Explain next steps to parents, as well as a time frame for completing the case action plan 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for completing elements of case conferences?</p> <p>How will procedural justice inform this process?</p> <p>Additional case conference steps proposed:</p>



<p style="text-align: center;">Case Management</p> <p style="text-align: center;"><i>Intensity of case management depends upon individual parents' case action plans</i></p> <ul style="list-style-type: none"> ➤ Determine clear steps to address noncompliance when parents have the ability to pay ➤ Assist parents as they carry out their case action plans 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for completing elements of case management?</p> <p>How will procedural justice inform this process?</p> <p>Additional case management steps proposed:</p>
<p style="text-align: center;">Enhanced Child Support Services</p> <ul style="list-style-type: none"> ➤ Suppress enforcement actions as needed ➤ Release licenses when appropriate ➤ Initiate order reviews and expedite order modifications, when necessary ➤ Look into direct-pay credits ➤ Consider whether a debt compromise/ negotiation may be beneficial and feasible ➤ Consider noncash payment agreements, if possible 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for providing enhanced child support services?</p> <p>How will procedural justice inform this process?</p> <p>Additional enhanced child support services steps proposed:</p>
<p style="text-align: center;">Supportive Services</p> <ul style="list-style-type: none"> ➤ Minimum expectations: employment services, mediation and dispute-resolution services, and domestic violence services ➤ Additional resources: parenting-time assistance, legal services, transportation services, education or fatherhood services, and mental health/ substance abuse services 	<p>Which staff members are responsible for carrying out these processes?</p> <p>What needs to be done and what is the time frame for providing supportive services?</p> <p>How will procedural justice inform this process?</p> <p>Additional supportive services proposed:</p>
<p style="text-align: center;">Staff Training</p> <ul style="list-style-type: none"> ➤ Procedural justice training ➤ Dispute-resolution training ➤ Domestic-violence-response training 	<p>Who participates in general training?</p> <p>How will training be provided to partners if they are unable to attend general training?</p> <p>Who provides and participates in follow-up or additional procedural justice training?</p> <p>Who provides and participates in dispute-resolution training? How will new staff members receive this training?</p> <p>Who provides and participates in domestic-violence-response training? How will new staff members receive this training?</p> <p>What optional training is planned, who will provide the training, and who will participate? How will new staff members obtain this training?</p>



EXAMPLE 5: California Case Assessment Checklist

- Check family violence indicator
- Review contact information
 - Noncustodial parent's address
 - Noncustodial parent's phone number
 - Custodial parent's address
 - Custodial parent's phone number
- Review Child Support Enforcement locate information
 - Participant locate activities list: review Child Support Enforcement database rejected data to:
 - Accept data if "good"
 - Correct data if "bad"
 - Initiate appropriate location requests
- Identify case public assistance status
 - Review public assistance database
 - Contact public assistance department directly when appropriate
- Review noncustodial parent's employment, income information, and payment history
 - Employment information
 - Correct employment status for each employer
 - If a valid "active" employer exists, verify that an income withholding order/ National Medical Support Notice has been generated
 - Assess noncustodial parent's occupational history (day laborer, warehouse, temporary employee) and professional licenses
 - Review income history
 - Participant's income list
 - Participant's benefit list for any benefits being received
 - Military history
 - Incarceration history



- Noncustodial parent's public assistance status
 - Assess wage assignment payments. If there are any, it may indicate that the noncustodial parent has the ability to work. Recent earnings and work history indicate that the noncustodial parent is not disabled and is able to obtain employment.
 - Assess when the most recent wage assignment payment was received.
- ☐ Review all previous case actions and case notes for all associated cases for the noncustodial parent
- Review case notes and document images for any indication of domestic violence.
 - Identify if any contact was made with the noncustodial parent before the most recent order was filed and evaluate potential reasons for the noncustodial parent's lack of participation in the order-setting process. For example:
 - Noncustodial parent's location/phone number was unknown.
 - Noncustodial parent did not respond to locate attempts.
 - Child support did not attempt to reach the noncustodial parent.
 - Evaluate what factors were used in the guideline calculation to establish the order.
 - Review modification history.
 - Has either the noncustodial or the custodial parent requested a modification?
 - If so, what was the outcome?
 - Does the case qualify for modification at this time?
 - Has the noncustodial parent been submitted for any enforcement actions? If so, what was the outcome?
- ☐ Review court database
- Check court system for domestic violence filings
 - If applicable, request a copy of the domestic violence order and upload the order to the case.
 - Verify that all orders have been entered into Child Support Enforcement database and are scanned.
 - If applicable, request copies of orders and upload to the case.
- ☐ Identify unresolved concerns/requests (for example, if the noncustodial parent has requested license release, credit for direct payments, or disputed balances).

What is [name of program]?

[Name of program] is a program now offered by [name of child support agency]. It is designed to help manage child support cases in a manner that's helpful to those we serve. The [name of program] approach is based on maintaining fairness in the procedures used to make child support decisions. What this means for the participant:

- Giving you a voice and encouraging participation in your case
- Maintaining a neutral process
- Showing you respect
- Helping you to understand the process
- Striving to be helpful

Why was my former partner selected to participate in [name of program]?

Your former partner was selected for [name of program] because Child Support has not received full or consistent child support payments from him/her. Because of this history, your former partner may face future legal actions.

Participants in this program will be assigned a case manager who will handle case needs. The case manager will work with your former partner on the issues that are keeping him/her from making consistent child support payments. The case manager will also work to develop an action plan to help remove barriers faced by your former partner in making child support payments.

What are the benefits of participating in [name of program]?

Through participating in [name of program], many noncustodial parents will be referred to job-readiness and parenting classes. These classes meet daily or weekly for four or eight weeks, depending on the class. During classes, participants will learn skills focused on:

- Job readiness
- Interviewing
- Communication
- Financial literacy
- Parenting

Following completion of job-readiness classes, and until participants find a job, they will be required to meet with their job-readiness instructor two hours a week to help with job searches.

Referrals are available for substance abuse treatment, GED classes, and Legal Aid services.



Another very important benefit for [name of program] participants and their former partners is domestic violence screening and services. Our goal is that custodial and noncustodial parents and their children remain safe. If you are interested in these services for yourself or your child(ren), [name of program] will pay for the services.

What actions on our case might my former partner be facing?

[Child support agency] will suspend most enforcement actions for [name of program] participants who are actively following their case action plans, which may include:

- Attending classes
- Participating in treatment
- Conducting weekly job searches
- Getting back to work

To assist participants who are actively following their case action plans, [name of program] may request modifications of their orders and compromises on their state-owed child support debt. These actions are taken to encourage regular monthly payments while your former partner completes his/her case plan.

What happens if a new participant doesn't follow the [name of program] case plan?

[Name of program] is an important tool to help the noncustodial parent to remove barriers to making child support payments. Failure to follow the [name of program] case plan, or failure to be in compliance with the [name of

program] requirements, may result in his/her case being referred for legal action.

What our program wants to know:

We want to hear from you regarding your former partner’s [name of program] participation. We want you to understand and be part of the decisions made in the enforcement of your former partner’s child support order. Let your voice be heard today!

[NAME OF CHILD SUPPORT AGENCY]

1010 Sample Street

Sample City, State

11111

Phone: 111-111-1111

Fax: 111-111-1110

SampleAgency@Sample.Gov

[LIST OF COMMUNITY PARTNERS BELOW]



[NAME OF COUNTY]

CHILD & FAMILY SERVICES

[Include information here on additional offices and methods of communication]

What Custodial Parents Should Know About [NAME OF PROGRAM]

--

Child Support Division

--

[Name of Child Support Agency]

Child & Family Division



EXAMPLE 7: Franklin County, Ohio Custodial and Noncustodial Parent Call Scripts

CUSTODIAL PARENT PHONE CALL SCRIPT

This example offers guidance informed by procedural justice on how to make introductory calls to custodial parents in child support cases. The left column includes a script for the initial conversation, and the right column includes space to take notes on responses and next steps.

Question/Discussion Point	Next Step
<p>Hello, this is Ms. ____ calling from the [County/ Agency] Child Support. Do you have a few moments to discuss your case?</p> <p>Your case was recently selected for a new program called Procedural Justice-Informed Alternatives to Contempt, or PJAC for short, and I'll be the worker assigned to your case. The goal of PJAC is to help get your family the support it needs.</p>	<p>If the custodial parent is unable to talk, schedule a time for a return phone call.</p> <p>Explain procedural justice principles and actions on the case.</p> <p>An * indicates a potential to share domestic violence information. Listen for disclosure.</p>
<p>I reviewed your case and see that you haven't received payments in ____ months/years. Do you know why the noncustodial parent has struggled to make payments?</p> <p>Possible reasons:</p> <ul style="list-style-type: none"> ➤ Unemployed/underemployed ➤ Relationship issues ➤ Disability ➤ Drug/alcohol use/addiction ➤ Incarceration (current/recent) or criminal record ➤ Transportation 	<p>Take note of the reasons the custodial parent shares. Be aware of any indicators of a tense relationship between the custodial parent and noncustodial parent and any signs of domestic violence.</p> <p>Possible information/referrals</p> <ul style="list-style-type: none"> ➤ Job readiness/financial literacy ➤ Mediation/parenting/domestic violence ➤ Referral to Bureau of Vital Records/Social Security/job readiness ➤ Referral to mental health/substance use assessment ➤ Referral to reentry resources/discuss arrears/criminal records expungement/Certifications of Qualification for Employment/bus pass
<p>Our goal is to help remove barriers to the noncustodial parent paying support so that he/she can find a job/consistently pay his/her monthly child support obligation. Is there anything that we should know about the noncustodial parent that might make this process challenging?*</p> <p>Do you have contact information for the noncustodial parent or his/her family?</p>	<p>Remain positive while asking these personal questions (if appropriate in course of conversation)</p> <ul style="list-style-type: none"> ➤ What we've done in the past is obviously not working. Would you be willing to try a different way to see if we can get you the support that your child(ren) need? ➤ Discuss program points: services, conferences, etc.
<p>Does your child see his father/mother very often? *</p> <p>Would you have any concerns if the noncustodial parent wanted to see the child more frequently? *</p> <p>Would you have any concerns if the noncustodial parent requested parenting time? If yes, what are the concerns?*</p>	<p>Discuss the noncustodial parent/child relationship, access to child, and what parenting time allows. Look for issues that may trigger concerns of domestic violence, the need for mediation, or parenting classes.</p>



<p>Would you be interested in participating in a joint case conference, with the noncustodial parent present? Do you have any concerns about your safety or your child's safety at or after this meeting?*</p>	<p>Discuss date/time availability, security, mediation, next steps, follow-up for scheduling.</p> <p>Discuss the domestic violence services available and consider the screening tool.</p>
<p>If we do a modification on the order, how would that affect your relationship with the noncustodial parent? How about the relationship between the noncustodial parent and your child?*</p> <p>Now, let's look at the arrears on your case. The total amount of arrears owed on your case, including fees, is \$ _____. That is \$ ____ owed to the state and \$ ____ owed to you. Part of the program includes state-owed arrears forgiveness, for participation in the program. Would you consider waiving any of the arrears owed to you, if the noncustodial parent starts making consistent monthly payments?*</p>	<p>Discuss the benefits of an order modification. Discuss that it is not a permanent adjustment, but a way to get the noncustodial parent used to paying.</p> <p>Discuss the difference between state-owed arrears and custodial parent-owed arrears, and how the waiver process works.</p>
<p>Are there any questions that you have about your case? Let me review what we've discussed today, and let you know what the next steps are:</p> <p>I'll be sending a note out to you that recaps this conversation and provides additional information on resources available to you that we've discussed.</p>	<p>Share personal number and email, and discuss a plan if the case conference is not attended. Include time frames for follow-up.</p>

NONCUSTODIAL PARENT PHONE CALL SCRIPT

This example offers guidance informed by procedural justice on how to make introductory calls to noncustodial parents in child support cases. The left column has a script for the initial conversation, and the right column includes space to take notes on responses and next steps.

Question/Discussion Point	Next Step
<p>Hello, this is Ms. ____ calling from the [Agency/ County] Child Support. Do you have a few moments to discuss your case?</p> <p>Your case was recently selected for a new program called Procedural Justice-Informed Alternatives to Contempt, or PJAC for short, and I'll be the worker assigned to your case. The goal of PJAC is to help get your family the support it needs, while making sure that your case is being handled fairly.</p>	<p>If the noncustodial parent is unable to talk, schedule a time for a return phone call.</p> <p>It's really important that we meet soon so I can review your case for possible monthly payment reduction and arrears forgiveness. I don't want you to miss out on sharing your input on your case.</p> <p>Explain procedural justice principles and actions on the case.</p>



<p>I reviewed your case and see that you haven't been able to make a payment in ___ months. What has gotten in the way of your making payments?</p> <p>Possible reasons:</p> <ul style="list-style-type: none"> ➤ Unemployed/underemployed ➤ Relationship issues ➤ Disability ➤ Drug/alcohol use/addiction ➤ Incarceration (current/recent) or criminal record ➤ Transportation 	<ul style="list-style-type: none"> ➤ Take note of the reasons the noncustodial parent shares. Be aware of any indicators of a tense relationship between the custodial parent and noncustodial parent and any signs of domestic violence ➤ Possible information/referrals ➤ Job readiness/financial literacy ➤ Mediation/parenting/parenting-time orders/domestic violence ➤ Referral to Bureau of Vital Records/Social Security/job readiness ➤ Referral to mental health/substance abuse assessment ➤ Referral to reentry resources/discuss arrears/criminal records expungement/Certification of Qualification for Employment/bus pass
<p>Are you currently working? If yes, where? If not, what has gotten in the way of your finding a job?</p> <p>Our goal in the PJAC program is to make sure your support order is appropriate and that you have a voice in your case. We'll also help remove barriers to paying your monthly child support obligation.</p>	<p>Remain positive, and ask positive questions (if appropriate in conversation)</p> <ul style="list-style-type: none"> ➤ What we've done in the past is obviously not working. Would you be willing to try a different way to see if we can get you back on your feet? ➤ Discuss program points: services, conferences, etc.
<p>What's your relationship like with your children? How much time do you spend with them? Do you have an established parenting-time order or custody agreement? If we were to assist you with establishing a parenting-time order, would the custodial parent have any concerns? What would they be?</p>	<p>Discuss the noncustodial parent/child relationship, access to child, and what parenting time allows. Look for issues that may trigger concerns of domestic violence, the need for mediation, or parenting classes and noncustodial parent/child interactions/activities.</p>
<p>One of the first things we need to do is schedule a case conference to look at all the aspects of your case and see what we can do to get your case back on track. The other parent is normally there, too. Do you have any issue meeting with us and the custodial parent? Do you have any concerns about your safety or your child's safety, during or after this meeting?</p>	<p>Discuss date/time availability, security, mediation, next steps, follow-up for scheduling.</p> <p>Discuss the domestic violence services available and consider the screening tool.</p>
<p>If we do a modification on the order, how would that affect your relationship with the custodial parent? How about the relationship between you and your child?</p> <p>Part of the program includes state-owed arrears forgiveness. Have you and _____(custodial parent) ever discussed waiving any of the arrears owed to her/him? Would you like us to discuss this issue with the custodial parent? For example, if you start making consistent monthly payments for a specific time frame, he/she would waive X dollar amount.</p>	<p>Discuss the benefits of an order modification. Discuss that it is not a permanent adjustment, but a way to get the noncustodial parent used to paying.</p> <p>Discuss the difference between what state-owed arrears and custodial parent-owed arrears are, and how the waiver process works.</p> <p>If a custodial parent seems receptive to potential arrears compromises, you may raise the topic with that parent. If the custodial parent is not interested in waiving arrears, do not mention it at this time to the noncustodial parent.</p>
<p>Are there any questions that you have about your case? Let me review what we've discussed today, and let you know what the next steps are:</p> <p>Send follow-up letter</p>	<p>Share personal number and email, and discuss a plan if the case conference is not attended. Include time frames for follow-up.</p>



Case conference date/time/location? Joint/individual? Security concerns?	Are there any topics that you would be uncomfortable discussing in front of the custodial parent?
--------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------

Case Action	Details
Confirm/schedule case conference with noncustodial parent/custodial parent.	Call the custodial parent to confirm case conference date/time. Send postcards to both parties with the date/time of the event (if unable to reach by phone).
Create a topics-of-discussion list/prepare paperwork.	Consider topics such as case status, court appearances, modifications, arrears compromise.
Create a list of referrals, including payment schedule and class/provider referrals.	Include dates/time/location of classes and follow-up appointments/conferences.
Conduct domestic violence screening, if necessary.	Did your conversations/searches indicate that there was a history of domestic violence?
Set a follow-up case conference date.	Schedule conference for date/time that follows the completion of referrals/class completion.
Prepare modification paperwork, arrears-compromise paperwork, direct-payment paperwork, and releases to share information/participation agreement.	Create paper file of information for this conference that includes all of the prepared paperwork and info packets for the custodial parent/noncustodial parent.
Register parents for the web portal.	Complete registration for both parties, and demonstrate the use of the tool (if needed).
Confirm contact information, including email and text message ability on cell phone.	Complete for both parties.
Get phone numbers of three people who will be able to reach the noncustodial parent in the event that we lose contact.	Complete for both parties.



EXAMPLE 8: Arizona PJAC Scripts and Welcome Letters

Script for Speaking with the Noncustodial Parent Whose Case Is Now Assigned to PJAC

Greetings [noncustodial parent name], this is [your name] from [child support agency]. The reason for my call today is to check in with you on a child support case for [name(s) of children]. Are you aware that you have a child support order for [name(s) of children]? Have you made any direct payments to [custodial parent name]? *(If yes, please send the custodial parent an affidavit of direct pay).* Do you have the ability to pay the current order for support of [monthly amount and payment on arrears]?

[State] is involved in an exciting program that works with parents in child support cases to remove barriers to payment. [Noncustodial parent name], you have been assigned to participate in this program. We hope that that you will work with us to remove any barriers to meeting this obligation and become a consistent financial contributor to your children's well-being. Evidence-based research has discovered that parents who contribute financially strengthen their relationships with their children and have better relationships with the other parent. *(Let the noncustodial parent know you are here to help and support and will walk through the process step by step.)*

Would you be willing to work with us in reaching that goal?

When the noncustodial parent agrees to participate, the case manager will say:

[Noncustodial parent name], that's great! I appreciate your cooperation on this journey and am excited to help you reach your goals.

Are you currently on good speaking terms with [custodial parent name]?

Do you have regular visits with your child or children?

Where and when do you make the transfer of the children when you are visiting with them?

Do you feel any conflict with [custodial parent name] at all?

What would you be concerned about regarding meeting [custodial parent name] in our office in efforts to resolve barriers causing nonpayment?

If you are comfortable meeting in person with [custodial parent name], I would like to schedule an appointment with you on [date and time]. Is this convenient for your schedule?

Part of this new program is the ability for me to reach you by text message. Is this a good phone num-

ber for us to send messages to you? Are you comfortable receiving text messages from me?

Here is my direct phone number: I can be reached by text or you can call me directly at [your phone number]. I look forward to meeting you in person on [date and time of next appointment] and again my name is [your name].

After the initial call has ended, please send the noncustodial parent a text stating the following:

Hello! Thank you for speaking with me today. I look forward to working with you to remove any barriers to payment you may have and help provide for your child. Please feel free to reach out to me anytime you need assistance with your case. We will tackle this together as a team!





Welcome to PJAC

[Noncustodial parent name]

[Noncustodial parent address]

[Noncustodial parent city and state]

I am writing to let you know your child support case with [name of custodial parent] has been selected to participate in a special program. The program is called Procedural Justice-Informed Alternatives to Contempt (PJAC). This program allows us to custom-fit an approach that works for you. We will listen to your concerns and they will be taken seriously to determine how your case proceeds. Here are some benefits of the PJAC program:

- Priority service with an experienced child support professional
- The ability to voice your concerns and be heard
- A personalized approach to help you reach your goals
- An end to waiting in long lines or holding on the phone (we will schedule appointments to meet that are convenient for you)
- Child support professionals who can provide support to help you address barriers that are preventing you from paying your child support, such as unemployment, criminal history, lack of transportation, and more
- A child support professional who will remain the same throughout the entire program and whom you will know how to reach with any questions or concerns

I am the child support professional assigned to you. My name is [name of case manager], and I will be reaching out to you within [number] days to schedule a time to meet. Until that day, should you need anything or have any questions, please call me at [case manager's direct phone number] and I will return your call within two business days.

This is an important matter with urgent timelines. If you choose not to participate in this program, I will need to proceed without your participation and input. That means you will be facing a court hearing for charges of contempt for nonpayment of court-ordered child support, which could result in jail time or other penalties. I can help you avoid that if you agree to meet with me and hear how this program can support you instead.

I look forward to meeting with you soon.

[Case manager's name]

[Case manager's direct line]

[Case manager's email]



Welcome to PJAC

[Custodial parent name]

[Custodial parent address]

[Custodial parent city and state]

I am writing to let you know your child support case with [name of noncustodial parent] has been selected to be part of an enhanced child support services program designed to maintain consistent child support payments. The program is called Procedural Justice-Informed Alternatives to Contempt (PJAC) and here are some of its benefits:

- Priority service with an experienced child support professional
- An end to waiting in long lines or holding on the phone (we will schedule appointments to meet that are convenient for you)
- Child support professionals who can provide support to help address the noncustodial parent's barriers to paying child support, such as unemployment, criminal history, lack of transportation, and more
- A child support professional who will remain the same throughout the entire program, and who will keep in contact with you and update you on progress and timelines

[Child support agency name] is aware it has been [months since full child support payment inserted here]. We also realize that previous enforcement actions have been unsuccessful in maintaining consistent child support payments. The PJAC program allows for a personal approach that will be tailored to meet your family's specific needs.

I am the child support professional assigned to you. My name is [name of case manager], and I will be reaching out to you within [number] days to update you on the status of the case. Until that day, should you need anything or have additional information please call me at [case manager's direct phone number] and I will return your call within two business days. If you choose not to call me, I will proceed with your case without your participation, which could delay regular child support payments.

Sincerely,

[Case manager's name]

[Case manager's direct line]

[Case manager's email address]



EXAMPLE 9: Michigan Initial Contact Scripts

Custodial Parent Script for Initial Contact

Good morning/afternoon. May I please speak to [name of custodial parent].

- My name is [name of case manager], and I work for the [child support agency].
- Because we value the confidentiality of your information, I just need to confirm who I'm speaking to.
 - Confirm the following:
 - Full name
 - Social Security number
 - Date of birth
- Explain the following:
 - I'm calling about your case with [name of noncustodial parent].
 - I know that you have had this case with us for [X] years, and you may have had several caseworkers, but with this new program, each case has a single dedicated case manager. I will be providing you with my direct contact information today so that if you have any questions or concerns, you can reach me.
 - Your case(s) has/have been selected for participation because what we've done in the past has not worked, and we want to try something new with your case.
 - The new program is called [insert local program name]
 - We'll work with you by providing any necessary referrals as well as making sure you have the information you need to understand how our office works as it relates to what you and the other parent's needs are. Our goal is to work with you to figure out what needs to be done on the case to get your child support payments on track.
 - The way things have been done, your case may have gone to contempt in the past, but we are instead trying to provide services to families to see if that will help long term instead of applying a Band-Aid that works short term.
 - The other parent can still be found in contempt if he/she does not participate in the program, but he/she will not be removed from the program.
 - I would like for you to participate in the program. It would give you a voice in the pro-

cess but also give us the big picture in determining what's necessary. I do understand if you are fed up and don't want to participate, but I would ask that you give me a chance to help in getting your case on track.

- To try and see if what I'm proposing will help, we would get together to determine exactly what's going on with your case, or we could do it over the phone if that's more convenient or comfortable for you.
- Is there any reason that you might be uncomfortable meeting with me and [name of noncustodial parent]?
 - ▶ (If "yes") Would you be comfortable sharing with me what that is?
 - ▶ That's not a problem. Because the goal is to help get the case on track and not to make you uncomfortable, I can work with you separately, and I'd be happy to connect you with any resources that might be helpful.
- In our meeting, we can discuss issues that you feel may be affecting your case. This will help me to know if we're working on the right things.
 - ▶ Do you have any idea why [name of noncustodial parent] doesn't consistently pay?
 - ▶ How is his/her relationship with the kids? Does he see them regularly?
 - ▶ How has not receiving regular support affected your household?
- Because we want to make sure that information reaches you in a timely and convenient way, [insert local program name] is using electronic communication like texting and email. Would you have a problem with that?
 - ▶ Do you have an email address?
 - ▶ Is the number that I used to reach you your cell phone number?
- Update/confirm case information (addresses, employment, etc.).
- Domestic violence screening
- The next step will be that I will be trying to reach [name of noncustodial parent]. What concerns do you have about that?
- How do you think he/she will react to my making contact and working with him/her on this case?
- A meeting has been scheduled for [date and time] at [location].
 - ▶ If there is domestic violence, explain that the meeting will not be joint, etc.
 - ▶ Keep in mind that the time and location of the meeting will be more centered on what



works for the noncustodial parent, but gather some times and locations that would also work for the custodial parent.

- Ask if there are concerns with meeting jointly with the noncustodial parent.
- Can I answer any questions for you?

Noncustodial Parent Script for Initial Contact

Good morning/afternoon. May I please speak to [name of noncustodial parent].

- Introduce yourself with your name and let them know that you work for [child support agency].
- Verify that you are speaking to the correct person
 - Explain that you need to confirm who the person you are speaking to is so that you can discuss personal information.
 - Confirm the following:
 - Full name
 - Date of birth
 - Social Security number
 - Child(ren) name(s)
- Explain the following:
 - That you are calling in regard to the child support case(s) being serviced by [name of county]
 - [Name of county] is participating in a new program for cases where there have not been consistent, on-time child support payments. The new program is called [local name for PJAC program].
 - Acknowledge that he/she may have heard from several people from our office regarding nonpayment of child support or may have experienced various enforcement actions from our office (such as warrants or license suspension).
 - I, as your case manager, will now be your only point of contact for all actions on your case(s).
 - To be clear, the goal is for you to be able to make regular, on-time child support payments and to make sure that your order is the right size for your current circumstances. Your case(s) have been selected for participation because traditional enforcement options have not worked, and this program is an alternative to referring your case for contempt.

- I see that you haven't made a payment in [X] months/years. This new program is designed to determine why that is the case and to work with you to resolve whatever those issues are. It may be that your support amount needs to be reviewed; that you need assistance with job search; that you have issues with parenting time; or there may be information that we just have not been made aware of that affects your case. This program will work to help you with those things. Our goal is to support you in taking care of your children.
- I've had the opportunity to review all of your cases, and may have some ideas about what might have happened, but I'd rather you have the opportunity to explain your story. The best way to do that is for us to set up a time when we can meet, and then we can go from there. If you'd like to tell me more over the phone today, we can do that as well (have some initial assessment questions ready). Is there any information that would help us to understand why you have not made consistent payments?
- Families that are involved in [local name for PJAC] program will be provided access and referrals to various community services that can assist with resolving issues that may be preventing the payment of child support.
- Traditionally, noncustodial parents would be sent to a show cause hearing and face possible contempt charges at this point in the case, but we're working to do things differently.
- Explain what "show cause" and "contempt" means.
- Cases in [local name for PJAC] will be diverted from the contempt process in order to provide services to the families.
- Noncustodial parents can still be found in contempt if they do not participate in the program, but they will not be removed from the program.
- Participation will be beneficial to you for some of the following reasons:
 - We get both sides of every issue, which benefits that family because everyone has the opportunity to explain his/her position.
 - It may increase the opportunity for the child to have both of his/her parents in his/her life.
 - We will help you overcome barriers that may be preventing you from being able to support your child consistently.
 - We will help you take the steps necessary to remain out of contempt.
- If you choose to not participate in the program, you will be scheduled for a show cause hearing, which could result in a finding of contempt. However, you will still be considered a participant in the program.



- Do you have any comments, questions, or concerns?
- Update/confirm case information (addresses, employment, etc.).
- Domestic violence screening
 - The next step will be a joint meeting. I have an appointment set aside for you on [date and time] at [location]. *(If this does not work, offer other times)*
 - If there is domestic violence, explain that the meeting will not be joint, etc. However, do not indicate that this is the reason for the separate meeting, unless the noncustodial parent is the alleged victim.
 - Make sure that you are finding a time and location that will be accessible for the noncustodial parent.
 - Any reason why you would not be comfortable meeting with the other party?
 - Explain what will happen at the meeting:
 - ▶ Questionnaire/assessment
 - ▶ Participation agreement
 - ▶ Electronic communications agreement
 - ▶ Case action plan creation
 - ▶ Potential review of support amount
 - ▶ Addressing any issues with parenting time
 - Can I answer any questions?
 - Next steps:
 - Attend the next scheduled meeting
 - ▶ Bring the following info:
 - ▶ Pay stubs from the current job or the last job held if there is no current job
 - ▶ Any documentation of possible disability
 - ▶ Information about any other court orders in other states or in other courts (criminal, etc.)
 - ▶ Documentation about current living situation
 - Send noncustodial parent the follow-up welcome letter and first appointment reminder

EXAMPLE 10: Arizona Joint Case Conference Checklist

- Speak with each party separately to ensure that neither has safety concerns**
- Processes and expectations
 - Give expectations for participation
 - Emphasize that the focus is on the family, not just on the noncustodial parent
 - Encourage participation
- Gathering additional information
 - Ask about current employment/income
 - Ask about current circumstances (for example, additional children in the home)
- Modification review
 - Ask the custodial and noncustodial parents to complete an Income and Expense (I & E) form
 - Generate guideline calculation
 - Generate stipulation (if parties are agreeable)
- Case action plan review
 - Discuss possible action plan items that include the custodial parent, and integrate the custodial parent's suggestions whenever possible
 - Generate a revised case action plan
 - Review next steps and set clear deadlines for each step
 - Print a copy of the case action plan for signatures from both parents
- Customer concerns
 - What questions does the customer have about the process?
 - What questions does the customer have about the case?



EXAMPLE 11: Arizona Case Action Plan



Arizona Case Action Plan

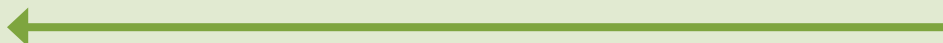
Client's Name: _____ Case#: _____
 Case Manager: _____ Date: _____
 Custodial Parent: _____ Date: _____
 Noncustodial Parent: _____ Date: _____

Date	Barrier Identified	Specific Action to Address Barrier	Timeline	Completed	
				Yes	No
				<input type="checkbox"/> Yes	<input type="checkbox"/> No

Date	Barrier Identified	Specific Action to Address Barrier	Timeline	Completed	
				Yes	No
				<input type="checkbox"/> Yes	<input type="checkbox"/> No



Date	Barrier Identified	Specific Action to Address Barrier	Timeline	Completed Yes No
				<input type="checkbox"/> Yes <input type="checkbox"/> No



EXAMPLE 12: Indiana Welcome Packet

Child Support Division [Insert agency/department letterhead]

Agency/Department Name
Agency/Department Address

[Name of Director]
Director

Date
First Name Last Name
Address

Dear _____,

This is a courtesy letter to notify you that we are opening a child support case to assist you and _____ to make decisions about _____.

We encourage you to be a part of this important process and look forward to working with you!

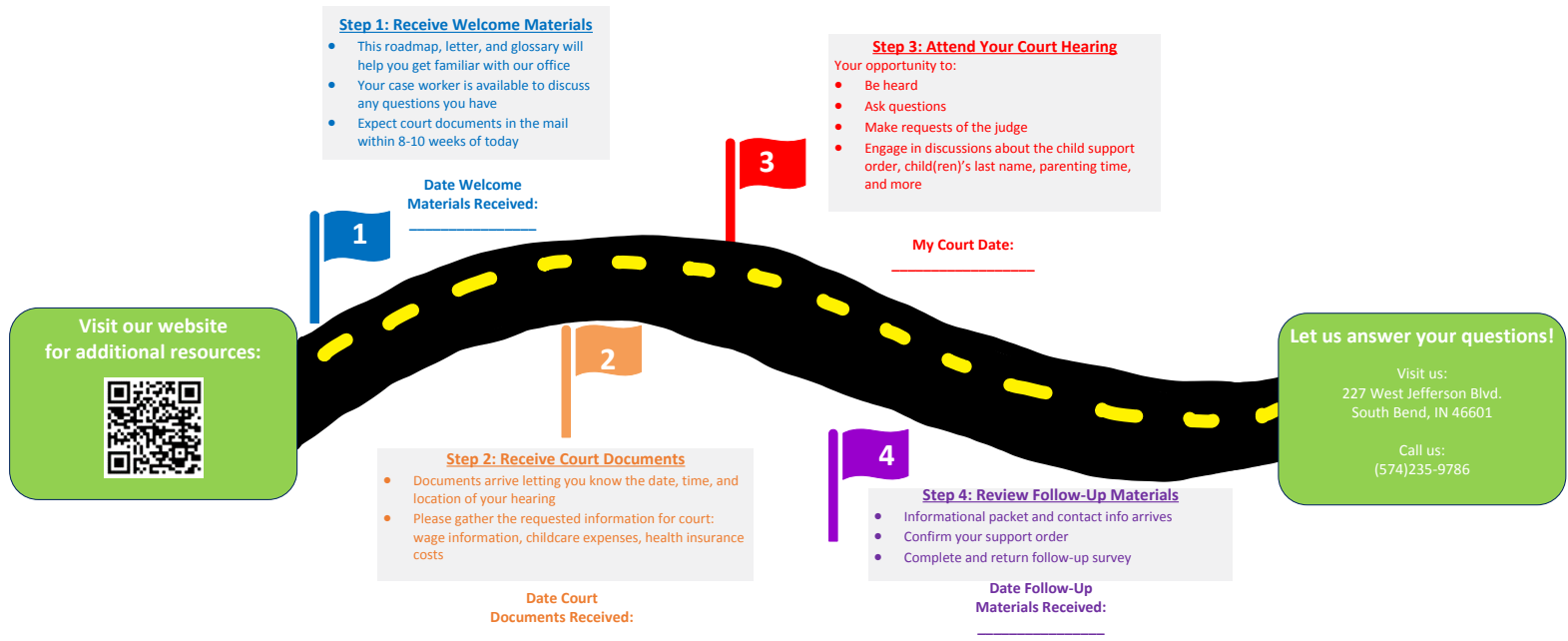
Items to be covered:	<ul style="list-style-type: none">• Who are the child(ren)'s legal parents?• With which person will the child(ren) live?• How the child will spend quality time with both parents• How much child support will be ordered?• How medical expenses will be paid by the parent(s)• What last name should the child have?• Who should claim the child as a dependent for taxes?
How to prepare now:	<ul style="list-style-type: none">• Review the enclosed Roadmap and become familiar with moving through the child support process.• Review the enclosed Glossary of Terms, which explains some common terms used by our office and the court.• Contact the office using the information below to confirm we have your most up-to-date contact information.
What you can do shortly:	<ul style="list-style-type: none">• Read the court documents carefully once you receive them.• If you don't understand something in the documents, contact your caseworker [insert <u>caseworker's name, email address, and telephone number</u>].• Note the court date listed on your subpoena, gather required documents, and make necessary arrangements to attend the hearing.• At the hearing, voice concerns and requests directly to the court.

Sincerely,

[Name of director], Director



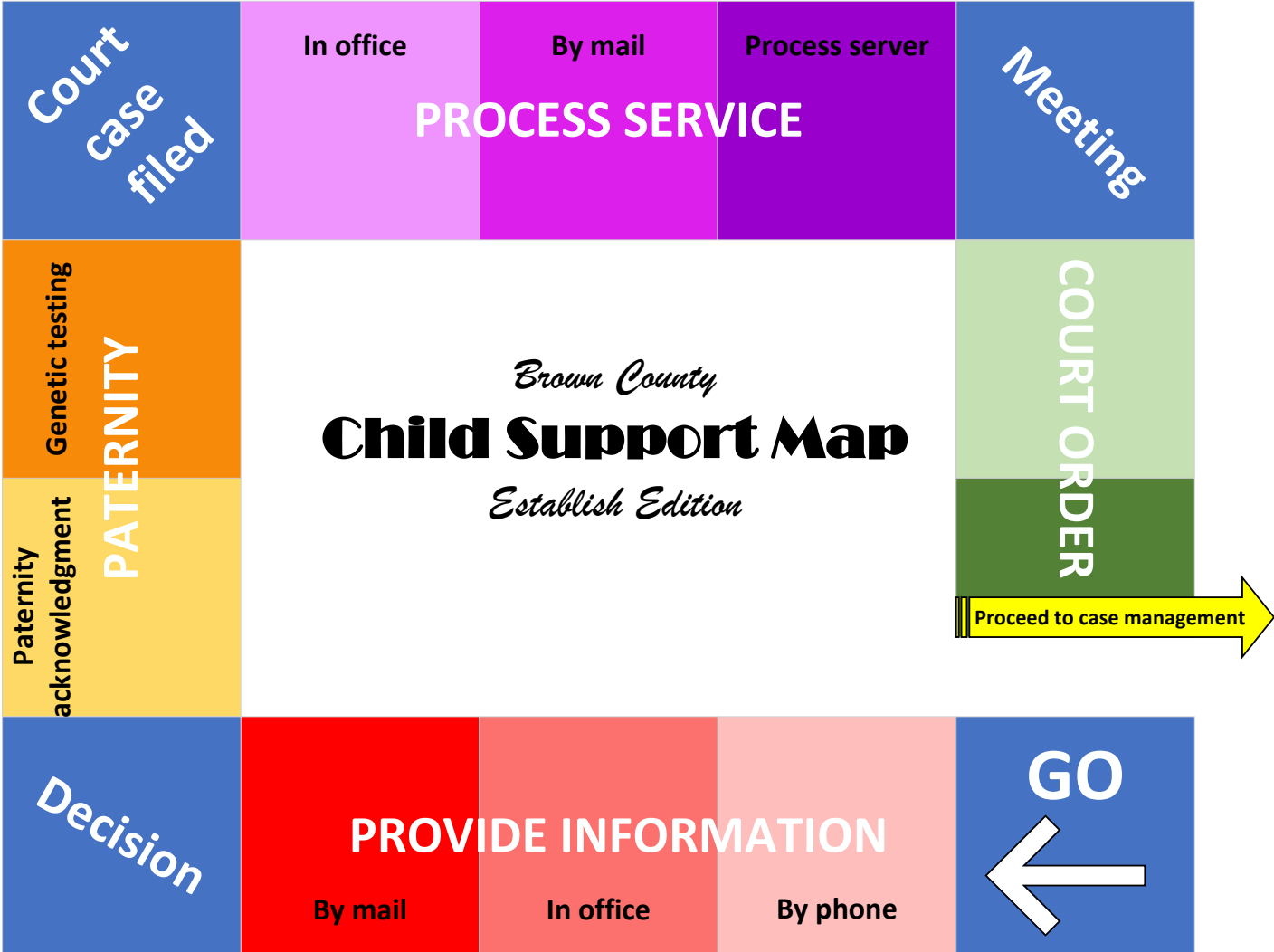
Your Child Support Roadmap



Alleged father	A man named as the father of a child born of unmarried parents who has not been legally determined to be the father. The alleged father is also referred to as the putative father.
Body attachment	A court order for the sheriff to arrest a person who has failed to attend a court hearing after receiving a subpoena.
Child support worksheet	A support calculation prepared during the court hearing to determine how much child support should be paid. It is prepared based on the Indiana Child Support Guidelines, which can be found at https://www.in.gov/courts/rules/child_support/index.html .
Custodial parent	The parent with primary physical custody of the child, meaning the child resides in the same household as this parent the majority of the time. A relative or other person with legal custody of the child can also be referred to as the custodial party.
Default judgment	Type of order the court enters when a person fails to appear for a hearing after receiving proper notice, and the court still proceeds with the hearing.
Imputed income	The amount of income the court determines an individual is capable of earning if he or she does not appear at a hearing after receiving proper service. It may also be used if an individual appears but is not employed and is capable of working.
In-kind support	Noncash support payments, for example, food or clothing, provided to a custodial parent or child instead of cash support payments.
IV-D	The section of the Social Security Act that governs child support.
IV-D DPA	The Deputy Prosecuting Attorney (DPA) who represents the State of Indiana in the court proceedings. The DPA does not represent any of the parties in court or the party who signed up for child support services.
Legal custody	Legal custody refers to the authority a parent has to make decisions for the child regarding medical treatment, schooling, religious upbringing, etc.
Noncustodial parent	This is the parent who does not reside with the child the majority of the time and, instead, enjoys parenting time with the child.
Parenting time	The time the noncustodial parent spends with the child. The Indiana Supreme Court has created guidelines for parenting time that can be found at www.in.gov/courts/rules/parenting .
Paternity affidavit	A form that, if signed by both parents, legally establishes the child(ren)'s father.
Petition	A document outlining what will be discussed at the hearing. Issues may include paternity (if a paternity affidavit was not signed), custody, parenting time, child's last name, child support, health insurance, and tax exemption.
Physical custody	The place where the child lives.
Subpoena	Order for a person to appear for the court hearing.
Subpoena duces tecum	Order for a person to provide documents.
Summons	Official notice of a case.
Summons packet	The initial court-filed paperwork the parties receive, which can include a petition, summons, subpoena, and subpoena duces tecum.



EXAMPLE 13: Wisconsin Establishment Process Map



START

You are using this **Child Support Process Map** because we have received an application for Child Support services from someone on the case, or because we’ve received a referral from another government agency to open a case. Please continue to see next steps.

STEP ONE:

PROVIDE INFORMATION TO THE CHILD SUPPORT AGENCY

- ☎️ • **Option 1: provide information to the child support agency by phone.**

The first stop on the Child Support Process Map is to provide information to the Child Support Agency. One of the easiest ways to accomplish this goal is to do so over the



phone, which gives you a chance to ask any questions you may have. The Child Support caseworker will call both parents to get information.

Although this is one of the quickest options to gather information from you, there are other alternatives that can be just as effective.



- **Option 2: provide information to the child support agency in person.**

If we can't reach you by phone, or if you're more comfortable with an "in-person" meeting, you can schedule an appointment to meet face to face with your Child Support caseworker during office hours (Monday-Friday from 8 a.m.-4:30 p.m.).



- **Option 3: provide information to the child support agency by mail.**

While it may take more time, you can provide information to the Child Support Agency by mail. If you choose this option, we will send a Request for Information form and ask that you return it by mail or place it on our drop box located near the door on Adams St.

We may need to follow up with you by phone to clarify information you have provided or obtain any information that is missing from the form.

DECISION

Depending on the circumstances of your case, you can choose to:

1. Complete a **written agreement**
2. Schedule a **court hearing**

If both parents agree on the legal and financial issues, the caseworker may be able to help draft a written agreement, called a Stipulation. Keep in mind, the State of Wisconsin may have an interest if public assistance is received for the child. This document needs signatures from both parents, the agency's attorney, and finally the court. A Stipulation can be accomplished without the need for a hearing. Typically, this is the fastest way to establish an order.

A hearing allows both parents to discuss a matter in more detail with the court. This is helpful if there is not an agreement on one of the issues, such as child support payment. The court can listen to information from both of you to make a decision on that matter. Either way, the child support caseworker can guide you through the process.

Important note: *Some circumstances may need a slightly different case process. Here are some examples:*

- The child's parent is younger than 18 years old.
- The child's parent lives out of state, or another state has an existing order.
- The husband might not be the child's biological father.



STEP TWO:

ADD THE FATHER'S NAME TO THE BIRTH CERTIFICATE



• Option 1: Acknowledge (agree to) paternity.

The *Wisconsin Voluntary Paternity Acknowledgment* (VPA) form is typically provided by the hospital where the baby was born, or it can be obtained from the Child Support Agency to help unmarried parents establish paternity for their child.

The VPA form helps parents establish paternity without going to court. To establish paternity and add the father's name to the birth certificate, you must:

- o Sign the VPA form
- o Have the VPA form notarized
- o File the VPA form with the Office of Vital records (the Child Support Agency can help)

Filing the VPA form does not give a father legal custody or physical placement rights. Under Wisconsin law, an unmarried mother has sole legal custody until a court orders otherwise. Your Child Support caseworker will discuss the details of custody and legal placement with you as part of the order establishment process.

Important note: *If either parent is not absolutely sure that the man is the father of the child, you should not sign the VPA form. Instead, you should request genetic testing to confirm paternity based upon DNA.*



• Option 2: Genetic testing.

If you would like genetic testing to make sure you know who the biological father is, we'll schedule an appointment for you to come into our office. Testing is very simple: Cells are collected by swabbing the inside of the cheek. Samples from all three of you (mom, dad, and child) must be collected and sent to a genetic testing lab. The lab will compare your DNA with the child's DNA to determine how closely they match.

- o If the results come back that the "statistical probability" (likelihood) is 99 percent or higher
 - ❓ We will send you a letter that WI Vital Records will be adding dad's name to the birth certificate.
 - ❓ You can object (let us know within 10 days) and we'll start a court case to establish paternity through the court. Otherwise, your child's birth certificate will be automatically updated with dad's name!
- o If the results come back that the statistical probability (likelihood) of paternity is 0 percent, we'll assist in determining who else might be the biological father.



Adding dad's name to the birth certificate does not give a father legal custody or physical placement rights. Under Wisconsin law, an unmarried mother has sole legal custody until a court orders otherwise. Your Child Support caseworker will discuss legal custody and physical placement with you, as part of this process.

Note: There are fees for genetic testing (approximately \$23 per person). However, they are not collected until we know who the biological father is. Typically, the father is responsible for repaying the genetic testing fees.

COURT CASE FILED

The Child Support Agency files paperwork with the court so that an order can be established via a written agreement or a court hearing. It is important that you keep in contact with the Child Support Agency so that your caseworker can get important paperwork to you for the case.

STEP THREE:

RECEIVE FORMAL NOTICE OF COURT DOCUMENTS



• **Option 1: Accept service in office.**

This is the quickest and easiest way to receive your formal court documents!

- When you arrive at the agency, you'll receive a packet of legal documents that have been filed with the court.
- You will sign an "Acknowledgement of Service" document, which tells the court that you were given copies of your court paperwork.

Accepting service at the agency doesn't mean you agree to any specific issues, only that you have received copies of this important paperwork. Make sure to keep these documents in a safe place, so you can easily find them in the future if needed. There are no fees associated with this service option.



• **Option 2: Accept service by mail.**

This is the second-fastest and easiest way to receive your formal court documents.

- Accepting service by mail means that you will receive your formal court paperwork by regular mail, and will need to sign and return the "Acknowledgement of Service" document in the self-addressed, stamped envelope provided with the packet of documents.
- It's important to take care of this step as soon as you receive your packet in the mail, to avoid any delays in processing your case.

Remember, signing the Acknowledgment of Service document does not mean you agree with any associated case issues, only that you have received these important legal documents. Make sure to keep these documents in a safe place, so you can easily find them in the future if needed. There are no fees associated with this service option.





- **Option 3: Process service.**

This option will take longer than the other two service options.

- If the Child Support Agency needs to provide your formal court documents by sending a process server to deliver them, you should expect to hear from a service agent, either in person or by phone, to hand your court documents to you.
- The process server will complete a written statement that they have delivered the court documents to you, so the court knows you have copies of this important paperwork.
- Make sure to keep these documents in a safe place, so you can easily find them in the future if needed.

There are fees associated with this service option.

Remember, acknowledging you've received court paperwork does not mean you agree with any associated case issues, only that you have received these important legal documents. The fastest and easiest service option is the first option, Accepting Service in the Office.

MEETING

To complete a written agreement:

- Your caseworker will coordinate with you and your coparent for a document-signing appointment.
- This appointment is an opportunity for you to ask any questions you may have about the case.
- The worker will provide you with case documents and review the written agreement with you.

To prepare for a court hearing:

- Your caseworker will schedule a joint phone conference with you and your coparent to review case information prior to the hearing.
- This appointment is an opportunity for you to ask any questions you may have about the case.
- The caseworker will also make sure you understand how to appear for the hearing so that the Court Commissioner can hear your input on important matters.



STEP FOUR: GET A COURT ORDER



• Option 1: Written agreement.

If you and your coparent agree to all of the issues being addressed under the court action, you may enter into a stipulation, which is a written agreement. *This is the quickest way to establish an order.*

- o This document must be signed by both parties, the Child Support Agency, and the court.
- o If the court signs your written agreement, it becomes a formal order of the court and is legally binding. Finding common ground with your coparent, and remaining focused on the needs of your child, are essential when trying to reach an agreement without a court hearing.
- o If you do not reach an agreement, the court will make decisions about your case.
- o Once the court order is signed and approved by the court, your caseworker will mail a copy of the order to you with important case information. It is important to always keep your address updated with the Child Support Agency!



• Option 2: Court.

If an agreement between you, your coparent, and the Child Support Agency cannot be reached on important issues related to your child's order, a court hearing will be scheduled.

- o Once the related issues and case information are presented to the court, the court commissioner will take over decision-making authority, and determine what s/he feels is in the best interest of the child.
- o It is very important to attend your scheduled court hearing, as the court may have questions related to the facts of your case. The court hearing is also your opportunity to tell the court what your position is on any of the issues that were not agreed upon.
- o Failing to appear at a court hearing may result in a default judgment, or in some cases, a warrant for your arrest.

Having a court hearing takes longer, and results in a loss of decision-making ability for you and your coparent. The easiest and quickest way to have your child's order established is to enter into a written agreement.



Once the court order is signed and approved by the court, your caseworker will mail a copy of the order to you with important case information. It is important to always keep your address updated with the Child Support Agency!

YOUR ORDER HAS BEEN ESTABLISHED!

PROCEED TO CASE MANAGEMENT.



EXAMPLE 14: Texas Modification Autoresponse Email

This is a model autoresponse email that can be used in instances where parents have submitted a request for child support order modifications. This resource was created based on lessons from the PJAC demonstration project and used at the Texas PJAC peer learning site.

Thank you for submitting your request for a child support payment modification. We know this is important. Please **do not** submit additional modification requests for the same case, as that will delay our response. We will review your request promptly, and you will be notified of the results or if additional information is needed.

Here is what to expect:

1. Reviewing your request
 - > You will receive notice within [number of days], either by mail or email, informing you that the review on your case has begun.
 - > Our child support review specialist will assess the information you provided and any additional information. This information will determine if your case meets the legal child support guidelines for a modification. Visit [website, if applicable] for additional information about how child support payments and orders can be modified.

Here are some of the common items we review:

- > Proof of health insurance coverage for the child(ren)
 - > Monthly cost of health insurance
 - > Income
2. Does your case qualify for a modification?
 - > Yes
 - > We will notify you with next steps.
 - > Either a negotiation appointment (Child Support Review Process) or a court hearing may be scheduled.
 - > No
 - i. We will notify you if your case doesn't meet the state guidelines for a modification.

- ▶ All parties have the same right to contest the decision and request another review.
- ▶ You may file a Motion to Modify your support obligation with the court. See texaslawhelp.org for more information.

3. A New Child Support Order

- If you and the other party agree at the negotiation appointment or the judge at your hearing orders it, a new child support order will be issued, and a new income withholding order will be sent out.

How long will completing this process take?

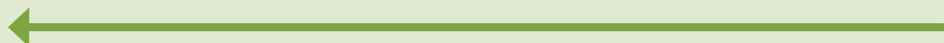
For most parents, completing the review process, including obtaining a new order modifying support, may take at least [X] months. If the request for a modification has to go to court, it can be longer. You may help speed up the process by quickly responding to any requests from our office.

Watch this short video to learn more about the modification process at [URL link].

We are here to help. Visit [website URL] to share your questions with a chat agent now!

Sincerely,

[Office] [Child Support Division]





Appendix

“Train-the-Trainer” Curriculum Guide and
Presentation Slides

Process Matters: How Fair Treatment Promotes Engagement

Kate Wurmfeld, Esq.
Center for Court Innovation



This workshop will illustrate for participants the research-based elements of procedural justice in the context of the child support process. Procedural justice centers on the perception of bias and fairness in systems. After learning the fundamental significance of procedural justice, participants will examine how it can fit into their practice. Research suggests that it could help increase parents' engagement, payment compliance, and trust in the system.

Participants will probably have varying degrees of expertise in procedural justice and its intersections with trauma, structural bias, and culturally responsive practices. This workshop will provide both theoretical underpinnings and practical applications for participants to take back and employ in their own communities.

Note: Participants should understand that procedural justice is not a replacement for examining underlying structural issues and fairness in systems. You should not attempt to simply change perceptions without also addressing underlying problems.



Learning Objectives

After this webinar, you should be better able to:

- Identify the principles and research basis for procedural justice
- Discuss procedural justice principles within the realities and challenges of the child support process
- Develop strategies and practical tools to overcome obstacles and deliver procedural justice consistently in individual practice and across systems



I. Introduction and Review of Workshop Learning Objectives (3 minutes)

[Slide 2] Present the workshop learning objectives: *As a result of this workshop, participants will be better able to:*

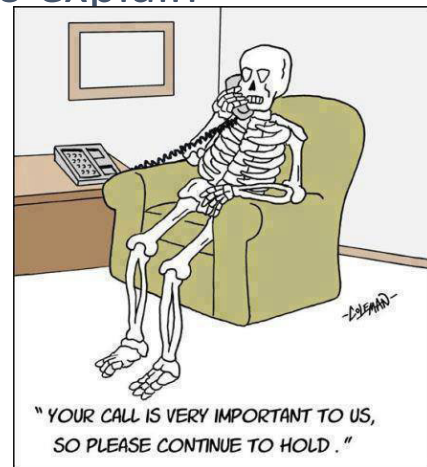
- Identify the principles and research basis for procedural justice
- Discuss procedural justice principles within the realities and challenges of the child support process
- Develop strategies and practical tools to deliver procedural justice and improve engagement in individual practices and the system as a whole



WARM-UP EXERCISE

Consider a time when:

- You had to wait in a long line
- You were the layperson and someone in a position of authority failed to explain something important to you



II. Warm-Up Exercise (10 minutes)

[Slide 3] Ask participants to consider a time when:

- They had to wait in a long line
- They were laypeople and someone in a position of authority failed to explain something important to them

Provide an example/experience with a government agency or a large company where you felt frustrated by the process and the person you interacted with was unhelpful, and then ask participants to provide their own examples. (Examples could include the Internal Revenue Service, Department of Motor Vehicles, cable company, etc.)

How do you wish you had been treated?



[Slide 4] Ask participants to discuss how they wish they had been treated in the examples they provided and write up the responses on a board or flipchart. Some additional prompts include:

- How could the process have gone differently?
- What would have been helpful to you?

Circle ideas and words to refer to when discussing the concept of procedural justice and how it helps customers. Use these words and concepts to lead into tenets of procedural justice.



❖ *What do customers want?*



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III. Defining Procedural Justice (2 minutes)

[Slide 5] Ask participants to answer the question: What do customers want?

Elicit ideas from participants that will parallel what came up in the warm-up exercise and constitute many of the principles of procedural justice. Then explain that the child support process can be much like normal, everyday customer-service interactions: Parents come to agencies for a service and often encounter barriers that discourage and frustrate them. Parents' experiences can also be exacerbated by anxiety, trauma, and prior negative experiences with systems. At the end of the day, parents want the same thing as anyone else: to be treated fairly. While participants are used to being the experts in their own jobs and in their fields, they have probably encountered situations where they are not the experts. In those situations, their experiences and reactions may reflect how parents sometimes feel when coming to child support agencies.

Another answer:
“procedural justice”



Definition: The perception that you are treated with respect and your concerns are taken seriously

 promotes engagement

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[Slide 6] Point out that another answer to the question of what customers want is “procedural justice” and that the participants have just helped define it based on what they already know. Provide a working definition for the workshop: *The perception that you are treated with respect and your concerns are taken seriously.* Make the connection between how customers experience the fairness of the process and their ability/willingness to meet their support obligations and view the child support agency as a resource.



Winning Isn't Everything

1. **Outcome favorability:** People like to win!
2. **Outcome fairness:** People can accept losing if it was the outcome they feel they deserved.
3. **Procedural justice:** People really do value the fairness of the process that led to the outcome.

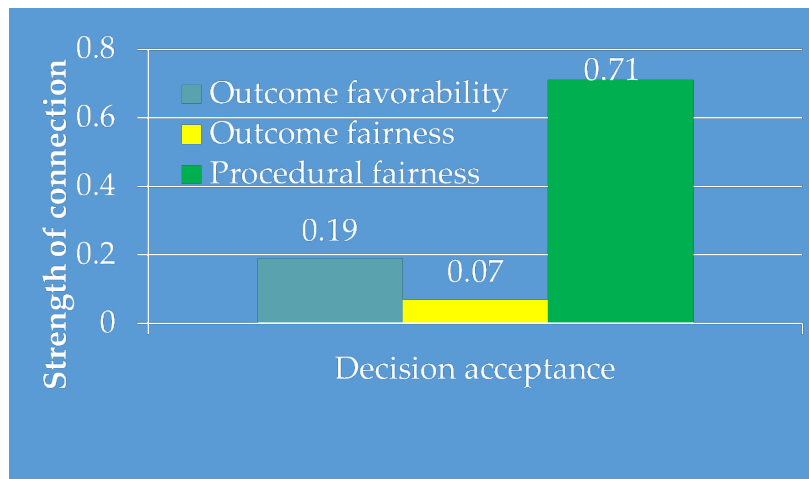


[Slide 7] Introduce the notion that winning isn't everything, defining the concepts of outcome favorability and outcome fairness and how they relate to "procedural justice."

- **Outcome favorability:** People like to win!
- **Outcome fairness:** People can accept losing if it was the outcome they feel they deserved
- **Procedural justice:** People really do value the fairness of the process that led to the outcome



Fair treatment matters more than outcomes



(In other words, you can make a bad outcome more acceptable through fair treatment.)

Tom Tyler, Yale Law School

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IV. Underlying Research (3 minutes)

[Slide 8] Present the underlying research, including that of Tom Tyler from Yale Law School that dates back to the 1970s and demonstrates that fair treatment matters far more than the outcome of a case. You can provide examples of research conducted in other legal/court settings; as soon as PJAC research is finalized, it should be included here.

Research example from a court context:

Hennepin County, Minnesota: District Court Research randomly assigned which domestic abuse cases got a full explanation from the judicial officer (including a question-and-answer period) and which got no explanation of why the judicial officer ruled the way s/he did. Following the explanation (or lack thereof) litigants returned to monitored waiting rooms where they were interviewed by research staff members. Litigants who received a full explanation reported feeling more fairly treated than those who did not receive an explanation. Litigants who gave high fairness ratings were also more likely to say they would comply with the court orders; this is particularly true for those litigants with an unfavorable outcome. Receiving an explanation from the bench made the biggest difference in terms of satisfaction for litigants who had a full trial and this effect was even stronger for those who did not get what they asked for from the court.



Elements and effect on compliance

People will be more likely to accept and comply with decisions when they:

1. Believe they were treated with dignity and respect
2. Understand the process
3. Had a chance to be heard (voice)
4. Believe the decision-making process is neutral and unbiased (neutrality)
5. Were helped!



[Slide 9] Review the research-based tenets of procedural justice and point out that the elements of procedural justice closely mirror what people find most valuable in productive and fair interactions with others, as evidenced in the earlier discussion. Parents are more likely to view the child support process and overall justice system as fair when the following elements are present:

1. **Respect:** Parents are treated with dignity and respect.
2. **Understanding:** Parents understand the case outcome, their rights, and what they are expected to do to comply with orders and engage with the process.
3. **Voice:** Parents have an opportunity to be heard.
4. **Neutrality:** Parents feel that the decision-making process is unbiased and trustworthy.
5. **Helpfulness:** Parents feel that staff members have an interest in their needs and their personal situation.

Emphasize these two findings:

1. People are more likely to rate their experience favorably when these elements are present.
2. People are more willing to engage with the process when these elements are present.

Note: Point out that all staff members in the child support agency can contribute to the perception of fairness based on their treatment of parents, as well as the policies and procedures they promote. Participants may recognize these practices from common sense and good client engagement. They are already probably promoting these principles in their work. However, later on in the workshop, the group will discuss the challenges to delivering these principles consistently, both in individual practices and in the system as a whole.

Discussion

Examples of procedural justice from your work that incorporate the elements of procedural justice.

- **Respect**
- **Understanding**
- **Voice**
- **Neutrality in decision-making**
- **Helpfulness**

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V. Large Group Discussion: Examples of Procedural Justice (10 minutes)

[Slide 10] Ask participants to share examples of procedural justice from their own work that they are already using and write up the responses for each element on a board or flipchart to contribute to peer learning and to illustrate the principles:

- Respect
- Understanding
- Voice
- Neutrality
- Helpfulness



Share examples from other sites nationally to further reinforce the principles and contribute to the database of ideas and strategies for promoting procedural justice.

REPORT OUT AND NATIONAL THEMES:

● Respect

- Introduce yourself and other staff members.
- Explain delays.
- Provide comfortable waiting areas.
- Give helpful information about parking/transportation.
- Acknowledge unfair or difficult prior experiences with the process.



[Slide 11] Respect

- Introductions
 - Nametags let parents know who is helping them and how to follow up.
- Explaining delays
 - If some part of the process is taking a long time, explanations will minimize frustrations.
- Waiting areas
 - Helpful signs and a welcoming environment promote respect.
- Helpful information about parking/transportation

- Aim to remove barriers to services and respect what it takes for folks to get to your office.
- Acknowledging unfair or difficult past experiences with the process
 - Parents come in with low levels of trust. Simply acknowledging those past experiences goes a long way and demonstrates that this experience will be different from what they are used to.

REPORT OUT AND NATIONAL THEMES:

● Understanding

- “What questions do you have?”
- “Can you repeat back to me your understanding of what you need to do next?”
- Handouts written at or below the sixth-grade reading level; consider English language proficiency
- Explanation of rules and orders



[Slide 12] Understanding

- “What questions do you have?”
 - Explain that the way this question is phrased assumes parents will have questions, rather than simply asking whether they have any questions. This phrasing may make parents feel more free to ask and contribute to greater understanding.
- “Can you repeat back to me your understanding of what you need to do next?”



- This strategy helps a caseworker to assess what a parent understands. The caseworker can then reinforce the information provided, if needed.
- Handouts written at or below a sixth-grade reading level, possibly for people who are not proficient in English
 - There are ways to check the reading level of Microsoft Word documents.
- Explanations of rules and orders
 - Caseworkers may not have control over confusing orders and requirements, but can help parents understand them by explaining everything they have received and need to comply with, and by giving them an opportunity to ask questions.

REPORT OUT AND NATIONAL THEMES:

● Voice

- “How can I be helpful?”
- “What else would you like me to know about your situation?”
- Comment cards/user surveys

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[Slide 13] Voice

- “How can I be helpful?”
 - Asking open-ended questions gives parents the chance to tell you what they need.

- “What else would you like me to know about your situation?”
 - This open-ended question allows parents to be heard and tell their stories. It also solicits information about the unique circumstances of each case.
- Comment cards/user surveys
 - These make parents feel like they have a voice, and also collect information from them to inform adjustments to services.

REPORT OUT AND NATIONAL THEMES:

● **Neutrality**

- Explain decision-making process (transparency).
- Use consistent communication styles with custodial and noncustodial parents.
- If policies are different, explain.
- Explain the order in which people are heard.

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[Slide 14] Neutrality

Explain that neutrality is the trickiest concept since in a lot of ways child support workers are not purely neutral: They represent the agency and are responsible for collecting support. However, they can promote fairness in many ways, including:

- Explaining the decision-making process
 - Simply being transparent about the process will promote perceptions of fairness.
- Using consistent communication styles with custodial and noncustodial parents



- There may be different requirements and expectations for custodial and non-custodial parents, but you can improve perceptions of fairness on both sides by developing transparent and consistent communication strategies.
- Explaining differing policies
 - Different policies may apply to parents in different circumstances, but if you are transparent and explain, it will mitigate perceptions of unfairness.
- Explaining the order in which people are heard
 - This idea applies to parents who are waiting in line or need to understand how long some aspect of the process takes. Explaining how the order is determined makes parents less likely to feel they are being treated unfairly.

REPORT OUT AND NATIONAL THEMES:

- **Helpfulness**

- All of the above!
- “How can I be helpful?”
- Moving from a punitive to a supportive process
- “Warm referrals”

[Slide 15] Helpfulness

- All of the above!
 - If you are doing all of the above, you are already being helpful.

- “How can I be helpful?”
 - Again, this is an important question to ask because parents will be in the best position to know what would be helpful to them.
- Moving from a punitive to a supportive process
 - Explain that the approach of your program is to replace business as usual with an approach that addresses the needs of parents and helps them to be successful.
- “Warm” referrals
 - Maintain a list of resources, reach out and build relationships with providers, and help connect parents with services directly.

VI. It’s Easier Said Than Done: Addressing Challenges to Delivering Procedural Justice (20 minutes)

Spend 10 minutes having participants work at their tables and think about the child support process from the parent’s perspective. Lead a mapping activity where participants examine each step of the child support process for gaps and challenges. Participants can reflect on earlier scenarios, as well as real-life work experiences and case examples.

Assign each table either one question or two of the three questions below. Based on the time, gauge whether one question or two questions can be covered. It will depend on whether the group is talkative or not.



What Gets in the Way of Procedural Justice

Group brainstorming:

1. What do you think is confusing to parents about the current process? What are the most frequently asked questions?
2. What are some ways parents might have felt disrespected or treated unfairly by the child support process in the past?
3. What are some ways parents are challenging?



Designate one participant to take notes and report back. Circulate among tables and take note of common themes **[Slide 16]**.

1. What do you think is confusing to parents about the child support process? What are the most frequently asked questions at each step of the process?
2. What are some ways parents may have felt disrespected or ignored by the agency in the past, or have felt that the process or staff members were unfair?
3. What are some ways parents challenge the staff?

After the discussion, wrap up the conversation by highlighting the common themes discussed at each table. Spend 10 minutes asking each group to provide the most insightful points made at their discussion, without repeating topics from a previous table. Encourage participants to provide real-life examples. If the participants do not raise the issue, you might prompt discussion about trauma and experiences with systems that may cause further harm, including the child support process.



VII. What Gets in the Way: Minilecture (12 minutes)

What Gets in the Way of Procedural Justice: Public Perceptions

- Crime rates overall have been steadily dropping the last 20 years
- But *confidence in the justice system* (which includes courts and arguably child support) has dropped by over 32 percent in the last 10 years

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[Slide 17] Public Perceptions

- Crime rates overall have been steadily dropping the last 20 years.
- But *confidence in the justice system* (which includes courts and arguably the child support process) has dropped by over 32 percent in the last 10 years.

Point out that the public views government systems as inextricably linked, from legislators who draft laws to police who enforce them. Actions of other agencies “spill over” onto their experiences with the child support process and their general sense of fair treatment. This idea of public perception also connects to the reality of systemic bias against specific communities. These systemic issues serve as a significant barrier to addressing actual fairness in agency processes and also to engaging parents who may have low levels of trust, but are something that procedural justice may help mitigate.



What Gets in the Way of Procedural Justice: Public Perceptions and Communities of Color

- And we have a wide racial divide in perceptions of fairness nationally
- People of color come to court with lower expectations and, afterwards, perceive less fair treatment than others

Tyler and Huo (2002); Rottman, Hansen, Mott, and Grimes (2003).



[Slide 18] Public Perceptions and Communities of Color

- There is a wide racial divide in perceptions of fairness in justice systems nationally.
- People of color come to courts with lower expectations and, afterward, perceive less fair treatment than others.¹ Such differences in perceptions probably affect the child support process as well.

Research in legal systems has shown the effect of procedural justice on litigants' perceptions of fairness regardless of race, gender, ethnicity, or other personal characteristics. However, people bring their own ideas and personal experiences to the process, and those affect their overall experiences. Communities and cultures may influence their level of confidence in the child support process, as may their past interactions with the law. Incorporating principles of procedural justice in agency practices may improve parents' future perceptions of the child support system. However, the instructor should note that procedural justice does not replace efforts to address underlying structural biases and inequities, but rather should be considered as one tool in the toolbox for improving fair access to systems.

¹ Tyler and Huo (2002); Rottman, Hansen, Mott, and Grimes (2003).

Public Perceptions

“We should treat *each encounter* between the citizens and the police, courts, and other legal actors as a socializing experience – a teachable moment – that builds or undermines legitimacy.”

- **Tom Tyler** (Yale University) - preeminent national scholar on legitimacy, trust, and procedural Justice

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[Slide 19] Building Trust

“We should treat *each encounter* between the citizens and the police, courts, and other legal actors as a socializing experience – a teachable moment – that builds or undermines legitimacy.” Tom Tyler (Yale University), preeminent national scholar on legitimacy, trust, and procedural justice

Note that participants are all in a position to improve parents' experiences, and that doing so helps build trust in systems more broadly.



What Gets in the Way of Procedural Justice: Implicit Bias

- Automatic associations between groups of people and stereotypes about those groups affects interactions and decisions.
- Staff members need training in implicit bias and cultural responsiveness, but procedural justice can help!
- Research has shown that implementing procedural justice can help reduce implicit bias.



[Slide 20] What Gets in the Way: Implicit Bias

- Automatic associations between groups of people and stereotypes about those groups affect interactions and decisions without one's conscious awareness. Such associations are pervasive.
- Staff members need training in implicit bias and cultural responsiveness, but procedural justice can help!
- Research has shown that implementing procedural justice can help reduce implicit bias.

One of the PJAC peer learning sites in Minnesota is looking at racial disparities in its driver's license suspension practices and has found that African American and Native American parents are not only overrepresented in the child support program, but are more likely to have their licenses suspended. The agency is implementing a project to transform the way this punitive process is administered and replacing it with a fairer process for collecting support and engaging customers that relies on principles of procedural justice without the overuse of this type of penalty. Minnesota is the rare state even tracking this type of data, or it would certainly be possible to point to many more examples of these types of disparities.



Explain that implicit bias should be the subject of separate and comprehensive training, including follow-up practices to implement and monitor specific strategies to reduce bias and structural racism. Reiterate that procedural justice strategies are tools to improve customer experience and engagement, and should be part of efforts to effect broader change in systems, not take the place of such efforts.

What Gets in the Way of Procedural Justice: Trauma



- Navigating multiple systems can be anxiety-provoking.
- Customers may have experienced trauma as a result of domestic violence and poverty.
- Symptoms of trauma can be triggered by a confusing or overwhelming process.
- Parents with trauma histories and symptoms may not be willing to engage in services or pay their support.

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[Slide 21] What Gets in the Way: Trauma

- Navigating multiple systems can be anxiety-provoking.
- Parents may have experienced trauma as a result of domestic violence and poverty.
- Symptoms of trauma can be triggered by a confusing or overwhelming process.
- Parents with trauma histories and symptoms may not be willing to engage in services or make payments.

Explain the need to examine trauma and how it can be a challenge for promoting understanding and providing parents with a voice. Understanding symptoms of trauma and how it affects parents'



decisions can help system players improve parents' experiences and serve parents better. Also note here that while using principles of procedural justice can help staff members connect with parents who are experiencing trauma, trauma is a complex topic that should be the subject of separate and comprehensive training.

What Gets in the Way of Procedural Justice: Language and Culture

Example: Language and jargon



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[Slide 22] What Gets in the Way: Language and Culture

Explain here the importance of using plain language and avoiding the use of acronyms or other complicated or legal terminology. Remind participants again that they are the experts and they should not assume anyone else speaks the same language.

VIII. Group Activity: Implementing Procedural Justice (20 minutes)

Explain how participants will explore how their agency is currently operating within the framework of procedural justice, and how it could do so better. While the tenets of procedural justice may seem individually and overall like common sense (that is, “treat people the same way you want to be treated”), a systematic approach to promoting these principles can help you engage parents in more positive and productive ways.

Group Exercise

What are some strategies for overcoming obstacles and delivering procedural justice consistently?

[Slide 23] Participants will count off to form four groups, one for each of the four tenets: voice, understanding, respect, and neutrality. If the groups are too big, feel free to split them (to make two groups discussing “voice,” for example).

(10 minutes) At their new groups, participants will discuss their tenet of procedural justice and think about how various aspects of their roles incorporate that tenet. They will discuss the questions below specifically.

1. What are two to three strategies you use or will use for this tenet of procedural fairness in your role and practice?
2. How can you implement these strategies system-wide?

(10 minutes) Ask participants to report out examples and write up participants' responses on a board or flipchart. Ask each group to share one strategy for each tenet.



IX. Final Learning Points and Closing Thoughts (5 minutes)

That's a lot of challenges!
(So what's in it for me?)

- **Engagement**

- Noncustodial and custodial parents finding common ground/compromise
- Parents receiving services
- Respect between staff members and parents
- Agency legitimacy and public trust

- **Employee satisfaction**

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[Slide 24] That's a lot of challenges! What's in it for me?

Begin the learning points reiterating that procedural justice may promote public confidence in and respect for the system. Enhancing the child support process through procedural justice is essential to promoting engagement and respect between staff members and parents.

- Engagement
 - > Noncustodial and custodial parents finding common ground/compromise
 - > Parents receiving services
 - > Respect between staff members and parents
 - > Agency legitimacy and public trust
- Employee satisfaction

Closing Thoughts

- Procedural justice promotes public confidence in and respect for the system
- It allows you to walk in parents' shoes (*think foreign country, foreign language*).
- It benefits both parents and child support.
 - Increased engagement
 - Potentially more child support collected to support families
 - Making the most of resources
 - Improved job satisfaction



[Slide 25] Closing Thoughts

- Procedural justice promotes public confidence in and respect for the system.
- Procedural justice allows you to walk in parents' shoes. (*Think foreign country, foreign language*)
- Procedural justice can benefit both parents and child support.
 - Increased engagement
 - Potentially more child support collected to support families
 - Making the most of resources
 - Improved job satisfaction



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