

State Policies That Work

ENCOURAGING STRONG FAMILY RELATIONSHIPS



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INTRODUCTION

The relational well-being of families is an important factor affecting a family's economic success, physical and mental health, the readiness and success of children in school, and the engagement of youth in positive and productive roles. In short, the strength of family bonds is crucial to a family's capacity to provide, nurture, and care for its members.

Strong Family Relationships is defined as the relational well-being of families. While the successful promotion of “strong family relationships” is clearly tied to ensuring family economic success and family health, this brief focuses primarily on strengthening the formation of families, the interaction of parents and children, the connection of families to social networks, and the adequacy and quality of necessary family resources. Addressing these many facets of family life is important given the dramatic changes and pressures associated with contemporary American family life. For example, fewer couples are marrying or are choosing to marry at later ages, more are cohabiting, increasing numbers of children will spend some part of their childhood in a single parent home, and rising health care, housing, and child care costs are making it difficult for families to balance the competing demands of work and family.

This brief is a companion to a complete policy and research paper that provides an overview of current trends affecting American families and offers a beginning framework for state policies that strengthen family relationships. The complete paper is one in a series of papers available from CSSP at www.cssp.org. Policy and research papers and companion “Policies That Work” briefs are available for six core outcomes: family economic success, school readiness, healthy families, educational success, youth engagement, and strong family relationships. Interested readers may obtain these publications from the CSSP website (www.cssp.org) or by calling the Center at 202-371-1565.

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Family Formation and Maintenance Policies

Family formation is a period where state policy can significantly affect the well-being of families. Family formation encompasses at least three potential events: marriage, the birth of a child, and adoption. During the period leading up to any of these three events, the opportunity exists to (1) ensure that newly forming families begin with the best possible advantages of family life, (2) foster more two-parent families, and (3) strengthen the family's ability to form strong relationships (e.g., closer parental bonds, healthy parent-child interactions, and parental understanding of the needs of adoptive children). Seizing this opportunity is the primary objective for policies included in the family formation category.

POLICY 1

Out-of-Wedlock Birth Prevention

Out-of-wedlock birth, especially among teen parents, is an important correlate of future need for government services, poverty, and emotional stress for single parents. Early, unplanned births result in the premature formation of families, most often single female-headed families. Preventing early and unplanned births could allow young women to acquire higher levels of education, obtain better quality employment, and form more stable relationships with intimate partners.

1.1 Teen Pregnancy Prevention. Since 1991, the teen birth rate has fallen 22 percent to a record low.¹ The decline seems to be due in large part to better economic opportunities in the 1990's, changes in teen attitudes and behaviors, and community and government investments in teen pregnancy prevention programs like the Annie E. Casey Foundation's Plain Talk Initiative.² Building on the success of the last decade, states should continue investments in teen pregnancy prevention programs. Specifically, states should invest in longer-term interventions and programs that seek to: reduce risky behaviors related to teen sexual activity; develop abstinence values; improve parental monitoring; promote participation in sports and volunteering; strengthen parent-child relationships and communication about sex; and provide support for maintaining intact families or married households.³

1.2 Contraception Coverage in Private Insurance Plans. One effective measure states can take to prevent out-of-wedlock and unplanned pregnancy among adult women is to require health insurers to cover prescription contraceptives. Since 1973 states have been required to cover family planning services through Medicaid; however, many private insurers do not offer coverage of Food and Drug Administration approved contraception resources. One study found that every state using federal waivers to extend Medicaid-covered family planning services to more families for longer than the required 60-day postpartum period saved federal and state money during the evaluation period while simultaneously increasing access to and receipt of both public and private services. Two states using Medicaid waivers also achieved measurable reductions in unintended pregnancies.⁴ According to

the National Conference of State Legislatures, 23 states have laws requiring health insurers to cover prescription contraceptives.⁵ Except in cases where religious exemptions are granted, states should require insurers and employers to provide prescription contraception coverage to employees.

POLICY 2 **Marriage Supports and Education**

There is a clearly established research consensus indicating that healthy marriages are associated with significantly better outcomes for both children and parents. Moreover, research evidence indicates that the economic advantages of marriage (1) surpass that available to cohabiting couples, (2) can accrue to low-income couples, and (3) lower poverty among children and women.⁶ Consequently, state policy to strengthen families should have as one of its aims supporting strong marriages among adults who consider marriage an option. Such activities should be one part of a multi-pronged strategy to encourage stable and reduce the risk of unstable relationships.⁷ Specifically, state policy can support the healthy formation of families by (a) setting public goals and measures of improvement, (b) providing marriage skills training and education opportunities, and (c) minimizing or eliminating marriage disincentives for those who opt to marry.

2.1 Public Education on Marriage. Many states are enacting laws to support the healthy formation of marriages, and many of these efforts provide some funding for public education and marriage promotion activities. General marriage promotion efforts include public endorsement of marriage promotion, divorce reduction goals, and media campaigns. Some researchers question whether public messaging campaigns promoting marriage are likely to further increase the already high desire to marry among most people. While this is a legitimate concern, especially given that investments in public campaigns could be spent in direct supports to some low-income families, other research indicates that the normative climate concerning marriage and premarital sex are important for preventing out-of-wedlock births.⁸ And while there is not much research on the effectiveness of specific marriage promotion campaigns given their recent advent, the research on the effectiveness of media campaigns to address other complex health-related behaviors like smoking, sexual behavior, domestic violence, racism, and crime prevention is quite extensive.⁹ That research indicates that mass media campaigns meeting best practice standards are likely to be effective if they are: (a) combined with community-based resources, (b) feature messages based on sound research, (c) target both individuals and social expectations, (d) reaches 70-80 percent of the target group over long time periods, (e) conveys novel information or old information in new ways, and (f) includes a reliable evaluation and modification design. States considering or funding general public education campaigns to promote the positive benefits of marriage should at minimum ensure that the campaigns are: combined with community-based resources, based upon solid research, funded well enough to reach target audiences, and include an evaluation component. Currently, campaigns exist in Oklahoma, Louisiana, Florida, and Arizona.

2.2 Premarital Education and Relationship Skill-building Services. One method for fostering healthier marriages, and for reducing marital conflict leading to harmful relationships and divorces, is to offer premarital education and relationship skills supports to married and non-married couples. Because marital distress negatively impacts physical health, mental health, work productivity, child outcomes, and quality of life,¹⁰ state investments in marital education and skill development programs are important for the health and well-being of families and communities.

Despite the positive association of healthy marriages with higher work productivity and better physical and mental health, questions about the effectiveness of marriage education and skill-building for low-income adults have arisen. One nationally representative study of fragile families indicates that one-third of all unmarried parents face no serious barriers to marriage, and another one-third could benefit from premarital education and skill-building activities if they are coupled with employment and mental health services. This same research found that approximately 13 percent of unmarried parents would be inappropriate participants in such programs due to a history of partner violence.¹¹

Existing research examining some marriage preparation programs reveals significant positive outcomes. Specifically, couples completing counseling and skills programs that focus on strengthening protective factors (e.g., friendship, commitment, spiritual or religious connection), lowering risk factors (e.g., negative interaction and unrealistic expectations), and decreasing marital distress by helping couples learn to communicate when in conflict are significantly more likely to communicate more positively and less negatively; avoid breakups and divorce; exhibit higher levels of marital satisfaction; and exhibit less relationship aggression than couples who did not participate in such programs. These effects are stable in some follow-up studies for up to five years.¹² In addition, positive outcomes are observable even when the programs are delivered in community-based settings and by clergy and lay leaders,¹³ thus enhancing the prospects for more widespread implementation through public/private partnerships.

States should provide funding for community-based relationship skill-building and premarital education services, resources, and activities to assist those adults and parents interested in marrying. Arizona, Florida, Indiana, Oklahoma, Utah, and Wisconsin are among the states that support and provide funding for premarital education or relationship skills workshops.¹⁴

2.3 Removing Tax Disincentives for Married Families. Establishing what constitutes a “marriage tax penalty” is difficult since it often depends upon the relative income of both parents. The federal income tax, for instance, taxes a married couple with a single income less than it would if that individual were a single tax filer. When both spouses have income, however, they may be taxed more than if they were not married. The more equal the

earnings of both spouses the higher is this type of tax penalty. While state income tax systems are generally much less graduated than the federal system and, therefore, do not usually provide much of either a marriage tax benefit or penalty, eighteen states currently levying personal income taxes “penalize” two-parent, two-earner married families either by adopting income tax thresholds for married taxpayers that are less than twice the threshold for unmarried individual tax filers or by implementing state income taxes as a percentage of the federal liability.¹⁵ Nine states have no income taxes, six have a flat tax, and eight have tax brackets for married couples that are two times the bracket for individuals.¹⁶ At minimum, state tax thresholds for married couples should be equivalent to two times the threshold of single tax filers. States wanting to provide a “marriage incentive” to couples might consider an income tax threshold more generous than the tax rate of two individual taxpayers.

2.4 TANF and Health Insurance Support for Two-Parent Families. In addition to penalties in tax policies, some states maintain disincentives toward two-parent families in policies governing eligibility for TANF and Medicaid. The old Aid to Families with Dependent Children (AFDC) program restricted coverage of married couple families and two-parent families to only those who qualified under an “unemployed parent” provision. Under Temporary Assistance to Needy Families (TANF), states have flexibility to change these rules and cover married couple families whether or not they meet disability or “unemployed parent” provisions. Thirty-five states make two-parent families eligible for TANF support without imposing stricter work requirements than those for single-parent families. Thirty-three of these states base TANF eligibility only on financial resources, without regard to family structure.¹⁷ Thirty-six states base Medicaid eligibility solely on financial circumstances and at least six others have expanded state-funded programs and State Children’s Health Insurance Programs (S-CHIP) to cover more parents.¹⁸ Benefits also should be extended to immigrant families.

POLICY 3 Family Supports at Birth

The birth of a new child offers an opportunity to positively impact the mother-father relationship and the caregiving skills of the parents. This is true for both married and unmarried parents, with some 80 percent of unmarried parents remaining intimate partners at the time of birth, 80 percent of fathers providing financial support during the pregnancy, and parents rating the chances of marriage at childbirth at better than 50/50.¹⁹ At the same time, the birth of a new child marks a major transition in the life of families, often triggering new stress, depressive symptoms in some parents, and concerns about parenting ability.²⁰ State supports to newborns and their families can help with the transition to new family and caregiving roles. Specifically, states should enact policies that provide:

3.1 Support for New Parents at Risk for Bad Outcomes. In a review of 31 randomized studies of home visiting programs, David Olds and Harriet Kitzman found that programs with a comprehensive focus, frequent (e.g., four times per month) home visits, well-trained professional staff, and serving high-risk families were more likely to demonstrate success.²¹ Later researchers also found that home visiting programs were effective at improving some results and not others. Poor performance was observed for preventing pre-term delivery and low birth weight, and limited evidence of program impact was available for child health, child behavior, and child abuse outcomes. In 1993, there was strong evidence in support of home visiting approaches for children with chronic illnesses.²²

Evaluations of research studies as of 1999 indicate that the performance of home visiting programs has not significantly improved since 1993, despite attempts at improving many of the available program models. One writer noted that the results of home visiting programs “are mixed, and, where positive, often modest in magnitude. Studies have revealed some benefits in parenting practices, attitudes, and knowledge, but the benefits for children in the areas of health, development, and abuse and neglect rates that are supposed to derive from these changes have been more elusive.”²³

Given this evidence, state policymakers should approach home visiting initiatives with some caution. Two policy benchmarks are recommended. First, states considering home visiting programs as a method of providing supports to newborns and their parents must make sure the particular model of home visiting is well matched with the state’s intended results. Second, states should take steps to be sure the particular model of home visiting is appropriate and demonstrably successful with the families targeted for support – no home visiting program has demonstrated significant results across all types of families. However, home visiting support can be very effective with families who are vulnerable due to certain risk factors and who are aware of their risk status.²⁴

3.2 Work Exemptions for New Parents. The time a mother spends bonding with an infant is critical to the child’s social, emotional, and cognitive development. Stability in this newly forming relationship lowers stress and depressive symptoms for both children and parents.²⁵ State policy can support new mothers and fathers in their transition to parenting by enacting work exemptions and supports that allow parents more time with their children during the early years of the child’s life. Specifically, states should pass TANF work exemptions that allow mothers or fathers to spend up to one year with an infant child.

In addition, states should support *non*-TANF families by enacting at-home infant care supports that allow parents more time with infant children. Minnesota pioneered such a program in 1998 when it recognized the importance of parenting by providing parents with incomes up to 75 percent of the state median income a small stipend in lieu of childcare

subsidies while caring for children under the age of one year. Missouri allocates a percentage of riverboat gaming fees to a stay-at-home parent program for parents who: have children under three years of age, have household incomes less than 185 percent of poverty, and participate in allowable education or work-related activities or work fewer than 20 hours per week. Parents participating in an approved parenting education program or with an economic hardship are eligible to receive an increased stipend. Montana launched a pilot program in 2001 to provide a stipend of \$378 per month to low-income families (below 150 percent of poverty) who care for a child younger than 2 years of age at home. Participants in this program are allowed to pursue employment and education but are not eligible for TANF cash assistance.²⁶

POLICY 4 **Divorce Statutes**

One indirect approach to fostering the maintenance of families is to reform current divorce statutes. The relationship between state laws regulating divorce and actual divorce rates has received some attention in the research literature. There appears to be some evidence that states adopting unilateral or so-called “no-fault” divorce laws inadvertently contributed to escalating divorce rates over the past three decades.²⁷ Some argue that no-fault statutes have inadvertently weakened family stability by further weakening cultural commitments to the social contract of marriage. Proponents of unilateral divorce statutes assert that the rise in divorce rates that followed adoption of no-fault statutes is actually a fair reflection of the prevailing cultural sentiment and the number of people who were in bad relationships with only financially costly and emotionally embittering options for exiting such marriages prior to the law.²⁸

Marriages end in divorce for many reasons. No matter the reason, however, state policy should attempt to help divorcing families end their marriage in as healthy and positive a manner as possible. The following are recommendations for meeting that objective:

4.1 Unilateral Divorce Reforms. In the 1970s, 37 states made legislative amendments or repeals to divorce statutes to implement no-fault divorce.²⁹ Given the association of “no-fault” divorce statutes with actual divorce rates, and the association of divorce with poorer outcomes for parents and children, it seems some re-examination of unilateral divorce is warranted – particularly in cases involving young children. Evidence suggests that states should modify their unilateral divorce statutes to require a more deliberate proceeding than no-fault divorce when children are involved – except in cases where child or domestic abuse is cited. Research on divorce education reveals a range of findings important for positive child adjustment following divorce, including positive impacts on communication between ex-spouses, lowered child exposure to parental conflict, fewer school absences, and reductions in re-litigation.³⁰ Currently, 23 states make such modifications, including requiring that parents complete an “effects of divorce” education class, mediation, and/or longer waiting periods when children are involved

in the divorce.³¹ A 1999 survey indicated that nearly half of all U.S. counties offer some form of divorce education supports to parents, triple the number in 1994. Of those not offering a program, survey respondents cite lack of financial and technical resources as the main impediments.³²

POLICY 5 **Child Custody**

Child custody policies play a prominent role in the maintenance of family relationships and appear to be related to divorce outcomes. For example, divergence in parental perceptions about the father's ability to parent and the mother's willingness to be accommodating affect parental satisfaction with custody agreements.³³ In turn, satisfaction with custody agreements and the level of conflict over custody arrangements may impact the well-being of children. One major aim of state custody policies should be to maintain, where possible and healthy, relationships between children and both parents.

5.1 Joint Physical Custody Options. State child custody policy should, among other things, protect the child's emotional, social, psychological, economic and physical well-being while simultaneously safeguarding both the child's and the adult's interest in maintaining past relationships, or possibly even affecting future ones.³⁴ Joint physical custody essentially establishes a shared parenting, decision making, and residency relationship between the estranged parents and the children. Such awards typically allow children to maintain at least 30/70, and up to 50/50, time arrangement with parents. State custody policies that emphasize joint physical custody appear to have the benefit of reducing the "win-lose" character of divorces and of making it difficult for angry parents to punish former partners by "taking the children." They also promote more contact between the child and both parents, and offer statutory visitation protections beyond those offered by joint legal custody. Joint physical custody laws may also help to discourage rushed divorces. States with higher levels (over 30 percent) of joint physical custody awards demonstrated declines in divorce rates four times that of states with low joint physical custody rates.³⁵

In addition, empirical research studies reveal that joint physical and joint legal custody arrangements are significantly associated with better child adjustment outcomes following divorce when compared to sole-custody decisions, including time spent with non-custodial parents, closeness to the father, and benefits in emotional, behavioral and academic well-being.³⁶ Some research suggests that these positive effects persist even when there is some level of parental conflict,³⁷ although the measurement of conflict in most studies is inconsistent and the cause of conflict unclear.³⁸ Given the available evidence, state policy should seek positive child and family benefits by encouraging joint physical custody where possible and safe for the child and parents. To date, 43 states and the District of Columbia authorize joint custody arrangements. However, of the 43 states, only 11 have passed laws presuming or favoring joint custody agreements unless there is proof that joint custody is not in the child's best interest. Another eight states favor joint custody if both parents agree. Seven states do not specifically authorize use of joint custody.³⁹

Active Parent Participation and Support Policies

Two additional objectives of state policy aimed at strengthening families are to (1) foster high levels of involvement from both parents, and (2) support families during important transitions and difficult family situations. Three key policies seem appropriate for stimulating and maintaining active parent participation and nurturance of children.

POLICY 6 **Father Involvement**

Research clearly demonstrates that the involvement of fathers in the lives of their children produces significant benefits for both children and the fathers themselves. For instance, when fathers spend more time in caregiving, support, and parenting of their children, children demonstrate higher levels of cognitive development, personal mastery, social competence, and school performance.⁴⁰

6.1 Father Involvement Campaigns. States should enact father involvement efforts that support and encourage positive male parenting and acceptance of parenting responsibilities. Several states implement responsible fatherhood initiatives designed to equip fathers with more parenting information and to support them in caretaking roles with their children. These initiatives generally involve public education campaigns, parenting and home visiting services that include fathers, and programs that improve the financial contribution of fathers to their children.⁴¹ Some research evidence suggests that improvements in the financial participation of non-custodial parents are possible. For example, in a study of responsible fatherhood initiatives administered by child support enforcement agencies in eight states, agencies offering employment services were able to significantly improve employment outcomes among non-custodial fathers and the percentage of parents making payments.⁴² Less evidence regarding the effectiveness of specific fatherhood involvement media strategies is available. Consequently, states implementing public education campaigns to improve father involvement should observe the best practice principles established in public education campaign research and discussed earlier under the “public education on marriage” recommendation.

POLICY 7 **Child Support**

States should consider the strategic importance of child support policy to the financial health of families and the work force participation of non-custodial parents. Child support payments comprise nearly 26 percent of total family income among low-income families, second only to earnings.⁴³ State pass-through options and child support disregards hold promise for improving the financial health of children living with one custodial parent. Two additional policy decisions – “forgiveness” of child support arrearages and deferment of child support payments while participating in allowable TANF work activities – improve the financial capacity of non-custodial parents to pay child support and minimize disincentives to return to work.

7.1 Child Support Pass-Through Allowances. States should allow more child support money to reach custodial parents by enacting full pass-through options. Pass-through options provide greater economic benefit to children and their custodial parents by ensuring that child support payments are not kept by the state but forwarded to the custodial parent. Moreover, evidence suggests that non-custodial parents who pay child support and believe child support distribution rules to be fair – as is the case with child support pass-through options – are more likely to be involved in the parenting of dependent children and comply with child support orders.⁴⁴

7.2 Child Support Disregards. States should disregard all child support income in determining eligibility for other benefits programs. Including child support income in eligibility determination effectively nullifies the benefits of pass-through options and may result in single-parent, single-income families being denied much-needed assistance.

7.3 Caps on Child Support Arrearages. To encourage both workforce participation and child support compliance among non-custodial fathers, states should impose automatic caps on child support arrearages. Such caps keep child support requirements on poor parents within reasonable limits, avoiding the trap of ever-increasing uncollectible debt.⁴⁵ In addition to setting caps on arrearages, state arrearage policies can be tied to other positive parent outcomes. For example, arrearages can be suspended or forgiven when non-custodial parents seek job training or employment (see recommendation 7.4). In another example, Tennessee and Vermont “forgive” all child support arrears in cases where the parents marry or reunite if previously married.⁴⁶ In addition, incarcerated parents would benefit from automatic caps on arrearages and adjustments to child support orders while incarcerated. Nearly one-quarter of all inmates have open child support cases, owing monthly payments between \$225 and \$313 per month and average arrearages of \$23,000 upon leaving prison. One-half of the arrears owed by incarcerated parents are owed to the state, not the child and custodial parent. Moreover, many ex-offenders face state laws prohibiting employment in some sectors due to their criminal records, complicating their ability to resume support payments upon community reentry.⁴⁷

7.4 Reduced or Suspended Payments While Participating in Allowable TANF Work Preparation Activities. For many low-income fathers, the mounting debt of child support results in either the abandonment of child support payments or declining needed work preparation opportunities.⁴⁸ Recent evidence indicates that child support guidelines in some states require unreasonable proportions of a low-income father’s income go to child support, and consequently, contribute to high rates of noncompliance.⁴⁹ Evidence from the experiences of child support enforcement agencies indicate that states should encourage father participation in child support by reducing or suspending the child support payments of low-income fathers participating in work preparation activities, including completion of high school, attending job training, and completion of substance abuse rehabilitation. Implementing

this benchmark could serve the dual purpose of increasing child support collections and attaching low-income fathers to work opportunities.

POLICY 8 **Family Leave Policies**

The federal Family and Medical Leave Act (FMLA) of 1993 entitles employees to 12 weeks of unpaid work leave for family and medically related causes. The Act covers leave in the event of childbirth, adoption or foster care placement, serious health conditions for immediate family members, or health conditions making the employee unable to work. As a basic support to families during times of family transition or crisis, the Act represents an important step forward. However, significant numbers of working families do not benefit from the federal law, necessitating state action.

8.1 Extend FMLA Eligibility. FMLA falls short of extending basic family support to approximately 45 percent of the American workforce because it only applies to employers with 50 or more employees.⁵⁰ To ensure that more workers benefit from leave policies, states should pass laws extending the basic intent of FMLA to employers with 26 or more employees. In a comparison of leave policies in 11 states to the federal Act, the U.S. Department of Labor found 5 states extending FMLA-type eligibility to employers with fewer than 50 employees. California legislation signed in September 2002 extends eligibility to all employers without regard to number of employees; however, those with fewer than 50 employees are not required to preserve a job for a worker taking paid family leave. Maine and Vermont extend family leave eligibility to employers with 15 or more employees, Minnesota to employers with 21 or more, and Oregon to employers with 25 or more employees.⁵¹

8.2 Wage Replacement for Family Leave. Many employees are practically ineligible because federal FMLA law fails to provide any wage replacement benefits to employees. While the percentage of U.S. employees taking leave remained essentially unchanged at 17 percent between 1995 and 2000, the percentage of workers who needed leave but did not take it because they could not afford to go without wages rose from 64 percent in 1995 to 77.6 percent in 2000.⁵² Without wage replacement benefits, family leave policies fail to support low-income working families needing temporary time off from work to care for family members. States have taken a number of roads toward creating and funding more effective leave benefits for those needing them, including creation of Temporary Disability Insurance systems with partial wage replacements, extending unemployment insurance to include FMLA-type leave, or enacting minor payroll taxes to fund medical and family leave.⁵³ For example, California's family leave policy replaces 55 percent of a worker's wages during their absence, up to a maximum of \$728 per week. Efforts like California's cover more families and provide some wage replacement for workers otherwise unable to afford leave. All states should enact wage replacement policies that cover at least 50 percent of wages for families needing to take family and medical leave.

Family Safety and Stability Policy

The policies contained in the family safety and stability cluster are intended to achieve three main objectives. First, these policies intend to ensure that individual family members are protected – especially women and children, who disproportionately are the victims of physical and emotional abuse. Second, the policies intend to address risk factors that inhibit positive parenting and family life. Third, family safety and stability policies aim to provide tangible resources and supports to families in times of crisis.

POLICY 9

Domestic Violence

Currently, the vast majority of state investments regarding domestic violence are targeted to criminal justice responses. While such responses are often warranted, for many families such an orientation is punitive and causes some unintended consequences. In principle and practice, states should pursue the integration of effective domestic violence treatment and intervention responses across health, education, child welfare and family support services. Moreover, states should seek to balance domestic violence investments between both a criminal justice response and prevention and treatment strategies. A more balanced investment approach would provide for:

- 9.1 Support to Children Witnessing Domestic Violence.** Research indicates that children who observe domestic violence exhibit behavior and social competence problems at 2.5 times the rate of children in nonviolent families. The more frequent and intense the episodes of violence the more likely children are to exhibit difficulties.⁵⁴ Despite these facts, only about 50 percent of community-based domestic violence providers in one survey supplied services to children witnessing violence.⁵⁵ Given this evidence, states should fund more community-based support and treatment services for children and their non-offending parents involved in domestic abuse.
- 9.2 Extend Allowable Reasons for Employment and Family Leave.** Currently, most family leave policies provide support to families with newborn children, seriously ill members or workers, and families adopting children. Several states extend their family leave policies to also cover women experiencing domestic violence, sexual assault, or stalking. Seventeen states include such protections in their unemployment insurance laws.⁵⁶ These policies provide necessary relief and assistance to families experiencing serious turmoil and transition due to family violence and abuse. Similarly, states should exercise federal TANF family violence options (FVO) or comparable policies to exclude battered women from their work and time limit requirements. Thirty-eight states currently provide such relief to women.⁵⁷
- 9.3 Emergency Financial Assistance.** Research indicates that as many as one-half of all women receiving welfare have experienced domestic violence at some point in their lives, and as many as 32 percent are currently in violent relationships.⁵⁸ Many battered women remain in abusive relationships

due to financial dependence on their partners. Consequently, states should act to ensure that women have financial resources to escape abusers and poverty. Twenty-seven states provide battered women with emergency payments to escape their abusers and to partially subsidize their housing or transportation costs.⁵⁹

9.4 Integrate Domestic Violence Services with Other Service Systems. One approach to protecting women and children from domestic abuse, holding abusers accountable, and keeping children with their non-offending parent is to integrate domestic violence training and services into the responses of other systems. Several states have enacted laws requiring various systems to coordinate their efforts to prevent intimate partner violence and abuse. Alaska, Arizona, and Missouri, for example, implemented statewide training programs for child protection, court, law enforcement, and domestic violence personnel and providers. Vermont created a formal partnership between its child welfare and domestic violence agencies, while Utah requires its child protection workers to consult with domestic violence professionals when children are exposed to family violence, to assist non-offending adults with developing a safety plan, and to help find other appropriate supports.⁶⁰ At minimum, states should require and fund interagency training on domestic violence.

POLICY 10 Child Welfare

State and local child welfare agencies generally subscribe to the three-fold mission established by the U.S. Department of Health and Human Services to achieve (1) safety from harm or predictable harm, (2) permanent and stable homes for both children and, to the extent possible, their families, and (3) higher levels of child well-being. To achieve these goals, state child welfare systems take on a wide range of service responses. For example, child welfare's official responsibilities for child protection include: reporting and substantiation; decision making about safety and permanency; interactions with juvenile and family courts; case planning and service provision; out-of-home placement; foster and adoptive family recruitment; court actions to terminate parental rights; and adoption and post-adoption services.

Addressing the entire spectrum of child welfare activities is beyond the scope of this paper. Instead, this paper focuses on “front end” child welfare services and policies with potential for promoting stable families and nurturing homes for children. Accordingly, state child welfare policies should seek to maintain children in their original families, when safe to do so, in other family settings (preferably with kin), and in their own communities. To meet these aims, a number of specific recommendations are offered.

10.1 Kinship and Guardian Care Subsidies. Kinship foster care accounts for an estimated 30 percent of national out-of-home placements, with wide variance locally. Increasing demand for foster care, shrinking numbers of

non-kin foster care providers, and changing attitudes regarding family care contribute to the recent rise in kin placements.⁶¹ Despite this growing reliance on relative care, research demonstrates that children and caregivers in kinship foster care arrangements receive, request, and are offered fewer services than non-kin foster caregivers.⁶² For example, nearly all states give preference to kin in out-of-home placements, but only 22 states provide foster care payments to kin meeting foster care standards.⁶³ Absent such supports, kinship care providers often have fewer resources than out-of-family placements providing the same care. Available evidence suggests state policy should (a) provide subsidies and incentives for kinship care equivalent to those provided to non-kin foster care providers, and (b) make kinship care providers eligible for needed supports like TANF, S-CHIP or Medicaid, and State Earned Income Tax Credit (EITC) benefits.

10.2 Foster Parent Incentives and Supports. States are facing declining numbers of foster parents as the demand for such services increase. Research indicates that foster parents tend to leave the system because they lack agency support, experience poor communication and treatment with child protection workers, have difficulty with a child's behavior, expect to adopt, or have no input into a child's future.⁶⁴ Turnover among foster parents is estimated at 30 to 50 percent per year in some places.⁶⁵ While evidence regarding the effectiveness of many strategies is still underdeveloped, states are implementing a number of promising efforts to improve retention and recruitment of foster parents. For example, seven states provide respite care to either all foster parents or those caring for children with special needs. Connecticut and Oregon are among states that extend public health insurance programs to foster parents and their dependents. Iowa helps finance and support the Foster and Adoptive Parent Association, which helps recruit, support, and train its members. Ten states offer some form of reduced liability or liability protection to foster parents, and a number of states offer training and peer support.⁶⁶ To begin offering a range of adequate supports, states should meet an initial policy benchmark of providing three or more of these resources in order to reduce turnover and increase success among foster parents.

10.3 Family-Centered, Community-Based Strategies. In 1990, the U.S. Advisory Board on Child Abuse and Neglect issued a report detailing a crisis in the child protection system. The Board concluded, "State and County child welfare programs have not been designed to get immediate help to families based on voluntary requests for assistance. As a result it has become far easier to pick up the telephone to report one's neighbor for child abuse than it is for that neighbor to pick up the telephone to request and receive help before it happens. If the nation ultimately is to reduce the dollars and personnel needed for investigating reports, more resources must be allocated to establishing voluntary, non-punitive access to help."⁶⁷

In response to this assessment, the Board proposed a child-centered, neighborhood-based approach to protecting children.⁶⁸

Regarding community-based approaches, states should enact laws that establish systems to respond to those cases where abuse is not substantiated, but where support is needed to prevent potential future abuse. Some research evidence indicates that peer and family support are important to the psychological health and adjustment of physically abused children.⁶⁹ Community-based approaches can offer family-centered services that raise the level of social and emotional support available to families at risk of abusing their children, particularly when programs are individualized, multileveled, and intense.⁷⁰ Florida, Georgia, Iowa, Kentucky, and Missouri are experimenting with community partnership approaches to child protection.⁷¹ Colorado also created family resource centers to provide community-based services to vulnerable families.⁷² States should fund community-based approaches to preventing abuse and neglect and fostering healthier relationships in families at risk of abuse or neglect.

POLICY 11 **Respite Care**

Families often face the need for respite care when they have one or more members with a disability. Respite can occur in out-of-home and in-home settings for any length of time depending on the needs of the family and available resources. As a vital part of the continuum of services for families, respite can help prevent out-of-home placements, lower risk of abuse and neglect, preserve the family unit, and reduce family instability. Several federal funding streams are available to support provision of respite support. Despite these funding streams, however, the need for such services is largely unmet.

11.1 Respite Services. Several approaches for making needed respite resources available are possible. For example, the Oklahoma Office of Child Care partnered with the Oklahoma Respite Resource Network to establish a respite provider registry and a pilot respite voucher initiative for children with special healthcare needs. The voucher initiative was funded with Title V Maternal and Child Health Program funds. The Washington State Child Care Resource and Referral Network provides respite care referral services to parents of children with disabilities. The Division of Developmental Disabilities provides funding for these services and 11 agencies in 13 counties provide respite care. In Iowa, officials used Child Care Development Block Grant (CCDBG) quality set-aside funding to provide respite care training to childcare providers. In nearly one-third of the states, registered family day care providers have been trained and licensed to also provide overnight care to children with disabilities. Medicaid waivers finance this service. States should enact respite care legislation that supports families with children with disabilities and families in crisis.

CONCLUSION

Many American families are struggling to maintain strong and healthy bonds under the pressures of economic uncertainty and the stresses of a rapidly changing social context. With growing work demands and pressures, families are faced with difficult decisions about family interaction and routines. Unfortunately, many families are not able to balance the competing demands of family and work.

This framework is offered as a tool for thinking about and guiding a public policy agenda to strengthen families. This brief advances a three-part approach for strengthening family relationships. First, this approach emphasizes the healthy formation of families through effective birth supports, out-of-wedlock birth prevention efforts, and two-parent and marriage promotion interventions. These interventions are intended to promote stronger family bonds and interactions at the crucial beginning period of family life. Second, this brief promotes policies encouraging active and supportive involvement from both parents and that create more balance between the competing demands of work and family. Third, this brief gives attention to supporting children and parents in high conflict situations and families with special needs. To successfully improve the strength of American families, states need policy approaches meeting each of these objectives.

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About the Policy Matters Project

The *Policy Matters* project is an attempt to offer coherent, comprehensive information regarding the strength and adequacy of state policies affecting children, families, and communities. The project seeks to establish consensus among policy experts and state leaders regarding the mix of policies believed to offer the best opportunity for improving key child and family results. The project focuses on six core results: school readiness, educational success, family economic success, healthy families, youth development, and family maintenance. In each of these areas, a series of briefs, overview publications, self-assessments, and 50-state reports are envisioned.

About CSSP

The Center for the Study of Social Policy is a non-profit, non-partisan policy organization located in Washington, D.C. The Center's mission is to promote policies and practices that support and strengthen families, build strong communities, and produce better and more equitable outcomes for children, youth, and adults

Send comments or inquiries to:



Policy Matters Project
Center for the Study of Social Policy
1575 Eye Street, NW, Suite 500
Washington, D.C. 20005

Or visit us online at:
www.cssp.org