



NATIONAL QUALITY IMPROVEMENT CENTER  
ON NON-RESIDENT FATHERS AND THE CHILD WELFARE SYSTEM

## *Literature Review*

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# NON-RESIDENT FATHERS, PATERNAL KIN AND THE CHILD WELFARE SYSTEM

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*Submitted by:*

American Humane Association  
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*Submitted to:*

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This literature review was written as part of the Quality Improvement Center on Non-Resident Fathers (QIC NRF) on behalf of the Children's Bureau, U.S. Department of Health and Human Services.

# Table of Contents

<b><u>Preface</u></b>	<b>i</b>
<b><u>Introduction and Background</u></b>	<b>1</b>
Introduction	1
Scope and Objectives of Review	2
Demographic Information on Non-Resident Fathers and Child Welfare Systems	3
Issues and Theories under Consideration	7
References	9
<b><u>Chapter 1: Social Science Literature</u></b>	<b>11</b>
Introduction	11
Identifying Non-Resident Fathers and Paternal Kin	11
Locating Non-Resident Fathers	13
Contacting Non-Resident Fathers	14
Engaging Non-Resident Fathers and Paternal Kin	16
Interagency Collaborations	21
Summary and Conclusion	22
References	24
<b><u>Chapter 2: Legal Literature</u></b>	<b>28</b>
Introduction	28
Identifying Non-Resident Fathers	32
Locating Non-Resident Fathers and Paternal Kin	37
Contacting or Providing Notice to Non-Resident Fathers	41
Engaging Non-Resident Fathers and Paternal Kin	44
Summary and Conclusion	48
References	50
<b><u>Chapter 3: Programs and Practices Literature</u></b>	<b>57</b>
Introduction	57
Identifying Non-Resident Fathers	59
Locating Non-Resident Fathers and Paternal Kin	61
Contacting or Providing Notice to Non-Resident Fathers	65
Engaging Non-Resident Fathers and Paternal Kin	67
Summary and Conclusion	82
References	84

# Table of Contents

<b><u>Chapter 4: Research Methodology</u></b>	<b>92</b>
Introduction	92
Descriptive Studies	92
Program Evaluation of Interventions	96
Qualitative Studies	98
Program Improvement Plans from States	99
Methodological Issues in Random Assignment	101
Summary and Conclusion	103
References	105
<b><u>Chapter 5: Summary, Gaps and Conclusions</u></b>	<b>108</b>
Introduction	108
Identifying Non-Resident Fathers	108
Locating Non-Resident Fathers and Paternal Kin	109
Contacting Non-Resident Fathers	110
Engaging Non-Resident Fathers and Paternal Kin	112
Conclusions and Assumptions for Future Research	114
<b><u>Appendix A: Fatherhood Program Descriptions</u></b>	<b>116</b>

## Preface

The Quality Improvement Center on Non-Resident Fathers and the Child Welfare System (QIC NRF) is a five year project to promote and support a research-based and outcome-focused approach to inform best practices related to the engagement of non-resident fathers and paternal family in the child welfare system. The QIC NRF is funded by the Children's Bureau, U.S. Department of Health and Human Services, and is a collaborative project between the American Humane Association, the American Bar Association Center on Children and the Law, and the National Fatherhood Initiative.

The Children's Bureau's impetus for this project, funded in the fall of 2006, was the Federal Child and Family Service Reviews (CFSR) and the "*What About the Dads?*" report. The CFSRs on state child welfare system performance and the "*What About the Dads?*" report showed that there has been little meaningful engagement between the child welfare system and fathers. With this information as a foundation, the QIC NRF was designed to provide additional knowledge about the engagement of non-resident fathers and their children who are involved in the child welfare system.

The ultimate purpose of the QIC NRF is to determine, through a research design, the impact of non-resident father involvement in child welfare outcomes. Child welfare outcomes include child safety, permanence, and well-being. Included in this design is the examination of the relationship between the child and non-resident father and/or paternal relatives. Throughout the five years of this project, research and information from the QIC NRF will be disseminated to the Children's Bureau, sub-grantees, child welfare agencies, private service providers, courts and legal systems, and other stakeholders.

The QIC NRF is being implemented in two phases. Phase one focuses on the identification of sub-themes, knowledge gaps, service gaps, research priorities, and experimental design. Phase two focuses on the implementation of the research design in several national sites and the development of a dissemination process that will provide the most current and state-of-the-art information to practitioners, policymakers, administrators, and researchers.

The purpose of this literature review is to summarize and describe existing literature on non-resident fathers in the child welfare system and to provide focus to the QIC NRF's phase two research and site engagement. The review will describe the major themes, concerns, and issues regarding non-resident father involvement in the child welfare system by analyzing social science, legal, policy and practice, and data literature. The review presents and summarizes available literature on identifying, locating, contacting, and engaging non-resident fathers in the child welfare process. It also highlights gaps in the literature and recommendations regarding future research of the QIC NRF.

## Introduction and Background

### Introduction

Today more American children are growing up in homes without their biological father than at any other point in American history. Trends such as divorce and remarriage, as well as more children being born outside of marriage, result in a diminishing role of fathers in the daily lives of their children.

Engaging fathers in the lives of their children becomes an even greater challenge when his children are involved in the public child welfare system. This is especially true in cases where the child has been removed from the home and placed in non-relative or stranger's care. Reunifying children with their birth families, as quickly as possible, without jeopardizing the children's safety, is the first priority. However, identifying family resources, especially non-resident fathers and paternal relatives, has been challenging for the child welfare system.

In addition, research discussed below shows that most foster children were not living with their fathers when they were removed from their home and placed in care. Child welfare agencies must then identify and locate the non-resident father, which can often be challenging, as well as assess the benefits, detriments and difficulties associated with his engagement in the child welfare case.

In 2006, the Urban Institute, under contract with the Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, published its final report on child welfare agencies' efforts to identify, locate, and involve non-resident fathers in the child welfare process. The report, entitled, "*What About the Dads?*" in conjunction with findings from the CFSRs, were the impetus behind the creation of the QIC NRF. *What About the Dads?* reviewed 1,958 cases of children who were removed by child welfare agencies from their homes where their biological father did not reside. Telephone interviews with 1,222 child welfare agency caseworkers involved in these cases showed that:

- 88 percent of non-resident fathers were identified by the child welfare agency;
- 55 percent of non-resident fathers were contacted by the caseworker;
- 30 percent of the non-resident fathers visited their child; and
- 28 percent of non-resident fathers expressed an interest in assuming custody of their child.

Despite these diminishing numbers, the report found that the majority of caseworkers, 70 percent, had received training on engaging fathers. Moreover, caseworkers who received training were more likely to report having located fathers.

## Introduction and Background

Based on all of its findings, the report recommends, among other things, that child welfare agencies: (1) search for non-resident fathers early in cases (2) train caseworkers on identifying, locating, and involving fathers, and (3) develop models for engaging them constructively (Malm, Murray & Geen 2006). Through a rigorous experimental design, the QIC NRF will respond to some of these recommendations and address the larger question of whether child well-being is affected by increased father involvement in the context of the child welfare system.

### Scope and Objectives of Review

This review identifies and summarizes published literature and written materials on issues relating to non-resident fathers or non-resident putative fathers (father figures, males who assume a paternal role, or who may be the biological father but have not yet been established as the legal parent) whose children have been referred and accepted by public child welfare agencies for investigation, services, or assessment. This review is part of a larger research plan that spans over the course of a year to assess knowledge, service gaps, and research priorities for the QIC NRF. In addition to the development of this literature review, the QIC NRF has coordinated focus groups and conducted key informant interviews with a variety of stakeholders, including judges, lawyers, child welfare agency administrators and case workers, fathers, and researchers. Focus groups and interviews have also identified written materials and literature that were not otherwise available through usual search engines.

The primary focus of this review is on written materials regarding non-resident fathers and the child welfare system; however, literature regarding fatherhood and paternity, in general, are also reviewed. Various categories of literature were examined to develop this report, including social science, legal, programs and practice, and data publications. For example, to complete the legal literature review, reviewers examined federal and state statutes, federal and state case law, court rules, and legal periodicals, journals, and treatises.

Reviewers used a wide variety of internet-based resources to locate relevant literature in the above named categories, including: Westlaw, Lexis Nexis, Google, Yahoo, the Education Resource Information Center (ERIC), Ingenta, and ProQuest. Reviewers also searched federal and state government websites and other private agency and education sites to identify program and practice materials. Other websites reviewed include: the U.S. Department of Health and Human Services, the Child Welfare Information Gateway, the National Child Welfare Resource Center on Legal and Judicial Issues, the National Resource Center for Family Centered Practice and Permanency Planning, the National Fatherhood Initiative, the Child Welfare League of America, the Urban Institute, the Annie E. Casey Foundation, and the University of Pennsylvania (National Center on Fathers and Families).

## Introduction and Background

These varied resources were examined and summarized herein to meet several objectives. First, this review provides interested stakeholders with a summary and analysis of multi-disciplinary written resources on non-resident fathers and child welfare. Second, it creates a foundation of knowledge upon which the QIC NRF will identify substantive research topics for its second phase research project and experimental design. Finally, it assesses substantive gaps in literature and programming in the area of non-resident father involvement and child welfare as a stimulus for future study and research.

### Demographic Information on Non-Resident Fathers and Child Welfare Systems

Father absenteeism is a significant problem. Over twenty-five million American children (or 33.5 percent of children in the U.S.) live without their biological father (Krieder, 2005). These numbers are higher among some minority groups. Half of all African-American children (51 percent), one in four Hispanic children and one in six white children (18 percent) live with single mothers.(U.S. Census Bureau, 2004).

National changes in children's living arrangements have also caused a shift in the traditional paradigm of the mother, father, and child household. Of the 73.2 million children under 18 years old living in the United States in 2004, 67.7 percent (49.6 million) were living with two parents, 27.9 percent (20.4 million) were living with a single parent, and 4.3 percent (3.1 million) were living with neither parent. (U.S. Census Bureau, 2005).

The Urban Institute's *National Survey of America's Families* (NSAF) provides additional financial information about children's living arrangements. NSAF data from 2001 shows that half of children living in families whose income is below the federal poverty line live with their mothers, but not their fathers. However, NSAF data shows that minor gains were made in terms of the number of those children who received child support. Thirty-six percent of those children received support payments in 2001, compared to 31 percent in 1996. The Urban Institute notes that although these are statistically significant gains, over 60 percent of poor children do not receive child support from non-resident fathers (Sorenson, 2003).

*Father Facts: Fifth Edition*, a publication from the National Fatherhood Initiative in 2007 discusses how these living situations may impact children:

- Compared to living with both parents, living in a single-parent home doubles the risk that a child will suffer physical, emotional, or educational neglect (America's Children, 1997).
- Analyzing a group of 8<sup>th</sup> graders who initially resided with both biological parents, children in households that had experienced a change in family

## Introduction and Background

structure had school dropout rates two to three times higher than peers whose families did not change (Pong, 2000).

- Children in father-absent homes are five times more likely to be poor. In 2002, 7.8 percent of children in married-couple families were living in poverty, compared to 38.4 percent of children in female-only households (U.S. Census Bureau, 2003).
- In an analysis of data collected from 26,023 adolescents ages 13 to 18, the teens living in single-parent households were more likely to engage in premarital sex than those living in two parent households (Lammers, 2000)

A number of studies also suggest that non-resident fathers live in a variety of complex living situations that affect their capacity to be involved in all their children's lives:

- About half of all non-custodial fathers have ties to another set of kin and a quarter has three or more children in their lives. These children include non-resident biological children of all other past/present mates, biological children and stepchildren who may reside with the father and stepchildren who live elsewhere (Manning, 2003).
- Eight percent of all non-resident fathers are living with biological children they fathered prior to their current residency and another 26 percent live with stepchildren. About 14 percent of non-resident fathers are living with women who are also nonresident parents, and 42 percent have biological children with their current spouse or partner (Manning, 2003).
- For post-divorce, non-resident fathers, lower levels of involvement with their children are related to ongoing conflict with the residential mother, greater geographical distance from the children, and a lack of clarity regarding the nature of the fathering role. All of these factors impact a father's satisfaction with his arrangement with his children (Leite, 2002).

Father absence is also common in the child welfare system. When siblings are system-involved, there is a high frequency of cases that involve multiple non-resident fathers. Sometimes fathers are unknown or legal paternity has not been established. Moreover, available statistics show that a large percentage of children in the foster system have non-resident fathers.

According to the Adoption Foster Care Analysis and Reporting System (AFCARS) data, on September 30, 2005, there were 513,000 children placed in foster care within the United States. Other data and research indicates that most foster children are not living with their fathers at the time they were removed from their homes. Many



## Introduction and Background

children and youth also enter the child welfare system but are not removed from the home; many of them also have non-resident fathers who live outside the home.

Data collected by the U.S. Department of Health and Human Services for *Child Maltreatment 2005* shows that few child abuse and/or neglect victims came from single father households. Of the 28 states reporting, 11.1 percent of child victims of abuse, neglect or abandonment were from married parent households, while 17.7 percent of victims came from single mother households and 1.9 percent of victims came from father only households.

### *Living Arrangement of Victims (based on data from 28 states), 2005*

	<b>Married Parents</b>	<b>Married Parent and Stepparent</b>	<b>Unmarried parents</b>	<b>Parent and Cohabiting Partner</b>
Total	40,770	4,210	10,583	6,350
Percent	11.1%	1.1%	2.9%	2.6%

	<b>Both Parents, Marital Status Unknown</b>	<b>Single Parent, Mother Only</b>	<b>Single Parent, Father Only</b>	<b>Single Parent, Mother and Other Adult</b>
Total	49,103	64,961	6,960	11,470
Percent	13.4%	17.7%	1.9%	3.1%

	<b>Single Parent, Father and Other Adult</b>	<b>Non-parental Relative Caregiver</b>	<b>Non-parental Relative Caregiver</b>	<b>Non-relative Caregiver</b>
Total	1,283	8,792	8,792	17,843
Percent	0.3%	2.4%	2.4%	4.9%

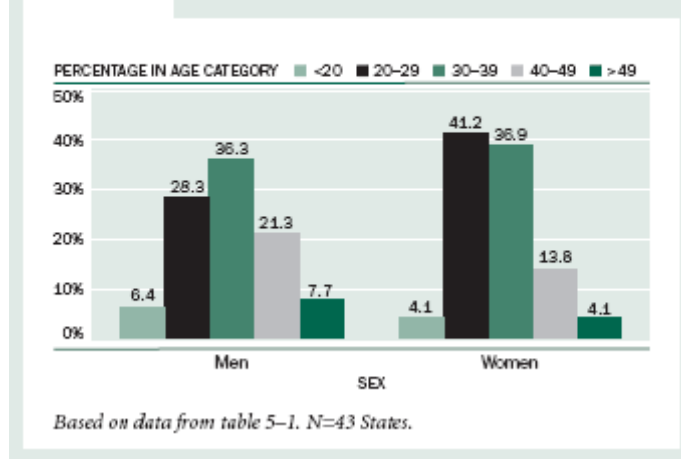
Excerpted from U.S. Department of Health and Human Services, Administration on Children, Youth and Families. *Child Maltreatment 2005*. Washington, DC: U.S. Government Printing Office, 2007, 54. (Data source: Child File) <<http://www.acf.hhs.gov/programs/cb/pubs/cm05/cm05.pdf>>.

*Child Maltreatment 2005* also assessed child abuse and neglect perpetrator statistics, showing that female perpetrators, mostly mothers, comprised a larger percentage of all perpetrators than males.

## Introduction and Background

### *Age and Sex of Perpetrators, 2005*

**Figure 5–1 Age and Sex of Perpetrators, 2005**



Excerpted from U.S. Department of Health and Human Services, Administration on Children, Youth and Families. *Child Maltreatment 2005*. Washington, DC: U.S. Government Printing Office, 2007, Table 5.1. (Data source: Child File) <<http://www.acf.hhs.gov/programs/cb/pubs/cm05/cm05.pdf> />.

A 2005 report assessing National Child Abuse and Neglect System (NCANDS) data corroborates *Child Maltreatment 2005*'s findings regarding male perpetrators. Using case-level data from 2002, the study confirmed that females outnumbered male perpetrators among cases investigated by child welfare agencies by approximately 10 percent. The study also found that more than half of male perpetrators were biological fathers but almost one quarter were father figures, such as stepfathers or mothers' boyfriends.

Moreover, although paternity is known for more than 80 percent of foster children with non-resident fathers and for other children served by child welfare agencies, once in foster care they have little contact with their fathers. In November 2003, the Urban Institute issued a brief on *Getting Noncustodial Dads Involved in the Lives of Foster Children* (Malm, 2003). That brief noted:

- 54 percent of foster children had contact with their fathers in the past year;
- 66 percent of comparable children served by child welfare agencies had contact with their fathers in the past year; and
- 72 percent of children in the general population had contact with their fathers in the past year.

## Introduction and Background

### Issues and Theories under Consideration

The benefits and challenges of engaging non-resident fathers involved in the child welfare system are reflected in studies, such as the *What About the Dads?* report, CFSR data, and day-to-day practice. Many children are not living with their fathers at the time they are removed from their homes and once in foster care, these children may experience less contact with their non-resident fathers. Engaging fathers to participate in the child welfare process, when safety and child well-being are not jeopardized, is critical to developing or maintaining the parent-child relationship, making placement or permanency decisions, and gaining access to resources for the child.

This literature review begins to address these issues by synthesizing and analyzing available literature from multiple disciplines. Through a review of social science literature, legal written materials, program and practice literature, and data analyses, this review assesses available literature on:

- The **identification** of non-resident fathers involved in the child welfare system. For purposes of this review, identification means the child welfare agency, its agent, court or counsel ascertains the name of the non-resident father whose child is system-involved.
- The process of **locating** non-resident fathers involved in the child welfare system. For purposes of this review, locating means the child welfare agency, its agent, court, or counsel makes efforts to locate where the father resides and/or works. For example, an agency representative may inquire of the mother or relatives about the father's location, the agency may conduct a diligent search for the father, or the court may ask the mother to complete a paternity affidavit under oath.
- The process of **contacting or providing notice** to non-resident fathers involved in the child welfare system. For purposes of this review, contact or notice entails the process by which the agency, its agent, court or counsel makes contact with the non-resident father. For example, it may be by phone, an in-person meeting, letter sent by the agency, or service of process issued by the court. The process of providing notice to the non-resident father does not presume that he has been identified or located. In some circumstances, the non-resident father may be unknown and the court attempts to notify him of proceedings by publication.
- The **engagement** of non-resident fathers involved in the child welfare system. For purposes of this review, engagement involves the process of working with and/or offering services to the non-resident father. Engagement entails more than a single contact by the agency, its agent, court or counsel.

## Introduction and Background

- **Interagency collaborations** in identifying, locating, contacting and/or engaging non-resident fathers involved in the child welfare system. For purposes of this review, interagency collaboration is when the child welfare agency or its agent works in partnership with another public or private agency to identify, locate, contact, or engage non-resident fathers.

## Introduction and Background

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## Introduction and Background

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# Chapter 1

## Social Science Literature

### Introduction

There is extensive research on non-resident fathers that assesses child well-being outcomes in general terms, but there is little research and independent evaluation of father involvement as it relates to the child welfare system. Existing literature focuses on father engagement and why fathers are not more involved in case planning efforts for their children. There have been few evaluations of fatherhood programs in child welfare agencies, and best practice literature is scarce. Much more research has been done on child support as it relates to father involvement, and on Head Start outcomes to a lesser extent.

Research that focuses generally on child welfare contains valuable insights on how agencies address non-resident father involvement. Policy makers and researchers emphasize that non-resident fathers come from diverse backgrounds and have a wide variety of needs. Researchers encourage child welfare agencies to recognize and address fathers' diverse and special needs so caseworkers may better serve fathers and families as a unit. This poses many challenges for child welfare agency caseworkers seeking to include fathers in case planning. Existing research provides relevant and informative theories on why fathers are not more involved in the child welfare system. But, currently, there is insufficient literature or research on child welfare best practice methods to identify, locate, contact, and engage fathers so that agencies can provide comprehensive training and resources to caseworkers.

### *Remainder of Chapter*

This introduction establishes a framework within which social science evaluations and research assess non-resident father involvement in child welfare cases. The remainder of this chapter summarizes and analyzes how social science research has responded to several issues affecting non-resident fathers in child welfare cases. Building upon definitions outlined in the Introduction, the remainder of this chapter assesses, in a social science context, identification, location, contact, engagement, and interagency collaboration.

### Identifying Non-Resident Fathers and Paternal Kin

There are several methods caseworkers use to identify non-resident fathers whose children are in the child welfare system, but methods tend to be applied inconsistently and vary in their effectiveness. Several studies have found that the majority of fathers are identified at case opening (*see, e.g.,* Malm, Murray & Geen, 2006; English, Brummel, & Martens, 2004). In their 2004-2005 study of 1,958 cases in four states, Malm, Murray & Geen (2006) found that in most instances, the mother was asked about the father's identity, followed by maternal relatives, another caseworker, the child or child's sibling, and the father's relatives (in instances where the caseworker believed s/he knew the identity).

## Chapter 1

### Social Science Literature

of the father). It was also found that only one-third of mothers who were asked to identify the father did so. Past studies (e.g., Curran, 2003; Sonenstein, Malm & Billing, 2002) have revealed several reasons why mothers and relatives do not identify non-resident fathers, including:

- Concerns that he might get in trouble with the law because he has outstanding child support payments, or owe a large sum of back payments;
- He is an undocumented immigrant;
- He has outstanding arrest warrants;
- There is a history of domestic violence and the mother fears for her and her children's safety; and/or
- The mother receives informal financial and in-kind support from the father, and chooses to conceal the father from child welfare authorities who could order him to pay child support (which may be less than what she receives from him already).

Surveys of child welfare workers have found that some caseworkers and administrators are unaware of resources such as the state and federal parent locator service, or they misinterpret confidentiality laws (Malm, Murray & Geen, 2006; Sonenstein, Malm & Billing, 2002). As Sonenstein, Malm & Billing (2002, p. 1), note:

[T]he most significant barrier to the establishment of paternity is currently the lack of standardization among states in accomplishing this process . . . it is quite possible that states have varying levels of success in communicating these methods [to establish paternity] to the general public. Among those who have gained awareness, navigating the system may be difficult. The complexity of the paternity establishment process for fathers can pose a significant barrier to parental involvement with children.

Research studies have also acknowledged the effect *Adoption and Safe Families Act* (ASFA) timelines have on identifying, locating, and contacting non-resident fathers. ASFA's timetable for identifying and achieving permanency for children helps determine how and when caseworkers contact fathers. According to Malm (2003), "because ASFA reemphasized that kin should be sought whenever possible when designating placement opportunities for foster children, paternity establishment has become vital to identifying a father and any of his relatives as potential caregiver" (p. 2). Malm, Murray & Geen (2006) found that in nearly 63 percent of cases, legal paternity had been established, compared to 37 percent where paternity was only alleged. Most often paternity was established through the father's name on the birth certificate, followed by DNA testing and a voluntary legal paternity document.



## Chapter 1

### Social Science Literature

#### *Summary and Gaps in Literature*

Research suggests that most fathers are identified at the opening of a child welfare case; how they are identified can differ among states, agencies, and caseworkers. Studies have found that while most caseworkers ask the mother, many other people may be questioned if the mother does not or will not provide the information. Research has also found that although there are resources available to caseworkers to identify the father, such as federal and state parent locator services, these services are not widely used. Further, studies indicate that the public's lack of understanding regarding paternity establishment and the legal processes that accompany it act as a barrier to identify fathers quickly. More research is needed on successful methods to quickly identify fathers in order to promote best practices among child welfare caseworkers.

#### **Locating Non-Resident Fathers**

Once a father is identified, the child welfare agency is tasked with locating the father. Oftentimes, the father's whereabouts are not immediately known and caseworkers employ techniques similar to the identification process to locate him. According to Malm, Murray & Geen (2006), caseworkers first ask the mother, followed by:

- another caseworker;
- the mother's relatives;
- the child;
- the father's relatives; and
- the child's siblings.

Franck's 2001 study examined caseworker outreach and interventions in three out-of-home care agencies and concluded that caseworkers primarily ask the mother for the location of the father, but other possible sources of information, including older children, were rarely used. Malm, Murray & Geen (2006) found that caseworkers also use other sources to a lesser extent to locate fathers, including law enforcement records, other public aid records such as Temporary Assistance for Need Families (TANF), food stamps, Medicaid, phone books, motor vehicle records, and utility records. They found that approximately one-third of workers used a state parent locator service, and only 20 percent of workers used state child support office records even though over 60 percent of workers said their agency encouraged their use. Studies show that it is more difficult for child support enforcement and child welfare caseworkers to locate out-of state compared to in-state fathers. They also note that mothers are often the first to be asked to identify and locate the father (either by a child support enforcement or child welfare worker), however, research has found that the mother is more likely to provide accurate information when the father lives nearby (Greene & Moore, 2001; Franck, 2001).

## Chapter 1

### Social Science Literature

#### *Summary and Gaps in Literature*

Existing research shows that caseworkers generally use the same resources to locate fathers as they do to identify them—primarily mothers, other relatives, or another caseworker. Public records are another tool caseworkers use (to a much lesser extent) in locating fathers (provided his name and other basic identifying information is available). Malm, Murray & Geen’s 2006 report is one of the statistical sources on methods used to identify and locate fathers. More in-depth research into the effectiveness of these methods is needed in order to guide caseworkers in their location efforts.

#### **Contacting Non-Resident Fathers**

Social science research shows that child welfare agencies use a variety of methods to contact non-resident fathers, such as making phone calls, meeting face-to-face, or sending written communication. In Malm, Murray & Geen (2006), only about half of the workers surveyed successfully contacted fathers that had been previously identified and located. The study cited numerous barriers to establishing and/or maintaining contact with fathers, including, but not limited to:

- The caseworker was unable to reach the father by phone;
- The father was incarcerated;
- The father was homeless;
- The father had unreliable transportation (and could not attend case planning meetings); and
- The father was out-of-state.

Studies also show that caseworker contact with fathers is infrequent. O’Donnell (2002) interviewed 54 caseworkers and found “caseworkers’ accounts of their contact with fathers were consistent with their general lack of knowledge about [fathers]. In 63.4 percent of cases, caseworkers reported no contact with the father in the preceding six months” (p. 11). In fact, many studies state that workers view efforts to identify, locate, and contact non-resident fathers as “a time consuming burden” (Center for Advanced Studies in Child Welfare, 2004, p. 1). In their survey of child welfare administrators, Malm, Murray & Geen (2006) found that administrators were concerned about the additional burdens placed on overworked caseworkers by involving more people (i.e., fathers) with whom the worker must consult and potentially provide services.

To further complicate the process of contacting non-resident fathers, some administrators stressed that the term “father involvement” evoked an image of a single father per case, but in reality siblings with the same mother may have multiple fathers. They reasoned that involving each child’s father in a case could overwhelm the

## Chapter 1

### Social Science Literature

caseworker, decreasing the likelihood that s/he will attempt to contact and engage fathers. (Malm, Murray & Geen, 2006).

Child welfare agency attempts to initially contact a father may also be stymied by the father. A few studies have found that some fathers may purposely avoid contact with the agency (e.g., O'Donnell et al., 2005; National Family Preservation Network, 2001; Sonenstein, Malm & Billing, 2002). These studies note that the father may:

- mistrust the child welfare system and be fearful of consequences associated with becoming involved (e.g., child support orders they cannot or do not want to pay, discovery of past or current criminal activities, negative effects on a current relationship with a partner or spouse);
- be fearful and overwhelmed at the prospect of being a good father; and/or
- not be able to provide for their children financially.

Several studies note that, historically, the child welfare system reaches out to, works with, and provides the bulk of its services to mothers (Father Involvement in Child Welfare, 2005; Franck, 2001; Hornsby, 2002; Sonenstein, Malm & Billing, 2002). These studies find that child welfare caseworkers' efforts to address fathers' needs are minimal and more services are directed toward mothers, even though fathers may have the same or more service needs (Family Strengthening Policy Center, 2005; Franck, 2001).

In the National Family Preservation Network's 2001 study, researchers noted that "fathers are excluded from all levels of child welfare practice; the system is mother focused" (p.1). A study conducted by Franck (2001) in three foster care agencies found that caseworkers did not give as much attention to birth fathers as they did to birth mothers. This study further suggested that because strong family ties made a statistically significant impact on only the level of casework activity with fathers and not with mothers, fathers had to demonstrate their connection to the child whereas caseworkers presumed the mothers' connection.

The time frame within which child welfare agencies identify, locate, and contact non-resident fathers is critical to later father engagement. In Malm, Murray & Geen's study (2006), administrators believed efforts to identify a child's father were "stronger and more successful early in a case but after the investigation" (p. 32). Also, if a non-resident father was identified and located within 30 days after case opening, the caseworker was more likely to contact the father. However, beyond 30 days, nearly 90 percent of identified fathers were not contacted or the worker did not know whether contact had occurred.

Some research has found that the earlier the contact, the better. McLanahan & Carlson (2002) found that "fatherhood programs that begin early—in the hospital if possible—are more likely to succeed than ones that target fathers after the relationship

## Chapter 1

### Social Science Literature

with the mother has ended” (p. 159). They also emphasize that programs that treat men as individuals, but also as part of a family unit, and address the multiple needs of mothers and fathers hold the greatest promise.

#### *Summary and Gaps in Literature*

Research literature shows that *when* a father is identified and located significantly affects when and if he is contacted by child welfare caseworkers. Studies also show that there are many barriers to regular and ongoing contact with non-resident fathers that stem from father characteristics and child welfare agency practices. Researchers have found that many agencies have: (1) not overcome a long history of mother-focused practice; (2) fail to make ongoing efforts to contact or remain in contact with fathers; and (3) are reluctant to involve more people in cases, fearing that they will overwhelm already overburdened caseworkers. Research has also found that fathers or their situations may act as a barrier to contact if they are unresponsive to communication efforts, homeless or transient, live out-of-state, or lack reliable transportation.

More research is needed on what methods are most effective in keeping meaningful and regular contact with non-resident fathers. Research questions may focus on whether more staff is needed to handle cases with multiple parents or what caseworker practice techniques should be employed to first approach fathers. Research may also assess whether providing immediate services to fathers would increase the likelihood of establishing and maintaining regular contact. However, based on available research regarding contact, deeper shifts in caseworker attitudes about paternal contributions to family and child well-being will be critical to address any research methodology.

#### **Engaging Non-Resident Fathers and Paternal Kin**

##### *Research Findings Regarding Barriers to Father Engagement*

Much of the social science literature on child welfare and fatherhood issues focuses on engagement. Many studies discuss barriers to engagement. They indicate that child welfare agencies generally do not encourage workers to reach out to fathers, caseworkers often lack training on how to engage fathers, and agencies focus frequently on efforts to identify and locate fathers but not engage them (Malm, Murray & Geen, 2006; National Family Preservation Network, 2001). Yet studies state consistently that fathers who are identified and engaged early have the best opportunity to participate in the planning and service delivery process and work with the child welfare agency to improve their child’s well-being (Martens, 2001).

In their survey of child welfare agency administrators and caseworkers, Malm, Murray & Geen (2006) found that both groups believed that there are benefits to engaging fathers. Provided there is no safety risk, these groups stated that father

## Chapter 1

### Social Science Literature

engagement is “beneficial to a child’s well-being, and fathers can offer emotional, financial, and social support to their children” (p. 23). They further noted that “father involvement can allow some children to avoid out-of-home placement altogether” (p. 23).

Mallon (2003) agreed with this position, but added that “early identification of paternal family members as permanency resources for children in foster care are frequently untapped by social workers who work with families” (p. 1). Research also suggests that engagement practices should help fathers involve their children in quality, relationship-building time. The National Family Preservation Network (2001) suggests “agencies interested in engaging fathers need to sponsor activities, [such as] family dinners, . . . field trips [and] . . . game nights.” These recreational activities are “critically important as many men did not have the experience of ‘play time’ with their own fathers and need to be taught how to play with their children” (p. 1).

Many studies (e.g., Greene & Moore, 2001; Franck, 2001; Malm, Murray & Geen, 2006; O’Hagan, 1997) hypothesize that fathers are not engaged in child welfare processes because:

- child welfare agencies have a history of being primarily mother-focused;
- some child welfare caseworkers view involving fathers as complicated and burdensome;
- child welfare agencies are hesitant or fear involving fathers with a history of domestic violence because their engagement may compromise mothers’ and children’s safety;
- child welfare caseworkers may view fathers as insignificant to the family unit, or may avoid fathers out of fear of violent reactions, or have a general distrust of men;
- some fathers need assistance with parenting skills before assuming a more prominent role in their children’s lives; and
- some out-of-state fathers cannot access reliable transportation.

Based on interviews with 34 direct service child welfare staff, O’Donnell et al. (2005) identified six major themes that illustrate why fathers are not meaningfully involved in child welfare cases:

- Fathers are viewed as peripheral to the child welfare system. Most services are geared toward the mother because she is often the custodial parent;
- The child welfare system treats fathers more severely than mothers;

## Chapter 1

### Social Science Literature

- Fathers mistrust and avoid the child welfare system and are concerned that involvement may be detrimental to them in some way;
- Mothers may obstruct fathers' involvement in child welfare interventions for a variety of reasons;
- Some fathers show little commitment to engaging with their children; and
- Some child welfare agency caseworkers treat mothers and fathers similarly, but therefore, in custody disputes fathers may be at a disadvantage because they traditionally spend less time with the child.

Research indicates that when agencies provide training on father involvement, caseworkers focus on fulfilling policy or legal notice requirements and assuring visitation opportunities for fathers, particularly those who are incarcerated. Studies suggest that the research (albeit limited) on non-resident father involvement has not been integrated into training, practice, or in college social work programs (O'Donnell et al., 2005; O'Hagan, 1997). However, Malm, Murray & Geen (2006) found that family and father-focused engagement initiatives are beginning in several jurisdictions, including more training and practices that implicitly promote father engagement such as Family Group Decision-Making. There are also several resources that list national, state, and local fatherhood programs, funding, and research (*see, e.g.*, Family Strengthening Policy Center, 2005; National Center for Children in Poverty, 1999; Rosenberg & Wilcox, 2006; USDHHS, 2002).

Moreover, mental and physical health, housing stability, employment, an absence of drug/alcohol abuse, and a positive relationship with the mother all increase the possibility of fathers being more involved with their children. Many studies have stressed that if the mother's relationship with the father is amicable, the father's involvement with his children is more likely (Garfinkle, McLanahan, Tienda, & Brooks-Gunn, n.d.; Hawthorne, 2000; Laasko & Adams, 2006). Fagan and Palkovitz (in press) state that there are four resilience factors that support increased father involvement:

- employment;
- social network support;
- religious involvement; and
- involvement of one's own biological father during childhood.

Some researchers also note that when a worker demonstrates empathy, respect, and honesty toward a non-resident father, the father is more likely to respond positively (What Can Child Welfare Workers Do?, 2005; Rosenberg & Wilcox, 2006). Social

## Chapter 1

### Social Science Literature

science research shows that more training, policy changes, and increased caseworker awareness on how to relate to non-resident fathers is needed. Daniel and Taylor (1999) suggest that caseworkers engage fathers by exploring the ways they can contribute to their children's case, and help assign fathers explicit roles. Hornsby (2002, p. 16) observed "societal beliefs and agency culture are just as important to working with fathers . . . case managers need adequate training that will give them the skills to build respect and trust between the child welfare system and fathers," to better meet the needs of children.

#### ***Research on Father Engagement Practices***

Child welfare agencies across the country are increasingly focused on how to engage fathers beyond simple notification and contact. Many states have at least one responsible fatherhood program (Garry, 1997; National Center for Children in Poverty, 1999). The National Center for Children in Poverty has identified five strategies states have employed to meet the diverse needs of fathers:

- increase public awareness about responsible fatherhood;
- prevent unwanted or early pregnancies;
- help fathers provide for their families financially;
- enhance fathers' nurturing capabilities; and
- promote leadership by organizations on fatherhood issues.

There are also many federal initiatives that fund fatherhood programs, abstinence education, healthy marriage promotion, and assistance for incarcerated fathers (a significant issue in child welfare). More than 500,000 fathers are in prison; half of whom have children under 18 (Fathers in Prison, 2002). Many of these children are involved in the child welfare system—a 1998 study revealed that 80 percent of children in foster care had at least one parent in prison during the child's lifetime (Center for Children of Incarcerated Parents, 1998). Studies have shown that there are few family-focused services available for men in prison (Davis, 2000). Hairston (1998) conducted a study of incarcerated fathers and concluded that no training was provided to child welfare workers about how best to involve incarcerated fathers in the lives of their children. Lastly, several states have developed programs to engage incarcerated fathers, however few studies have been conducted evaluating the effectiveness of these programs.

#### ***Outcomes for Fathers and Children in the Child Welfare System***

There are several general studies on the relationship between father involvement and child well-being. Although these studies do not focus on child welfare systems specifically, they are valuable in determining the positive or negative effects fathers have



## Chapter 1

### Social Science Literature

on children and families. Several studies have shown that children who have fathers as positive role models are more likely to succeed in school, have less behavioral problems, have better social skills, have higher self-esteem, and are less likely to experience depression (Rosenberg & Wilcox, 2006). However, outcomes on child well-being are complex and difficult to measure, especially when a father does not have custody. Studies have shown equivocal results of father visitation on child well-being—evidence linking father visitation and child well-being has been limited, and most studies have focused on the quantity of visits rather than their quality (King & Heard, 1999; McLanahan & Carlson, 2002).

#### *Summary and Gaps in Literature*

Although research outcomes on the link between non-resident father involvement and child well-being are limited and inconclusive, child welfare administrators and caseworkers view father involvement as a positive benefit to the child welfare system. However, in practice, non-resident father engagement is an exception rather than the rule. Studies illustrate that there are many potential barriers to father engagement, all of which may hinder even the best intentioned caseworker and father.

Despite existing literature on general father engagement, there is a paucity of literature on the effects of non-resident father involvement on children in the child welfare system. The National Family Preservation (2001, p. 1) summarized the current state of affairs:

Not only is there little research but there is little data on which to base research in the child welfare system. There is no breakdown in national child abuse/neglect statistics on father's presence or absence in the home, no data on the number of children abused or neglected by fathers, and no data available on the number of fathers or men involved in foster care, kinship care, and adoption. Basic data on fathers must be identified and tracked before undertaking extensive research on fatherhood in the child welfare system.

All levels of public agencies and private organizations are demonstrating a concerted effort to address the needs of fathers, but there appears to be little evaluative data on father involvement training and programs in general, and specifically in the child welfare system. Child welfare advocates and researchers note a lack of research, models, and training curricula on fatherhood in the child welfare system (*see, e.g.,* Doherty, Kouneski, & Eriskson, 1996; Martens, 2001). Other critical areas that are absent in the literature include incarcerated father engagement by the child welfare system and how cultural factors affect working with non-resident fathers.



# Chapter 1

## Social Science Literature

### Interagency Collaborations

Interagency and inter-system collaborations are an important component to increasing non-resident father involvement in the child welfare system. Government and private entities can work together to hasten and improve identification, location, contact, and engagement processes.

One form of inter-system collaboration researchers continue to focus on is the role child support systems have in identifying, locating, and engaging low-income fathers whose children have been abused or neglected. While the child support system is not directly linked to the child welfare system, often they share clients. However Malm, Murray and Geen's (2006) survey of child welfare administrators and caseworkers revealed that child support enforcement was not used as a primary resource in agencies' efforts to identify and locate fathers despite agencies encouraging their use. Although it is not used by caseworkers to a large extent, child support can not only be a benefit to child welfare caseworkers' identification and location efforts, but child support payments can be an important benefit to families. Congress has steadily strengthened child support enforcement over the last thirty years, and studies show that fathers who pay support have more influence in child-rearing decisions and may see their children more frequently than fathers who do not pay support (Irwin Garfinkel et al., 1998; Koball & Principe, 2002; Malm, 2003). However, researchers also stress the punitive nature of child support and caution that the child support enforcement system "has operated solely as an enforcement agency collecting money from fathers rather than as a social service organization attempting to balance responsibility with appropriate services and supports" (McLanahan & Carlson, 2002. p. 159).

Recently, researchers have begun to focus on how different child-serving systems can work together to help fathers navigate and succeed in what can be an overwhelming and confusing maze of the child welfare and child support agencies and courts. They have also begun to focus on fathers' urgent needs such as job training, legal services, mental and physical health needs, substance abuse treatment, and transportation needs (Family Strengthening Policy Center, 2005). As Malm (2003) notes, "the attention of policymakers is now on how child support enforcement might advance states' efforts to protect children who have experienced abuse or neglect" (p. 2).

The federal child-education program, *Early Head Start*, has successfully and proactively engaged interagency efforts to involve fathers in their children's lives (Creating Paths to Father Involvement, 2005). Several studies have focused on *Early Head Start* demonstration programs that establish partnerships with other community organizations to encourage responsible parenting. One study found "when father involvement programs were offered [in Head Start], only one-third of fathers did not participate . . . when no father involvement efforts were made, nearly three-quarters of fathers did not participate in program activities" (USDHHS, 2004, p. 1).

## Chapter 1

### Social Science Literature

Martens (2001) credits *Head Start* with successfully responding to significant barriers to father engagement, such as fathers' fears, staff ambivalence, and maternal gate-keeping, by offering employment assistance, parenting programs, and fathers' support groups. *Head Start* is also successful, in part, because of its collaborative efforts with other systems, such as Temporary Assistance to Needy Families (TANF), law enforcement, the courts, and community fatherhood programs. However, research on *Head Start* has yet to discuss or analyze the effect these collaborations have on fathers' successes in head start programs.

#### *Summary and Gaps in Literature*

Interagency collaborations are only mentioned sporadically in social science research on father involvement in child welfare. When researchers focus on child welfare, child support or *Head Start* may be mentioned as positive collaborators in father involvement. However when research is focused primarily on father involvement in child support, *Head Start*, or prison systems, collaboration with child welfare agencies is rarely mentioned. Hence, there is a significant gap in research and literature on information about which agencies or child-serving systems are working together on fatherhood initiatives. As research on best practices grows, this may lead to increased awareness and best practices on how agencies and systems may collaborate to engage non-resident fathers in child welfare matters.

#### Summary and Conclusion

Social science literature shows that addressing non-resident father involvement within the context of the child welfare system is a challenging issue for clients and professionals. There are numerous factors that influence whether a father will become involved in and work with a child welfare agency caseworker to improve the well-being of his child(ren). More training, greater awareness of ways to locate fathers, more gender-responsive programs, and additional collaboration are needed. Many agencies at the local, state, and federal level are beginning to recognize the need and benefits of father involvement, and are addressing these issues with increased funding for programs, research, and innovative fatherhood initiatives.

While there has been some focus on non-resident father involvement in the child welfare system, it is clear that there is an opportunity for much more in-depth research on the topic. Methods of identification, location, and contact of non-resident fathers are rarely discussed in research literature. There is a lack of information about what practices are most effective, and why. Establishing and maintaining regular contact with fathers can pose challenges to caseworkers, and more research is needed on why and how caseworkers do or do not stay in contact with fathers. Engaging fathers in the lives of their children is the topic most often addressed in the literature, but child welfare is rarely the focus.

## Chapter 1

### Social Science Literature

In addition, based on available research, few fatherhood initiatives and training programs have been independently evaluated. Researchers stress that basic data on fathers is first needed in order to design and conduct further research on their involvement. Cultural competence is largely absent from the literature and there is also a scarcity of information on how agencies reach out to incarcerated fathers. There is little information on interagency collaborations among prisons, child support, *Head Start*, law enforcement, and other public and private organizations that collaborate (or have the potential to) with child welfare to improve the well-being of children. As research on best practices grows in all of these areas, more training and effective programs will likely result in better outcomes for families.

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### Social Science Literature

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## Chapter 1

### Social Science Literature

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## Chapter 2

### Legal Literature

#### Introduction

Biological family ties have fundamental legal importance in American society. The right and freedom to establish and maintain family relationships are entitlements that are protected by the U.S. Constitution. In 1923, the U.S. Supreme Court first recognized parents' fundamental liberty interests in raising their children as they see fit. In *Meyer v. Nebraska*, 262 U.S. 390 (1923) the court confirmed parents' right to control their children's education and held that parents have a fundamental right to raise them without arbitrary interference by the state. In *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) the court again held that parents have a liberty interest in directing the upbringing of their children and this protection extends to their right to choose where their child attends school.

Several years later, in 1944, the Supreme Court, while still acknowledging parental rights, found that these rights were not absolute. In *Prince v. Massachusetts*, 321 U.S. 158 (1944), the court found that the custody and care of children first resides with their parents, but that the family is not beyond regulation if it serves public interest. The court held that states have a wide range of powers to limit parental freedom and authority on issues relating to child well-being.

*Meyers*, *Pierce* and *Prince* are watershed Supreme Court cases that established the foundation upon which parental rights in child welfare systems were developed. Decades later, the courts and state laws began to address and acknowledge the rights of non-resident fathers to raise and be involved in their children's lives.

#### ***The Legal Framework within which Non-Resident Fathers May Establish a Relationship With Their Children***

Early case law and statutes support the notion of the traditional family, providing the greatest protections and rights to men and woman who were legally married. It was not until the mid-1970s that unwed and non-resident fathers were afforded any legal rights to be involved in their biological children's lives. In 1973, the National Conference on Uniform State Laws adopted the *Uniform Parentage Act*, which reconfigured the meaning of the term "parentage." Around the same time, the Supreme Court issued a series of decisions that required children born out of wedlock be treated more like those born in marriage. These cases introduced the notion that unwed fathers should be afforded protected rights to their children.

In 1972, for the first time, the Supreme Court addressed unwed fathers' rights. In *Stanley v. Illinois*, 405 U.S. 645 (1972) (*Stanley*), a child welfare agency removed a biological father's children from his care after his live-in girlfriend and mother of the children passed away. The agency removed the children based on a state statute that presumed, without inquiry, that unwed fathers were unfit parents. The Court struck down



## Chapter 2

### Legal Literature

the statute and held that absent a finding of unfitness, an unwed father *cannot* lose custody of his children by virtue of his non-married status.

The parameters set in *Stanley* were clarified and limited through three subsequent Supreme Court cases. These cases afforded constitutional protections to unwed fathers, if they had established relationships with their children and provided them financial support. In *Quilloin v. Walcott*, 434 U.S. 246 (1978) (*Quilloin*), a non-resident father objected to his son's adoption by the child's stepfather. The non-resident father challenged a state statute that did not afford him the right to oppose or consent to the adoption. Here, the Court found that the statute *did not* violate due process because it afforded the father the option to legitimize the relationship so he could participate in adoption proceedings.

A year later, the Court heard *Caban v. Mohammed*, 441 U.S. 380 (1979) in which a non-resident father challenged a state statute that permitted the adoption of his children by a step-father with only the mother's consent. The Court struck down the statute holding that it discriminated on the basis of gender. The Court reasoned that the non-resident father, who had previously lived with the children, had established a substantial relationship with them. The Court also noted that because fathers like the one in this case were easy to identify and locate their involvement in adoption proceedings would not delay permanency for children.

Finally, in *Lehr v. Robertson*, 463 U.S. 248 (1983), an unwed father challenged a state statute that denied fathers a right to notice and an opportunity to participate in adoption proceedings regarding their children. The statute, however, guaranteed these rights to mothers. The Supreme Court held the statute was unconstitutional and again reiterated that if an unwed father developed a relationship with his child, that the relationship must be afforded constitutional protection. The Court noted that biology, by itself, was not sufficient to afford this protection, but it provided fathers with the *opportunity* to develop a relationship.

Based on these Supreme Court cases non-resident and unwed biological fathers do not automatically have the right to notice and an opportunity to participate in adoption or termination of parental rights proceedings. They must either establish a relationship with their child before proceedings begin or must seize the *opportunity* to establish such a relationship. Today, states provide this *opportunity* in different ways, some require non-resident unwed fathers to file in paternity registries, place their names on birth certificates, live with the mother, pay child support, or take other steps to establish a relationship.

#### ***Legally Defining “Non-Resident Father”***

Despite the framework developed through Supreme Court doctrine, non-resident fathers remain a difficult legal population to which courts and agencies must respond.

## Chapter 2

### Legal Literature

The Supreme Court cases answered some questions, but left many unanswered. State statutory and case law responses, therefore, vary in how they treat and respond to non-resident fathers, including those in the child welfare system. Gaps in Supreme Court precedent have allowed each state to: (1) define the scope of fathers' parental rights, (2) flesh out the meaning of an 'established parent-child relationship,' (3) establish its own balance between the child's best interests and fathers' rights, and (4) determine what rights, if any, will be afforded to fathers of newborns who, due to the child's age, have not established a relationship with the child or had an opportunity to do so (Gonzalez, 2006; Nolan, 2005).

There is also minimal federal guidance to states on how to define a father within the context of child welfare. State definitions, therefore, vary from jurisdiction to jurisdiction.

The federal *Adoption and Safe Families Act* (ASFA), P.L. 105-89, 111 Stat. 2115 (1997), was enacted to encourage permanent living arrangements for children placed in foster care, and ensure children's safety and well-being. ASFA limits states' obligations to make reasonable efforts to reunify parents with children in foster care. The Act does so, in part, by requiring a permanency hearing within 12 months of a child's entry into foster care and mandating that states file a petition to terminate parental rights after a child spends 15 of the most recent 22 months in foster care. However, ASFA provides little assistance to states when they are determining with whom they should engage reunification efforts. ASFA defines as parent a "biological or adoptive parent or legal guardian, as determined by applicable State law."

As a result of Supreme Court precedent, a trend emerged requiring child welfare agencies and courts to obtain adoption consents from "presumed" fathers and biological fathers who assume a parental role. However, without additional federal statutory guidance, states disagree on (1) who has a right to notice of child welfare proceedings; (2) who should be involved in the court process; (3) who has a right to reunification efforts; and (4) who can consent or oppose a foster child's adoption. For example, in its 2006 state statute series entitled "*Reasonable Efforts to Preserve or Reunify Families and Achieve Permanency for Children: Summary of State Laws*," the Children's Bureau lists at least two states, Montana and Nevada, that forgo offering reunification efforts to putative fathers who fail to establish paternity.

By contrast, Nebraska's statute is less clear with respect to putative fathers. In Nebraska a "parent" for purposes of entitlement to reunification efforts means one or both parents or a stepparent when such stepparent is married to the custodial parent as of the filing of the termination of parental rights petition. *In re Ethan M.*, 723 N.W.2d 363 (Neb. App. 2006) (citing Neb. Rev. Stat. § 43-245(11) (West 2006)). Under this definition, does a parent only include parents whose "biological" ties have been established, putative fathers and/or males acting *in loco parentis*?

## Chapter 2

### Legal Literature

Pennsylvania, however, clearly extends its reunification efforts to males who are acting as father figures. In Pennsylvania, a custodian or person other than a parent who acts *in loco parentis* to the child or to whom legal custody of the child has been given by the court is entitled to receive reunification efforts from the child welfare agency. *In re C.B.*, 861 A.2d 287 (Pa. Super. 2006) (citing 42 PA Cons. Stat. Ann. § 6302(2) (West 2006)).

Other states expressly define who a father or “presumed” father is and what rights he has with respect to his system-involved child(ren). Many of these states have adopted language from the *Uniform Parentage Act* (UPA) and applied it to their child welfare or adoption statutes. For example, Delaware’s (Del. Code. Ann. tit. 13 § 901 (West 2006)) and Missouri’s (Mo. Stat. Ann. § 210.822 (West 2006)) adoption statutes define a presumed father as one who must be treated as the natural father of a child if:

- He and the child’s natural mother are or have been married to each other and the child is born during the marriage or within 300 days after the marriage is terminated;
- Before the child’s birth, he and the child’s natural mother have attempted to marry each other by a marriage solemnized in apparent compliance with the law;
- After the child’s birth, he and the child’s natural mother have married or attempted to marry each other and he has acknowledged paternity in writing, consented to being named as the father on the birth certificate, or is obligated to pay child support; or
- An expert concludes that a blood test shows that the alleged parent is not excluded.

California’s child welfare statutes and case law prescriptively define the term father. California recognizes and has defined four types of fathers: presumed, alleged, biological, and de facto. A father’s status in one of these four categories is significant because it determines whether he can participate in proceedings and what rights he has. In California, presumed father status ranks the highest, affording the father the right to counsel, custody if he is not found unfit, and a reunification plan. Although presumed fathers can be biological fathers, for purposes of child welfare proceedings, presumed fatherhood “denotes one who promptly comes forward and demonstrates a full commitment to his parental responsibilities—emotional, financial, and otherwise.” *In re T.R.*, 132 Ca. App. 4<sup>th</sup> 1202 (2005). An alleged father is one who may be the father of the child, but has not established biological paternity. A biological father is one whose paternity of the child has been established, but who has not established that he qualifies as a presumed father. Finally, a de facto father is one who has assumed the role of parent on a day-to-day basis.

## Chapter 2

### Legal Literature

Aside from states' adoption of the UPA definitions, there is little uniformity between jurisdictions regarding how they define fatherhood and unwed or non-resident fatherhood in particular. Few states, through statute, explicitly define father or non-resident father within the child welfare context. Of those that apply the UPA or have their own definitions of fatherhood, many do not include all the variants of possible fatherhood that exist in today's society and in the child welfare system. This lack of legislative or case law clarity may lead to incongruous results for some non-resident fathers who are inappropriately excluded from the child welfare process.

#### *Remainder of Chapter*

This introduction establishes the legal framework within which child welfare agencies and courts define fatherhood and must account for fathers' constitutional rights. The remainder of this chapter summarizes and analyzes how the federal government and states through legislation and case law respond to several salient issues affecting non-resident fathers in child welfare cases. Using the definitions outlined in the Introduction to this literature review, the rest of this chapter assesses, in a legal context, identification, location, contact and engagement of non-resident fathers in child welfare.

#### **Identifying Non-Resident Fathers**

Increased father absence has prompted numerous federal initiatives that promote or encourage the involvement of fathers in family life. Some of these initiatives, particularly child support reforms to strengthen enforcement policies, articulate the importance of father identification. For example, under the *Personal Responsibility and Work Opportunity Reconciliation Act* (PRWORA), P.L. 104-93, 110 Sta. 2105 (1996), each state must operate a child support enforcement program meeting federal requirements to be eligible for *Temporary Assistance to Needy Families* (TANF) block grants. PRWORA streamlines the legal process for paternity establishment, making it easier and faster to identify fathers and establish paternity. It expands voluntary in-hospital paternity establishment programs and requires states to use a standard form for voluntary paternity acknowledgement. The law also mandates that states publicize the availability and encourage the use of voluntary paternity establishment processes (HHS Fact Sheet).

Federal child welfare policy also encourages the immediate identification of fathers whose children are involved in the child welfare system. ASFA's primary charge to states is to assure children's safety, permanence, and well-being. To achieve permanence quickly for children in care, the Act affords biological parents approximately one year to substantially comply with a reunification plan before courts may assess other permanency goals for their children, such as adoption or guardianship. Because of the Act's tight timelines, agencies and courts must obtain information about and identify non-resident fathers early in the case planning process.

## Chapter 2

### Legal Literature

Moreover, the Act, through its promotion of adoption subsidies, encourages the identification of putative non-resident fathers in the court process to establish paternity early and, when appropriate, terminate parental rights without delay or detriment to the child's permanency plan. To encourage the swift identification of non-resident fathers, ASFA explicitly encourages foster care agencies to use the Federal Parent Locator Service as part of their identification and diligent search efforts (Program Instruction, 1998).

Many states, through case law, statute or court rule, have established a process by which agencies and/or courts must attempt to identify non-resident fathers in child welfare cases *before termination of parental rights or adoption proceedings*. States take one of three approaches to identifying and providing notice to fathers in these situations. The first is to allocate the burden of identification and notice simultaneously to the state, mother and father. A second approach is to require the state to conduct an investigation to locate the father, and the third is to require the mother to notify the putative father by allowing the publication of personal information about her and the child (Helms & Spence, 2005).

Fewer states, through statute or case law, mandate a multi-tiered process by which agencies and courts must attempt to identify non-resident fathers *at the inception of a child welfare case*. Some require or encourage soliciting information from the mother. Others place the responsibility of identification on the father, requiring him to place his name on the birth certificate or filing with a paternity registry. Because of this, many jurisdictions, in practice, may not make concerted state-driven efforts to identify non-resident fathers until later in a case, such as when a non-resident father must be notified of a pending adoption or termination of parental rights proceeding.

For example, in Virginia a child's parents, guardian, legal custodian, or other person standing *in loco parentis* is entitled to notice of a pending adjudication of an abused or neglected child. Notification is not required, however, if a judge certifies on the record that the identity of the parent or guardian is not reasonably ascertainable. In Virginia, an affidavit of the mother that the identity of the father is not reasonably ascertainable is sufficient evidence to forgo notifying the father of pending child welfare proceedings, unless there is other evidence before the court that refutes the affidavit. Failure to identify the father by the mother's affidavit will not delay or suspend proceedings; the adjudicatory hearing will be held and an order entered, without counsel appointed or substituted service provided to the unidentified father. Only when a petition seeking to terminate all parental rights is filed will additional efforts be made to identify the non-resident unknown father, such as service by certified mail or publication. Va. Code Ann. § 16.1-277.01 (West 2006).

Similarly, in Rhode Island, at an initial abuse or neglect hearing the court must, among other things, advise the parent(s) of the allegations in the petition and inquire of

## Chapter 2

### Legal Literature

the mother “the identity of the biological father, *if necessary*.” Rhode Island’s statute does not require the court or agency to attempt to identify the non-resident father through any other means. R.I. Gen. Laws § 40-11-7.1 (West 2006).

Previously, California law did not provide significant guidance to courts or agencies in their attempts to identify non-resident fathers early. This is evidenced in a 1975 California Supreme Court case, *In re Lisa R*, 532 P.2d 123 (Ca 1975). Heard shortly after the U.S. Supreme Court’s *Stanley v. Illinois*, the California court held that an alleged father had a constitutional right to offer evidence that he was the biological father of a child who had been in foster care for many years. Here, the court exposes the child welfare agency’s lack of focus on early identification of the non-resident father when the court notes that agency reports reflect no efforts to identify the non-resident father until two years after the child entered the court system.

However, today California’s statute and court rules require courts to attempt to identify non-resident fathers at the initial hearing through various mechanisms. California courts are required to inquire of the mother or any other appropriate person about the identity and address of all presumed or alleged fathers. Cal. Welf. & Inst. Code § 316.2 (West 2006); *see also* Cal. Rules of Court, Rule 5.635 (West 2007). The court’s inquiry to identify the non-resident father must also include a determination of all of the following that are appropriate:

- whether a paternity judgment already exists;
- whether the mother was married or believed she was married at the time of conception;
- whether the mother has received support payments or promises of support;
- whether any man has formally or informally acknowledged or declared his possible paternity;
- whether paternity tests have been administered and the results; and/or
- whether any man otherwise qualifies as a presumed father.

When courts and agencies rely primarily or solely on mothers to identify non-resident fathers in child welfare cases, issues of maternal willingness to divulge, veracity, privacy, and father responsibilities towards identifying themselves arise. These issues have been discussed in several court cases, codified in multiple statutes, and analyzed in legal journals.

For example, in 1980, the Missouri Court of Appeals grappled with these issues in *State v. Corrigan*, 600 S.W.2d 87 (Mo. App. 1980) (*Corrigan*). In *Corrigan*, at a



## Chapter 2

### Legal Literature

hearing to terminate parental rights, the lower court asked the mother whether she knew the identity and location of the father. The mother responded affirmatively, but refused to name the putative non-resident father. The lower court held the mother in contempt and ordered her to be incarcerated until she divulged the father's name.

On appeal, the mother argued that the lower court misread Missouri statute regarding notice to putative fathers and that the court violated her "right to privacy and her testimonial privilege not to degrade or humiliate herself." The appellate court never reached the privacy claims because it held that the putative father was not entitled to notice under the statute. This is because Missouri's statute, like many other states,' places the burden of identification on the father. Methods of self-identification mirror actions fathers may take to acknowledge or develop a relationship with their child. Common methods states use to allow fathers to self-identify include:

- filing an affidavit stating that he is the father;
- placing his name on the child's birth certificate;
- seeking an admission of paternity from the mother which is filed with the court;
- paying the mother's medical and hospital expenses relating to the pregnancy;
- supporting the child in a continuous and regular manner;
- living with the mother and child as a family unit; and/or
- receiving the child into his home and openly holding out the child as his natural child.

*See, e.g.,* Fla. Stat. Ann. § 63.062 (West 2007); Haw. Rev. Stat. § 578-2 (West 2007); Minn. Stat. Ann. § 259-49 (West 2007).

Subsequent cases have also addressed the complex issues associated with identification. In 1986, the Supreme Court of Delaware held that an unwed non-resident father did not have a right to notice of termination of parental rights proceedings. In this case, the mother did not believe the father was aware of the pregnancy or the child's birth. The mother consented to the termination of her parental rights but refused to identify the father for fear that he would harass or physically attack her or members of her family. Relying on a best interest of the child standard, the court ruled that although there was minimal information about the child welfare agency's attempts to identify the father, it would be harmful to the child to remain in foster care perpetually. In addition, although the court did not rule on the issue specifically, it stated that its opinion was "conscious of the mother's privacy interest in being free from harassment." *Matter of Karen A.B.*, 513 A.2d 770 (De 1986); *see also G.P. v. Florida*, 842 So.2d 1059 (Fl. Dist.

## Chapter 2

### Legal Literature

Ct. App. 2003) (holding that it was a violation of the state constitution's right to privacy to require a mother to disclose sexual relations that led to her pregnancy and subsequent adoption proceedings).

Relying solely on information from the mother regarding a father's identity may have deleterious results for children and putative fathers. It may be contrary to children's best interests if a mother's fraudulent disclosure about the father's identity later delays or disrupts permanency for the child. This occurred in two notorious cases, *In re Baby Girl Clausen*, 502 N.W.2d 649 (Mich. 1993) (commonly referred to as the *Baby Jessica* case) and *In re Petition to Adopt Baby Boy Janikova*, 638 N.E.2d 181 (Ill. 1994) (commonly referred to as the *Baby Richard* case). In both, fraudulent disclosures by biological mothers regarding fathers' identities caused years of litigation, significant delays in finding permanency for the children, and led to the removal of the children from their established adoptive homes by placing them with their biological fathers with whom they had no prior relationship.

Reliance solely on maternal identification may also be harmful to fathers, especially in those jurisdictions that place the burden on fathers to self-identify in order to participate in child welfare proceedings. For example, in 1997, an appellate court in Illinois held that a putative father's reliance on information from the mother that he was not the father of a foster child did not preclude the state from relying on his failure to assert any interest in the child within 30 days of his birth as a statutory grounds for terminating his parental rights. *In re A.S.B.*, 688 N.E.2d 1215 (Ill. App. 2 Dist., 1997).

#### ***Summary and Gaps in Literature***

Federal child welfare law and policy encourages the early identification of non-resident fathers. State identification efforts, however, are diverse and often differ based on the stage of the case. Most state statutes articulate a procedure by which a non-resident father must be identified before adoption or termination of parental rights proceedings, but fewer articulate clear guidelines regarding identification early in a case. Overall, identification efforts can be categorized into three areas: (1) a multi-tiered approach that places responsibility on the mother, father and state; (2) a father-focused approach that requires the father to self-identify; or (3) a mother-focused approach that requires the mother to offer information about herself to publish notice to prospective fathers.

As the statutes, cases, and court rules above show, however, there are gaps and problems that arise with many state approaches. First, many state statutes do not provide guidance to child welfare agencies and courts regarding the identification of non-resident fathers at an initial hearing or early in the case. Failure to identify fathers early may prevent children from establishing a relationship with their father, deprive children of potential paternal relative resources, and delay permanency planning, if the child's case goal is adoption. Second, many states focus primarily on obtaining information from the



## Chapter 2

### Legal Literature

mother. As the cases discussed above show, this may be harmful to the child by delaying permanency if the mother lies about the father's identity, threaten the mother's right to privacy, especially if there are domestic violence concerns, and potentially thwart the father's interest in establishing a relationship with his child.

By using multiple, established, and clearly defined methods to identify non-resident fathers at case inception, child welfare agencies and courts may increase child well-being and accelerate permanency. Also, by not relying on a single identification approach, states may decrease the likelihood of mistake, fraudulent disclosures, or failure of fathers to self-identify because they were unaware of state identification procedures. It is important, however, when using a multi-tiered identification approach, that states clearly delineate identification duties and account for maternal privacy and domestic abuse concerns.

#### Locating Non-Resident Fathers and Paternal Kin

In December 1996, President Clinton directed the U.S. Department of Health and Human Services to make recommendations on how to move foster children more quickly into permanent homes. The department responded several months later with its *Adoption 2002* report. In that report, the department outlined barriers to permanency, including the lack of timely location of non-custodial parents and relatives as placement options. The report suggested that access to the federal parent locator service would help locate these individuals.

In November 1997, the President signed ASFA into law, adopting the department's suggestion regarding the federal locator service. Many states also have locator services and the federal government established a *Federal Parent Locator Service* by statute. 42 U.S. C. § 653, *et. seq.* (West 2007). These services intend to, among other things: (1) obtain and disclose information to authorized persons, such as foster care social workers; (2) transmit parent information to persons charged with modifying or enforcing child support obligations; and (3) enforce child custody or visitation determinations.

The federal parent locator service is an automated registry that contains abstracts of support orders and other information that identifies the individuals who owe or are owed support with respect to each case and order in each state case registry (Ross & Montoya, 1999). The automated registry houses and child welfare agency may access the following information on non-custodial parents:

- social security number;
- most recent home address;

## Chapter 2

### Legal Literature

- wage and benefit information; and
- employment data.

Despite the availability of federal and state locator services, only a handful of child welfare agency workers use them or know how to access them when locating non-resident fathers or other non-custodial parents or relatives in child welfare cases (Sonesnstein, Malm & Billing, 2002). Workers may conduct informal searches by asking the mother or other known relatives where non-resident fathers are, or conduct formal “diligent” searches, often excluding child support resources. In some states, courts also attempt to locate fathers by requiring or requesting mothers sign paternity affidavits to help child welfare agencies find non-resident fathers. How states locate non-resident fathers varies from jurisdiction to jurisdiction and sometimes agency to agency.

Many states, by statute, case law, court rule, or agency policy conduct “diligent searches” or “diligent inquiries” to locate non-custodial parents in child welfare cases. However, many of these laws do not establish a framework within which a search could be deemed reasonable. This statutory vagueness allows courts, through rule or case law, to determine when searches are sufficiently thorough.

Statutes in Alaska, Florida, and Missouri require child welfare agencies to make diligent attempts to locate non-custodial parents, but do not specify how these efforts should be performed. Alaska’s reasonable efforts statute requires child welfare agencies to make timely, reasonable efforts to provide support services to families in the child welfare system. Agencies must also make reasonable efforts to provide and document reunification services offered to parents. But, the statute allows agencies to forgo reasonable efforts to reunify, if a court finds by clear and convincing evidence that the agency “*conducted a reasonably diligent search over a time period of at least three months for an unidentified or absent parent* and has failed to identify and locate the parent.” Alaska Stat. § 47.10.086 (West 2007).

Florida’s and Missouri’s statutes are also vague in describing what constitutes a diligent search, but, unlike Alaska, search efforts are not time limited. Both define a diligent search as efforts of a social service agency to locate a parent or prospective parent whose identity or location is unknown, initiated as soon as the social service agency is made aware of the existence of such parent, with the search progress reported at each court hearing until the parent is either identified and located or the court excuses further search. Fla. Stat. Ann. § 39.01 (West 2007), Mo. Stat. Ann. § 210.127 (West 2007).

With little guidance from state statutes, courts often determine what constitutes an appropriately diligent search. However, as shown below, sometimes the capacity of the searcher to locate the non-resident father and whether a court deems that search

## Chapter 2

### Legal Literature

reasonable is dependent, in part, on information gathered from the biological mother or other relatives.

For example, in *In re D.J.*, 836 N.E.2d 830 (Ill.App.3d, 2005), a non-resident father contested the termination of his parental rights several months after the fact arguing that the agency failed to articulate in an affidavit the steps it took to locate him. The court rejected the non-resident father's claim and upheld the termination of his parental rights, noting that sufficient efforts to locate him were documented through oral testimony. Here, the court deemed appropriate the following efforts to locate a non-resident father, whose name, but not address was known:

- searched for the non-resident father by performing a public aid check;
- asked the mother if she knew of his whereabouts;
- spoke to a private agency caseworker assigned to the case who had had some contact with him previously;
- checked the telephone book;
- called the corrections department and county jail; and
- visited an area where he was known to frequent.

In *In the Interest of S.P. and K.P.*, 672 N.W.2d 842 (Ia. 2003) (*S.P.*), the Iowa Supreme Court held that a child welfare agency's failure to ask the mother or children where the non-resident father was, despite conducting numerous other searches, deemed the search unreasonable. In this case, the agency conducted the following searches: (1) checked with the local telephone company, the Iowa Department of Inspection and Appeals, the transportation department, and the corrections department; (2) checked a local city directory, jail records, and county attorney records; (3) checked employment records through the work force development agency; (4) reviewed a private database service; and (5) visited several residences found through these searches. The court noted that although the agency conducted multiple inquiries, they were not reasonable or sufficient under the circumstances without reaching out to the mother or sending letters to old addresses.

In assessing the reasonableness of a diligent search to locate non-resident parents, courts typically do not express with specificity the types of searches that must be conducted, i.e. a review of motor vehicle records or inquiry of the mother. Rather, they assess the totality of the circumstance with a focus on what avenues of inquiry would most likely locate the individual. For example, a California court defined a reasonably diligent search as one that is a "thorough, systematic investigation and inquiry conducted in good faith . . . [if] the party conducting the investigation ignores the most likely means

## Chapter 2

### Legal Literature

of finding the [individual], the service is invalid even if the affidavit of diligence is sufficient.” *In re Arlyne*, 85 Cal.App.4<sup>th</sup> 591 (2000). In *S.P.*, the court noted that a reasonably diligent search to locate a non-resident father:

[I]s measured not by the quantity of the search but the quality of the search. In determining whether a search is diligent, we look at the attempts made to locate the missing person or entity to see if attempts are made through channels expected to render the missing identity. While a reasonable search does not require the use of all possible or conceivable means of discovery, it is an inquiry that a reasonable person would make, and it must extend to places where information is likely to be obtained and to persons, who, in the ordinary course of events, would be likely to have information of the person or entity sought. Whether all reasonable means have been exhausted has to be determined by the circumstances of each particular case.

*S.P.*, 672 N.W.2d at 846.

Finally, in the context of locating non-resident fathers, it is also important to discuss briefly the role paternity registries have or can have in the location process. The purpose of putative father registries is to provide fathers with a means to protect their rights and identify themselves and where they are located. By registering, this guarantees that the putative father will receive notice of an adoption. In some states failure to register may be automatic grounds to terminate a father’s parental rights. Other states may require further state driven attempts to locate the father or recognize exceptions for failure to register. (Nolan, 2005). States differ in the information they include, but many registries list the: (1) name, address, social security number, and date of birth of the putative father and birth mother, (2) name and address of any person adjudicated by a court to be the father, (3) child’s name and date of birth or expected due date, and (4) registration date (The Rights of Presumed (Putative) Fathers, 2004; *see, e.g.*, La. Stat. Ann. tit. 11 § 1103 (West 2007), Ill. Comp. Stat. Ann. 50/12/1 (West 2007)).

Review of putative father registries to locate non-resident fathers at the inception of child welfare cases could be one of many avenues child welfare agencies explore when attempting to locate fathers. However, this should not be the only means by which an agency tries to find a non-resident father. Although a few states provide funding to distribute statewide information about registries and the consequences associated with failing to register, lack of knowledge of registries is a serious concern when limiting non-resident father rights to be involved in their children’s lives. *See, e.g.*, Ga. Code Ann. § 19-11-9 (West 2007), Mo. Rev. Stat. Ann. § 192.016 (West 2007), Okla. Stat. Ann. Tit. 10, § 7506-1.1 (West 2007). Since lack of knowledge of the registry is not a valid

## Chapter 2

### Legal Literature

defense in adoption proceedings, increased publicity is appropriate to educate fathers about registries and their purpose (Dapolito, 1993).

#### *Summary and Gaps in Literature*

In sum, ASFA supports the use of child support enforcement programs, such as parent locator services, to locate non-resident fathers and other relatives involved in the child welfare system. However, although a few states have collaborated with child support agencies to locate non-resident fathers, this level of interagency collaboration has not become commonplace. In addition, although many states maintain putative father registries, it is unclear whether child welfare agencies use them to help locate non-resident fathers early in cases. Moreover, because most states do not adequately fund publicity campaigns regarding paternity registry filing requirements, it may be a questionable source of information when attempting to locate non-resident fathers.

Many state statutes do not provide agencies a framework within which they can conduct reasonably diligent searches for non-resident fathers. Courts in several jurisdictions, however, have addressed the issue and provided child welfare agencies further guidance in their attempt to locate non-resident fathers. These cases do not specify the types of searches agencies must conduct, but analyze the reasonableness of the specific search, given case circumstances.

Some statutes also limit the time frame during which searches need to be performed, possibly decreasing the likelihood that the father may establish a relationship with the child or that the agency may find paternal relative resources. Failure to engage in ongoing search efforts during the life of a case may also delay permanency for children if a father appears at or around adoption proceedings and requests custody of his child. In addition, because of ASFA's permanency timelines, formal diligent searches should begin at case inception to avoid delay and potential harm to the child.

#### **Contacting or Providing Notice to Non-Resident Fathers**

All parties to child welfare cases are entitled to be served with documentation or notice of proceedings from case inception to end. Most state laws designate the following individuals as 'parties' to an abuse or neglect matter:

- the parents and their counsel;
- the legal guardian or custodian and his/her counsel (if applicable);
- the child and his/her counsel; and
- the child welfare agency.

## Chapter 2

### Legal Literature

Some state laws include additional individuals or further describe the types of individuals who are entitled to notice. For example, in California, if the child welfare agency determines that a child should be removed from the home and a court petition is filed, the agency must provide notice to the following persons who are known before the initial court hearing: (Cal. Welf. & Inst. Code § 290.1 (West 2007)).

- the mother;
- the father or fathers, presumed and alleged;
- the legal guardians;
- the child, if the child is 10 years of age or older;
- any known siblings, if the sibling is subject to a dependency proceeding or has been adjudicated dependent;
- if there is no parent residing in state, or if their residence is unknown, then any adult relative residing nearest to the court;
- counsel for the parents or guardians; and
- the district attorney, if they request a copy of the petition.

Similarly, Minnesota's statute enumerates the different types of fathers who are entitled to notice. Minnesota requires that notice be provided to the person who has custody or control of the child and is named in the initial court petition. The court must also issue notice to: (1) an adjudicated or presumed father of the child; (2) an alleged father of the child; (3) a noncustodial mother; and (4) a grandparent, if the child has lived with him/her within the two years preceding the court petition. Minn. Stat. Ann. § 260C-151 (West 2007).

Parents' constitutional rights to rear their children are challenged in adoption and termination of parental right proceedings. A mother of a child born out of wedlock must receive notice of these proceedings under any circumstances. Generally, an unwed father's right to oppose the adoption of his child cannot be forfeited without prior notice. However, Supreme Court precedent does not allow all putative fathers the right to notice of an adoption proceeding. If a putative father does not initiate a relationship with the child or grasp the opportunity to establish that relationship he may not be entitled to notice (Muskus, 2006).

Many state notice statutes relating to adoption or termination of parental rights proceedings, therefore, articulate the types of fathers who should and should not be

## Chapter 2

### Legal Literature

contacted before proceedings commence. In many states, the right to notice is tied to whether the father registered in a paternity registry. For example, in New Hampshire, the court must notify the following individuals of pending adoption proceedings: (N.H. Rev. Stat. Ann. § 170-B:6 (West 2007)).

- anyone named by the mother in an affidavit;
- the birth or legal father, if his identity is known before the mother's parental rights are terminated;
- a person who claims to be the father and who has registered his claim of paternity with the office of child support or with a putative father registry in the state where the child was born; and
- a person who is openly living with the child or the child's mother or providing financial support to her and the child and who holds himself out to be the child's father before the mother's parental rights are terminated.

Likewise, in Idaho, an unwed biological father, by virtue of his engaging in a sexual relationship with a woman is deemed on notice that a pregnancy and adoption may occur. It is his duty to protect his parental interests. Idaho Code § 15-1505 (West 2007). In South Dakota, "a father of an illegitimate child shall . . . have no rights to the service of process in adoption, dependency . . . or termination of parental rights proceedings unless he is known and identified by the mother or unless he . . . acknowledged the child as his own by affirmatively asserting paternity, within 60 days of the birth of the child. S.D. Codified Laws § 25-6-1.1 (West 2007). State case law follows Supreme Court precedent and state statutes by denying non-resident putative fathers the right to notice in adoption and termination proceedings when they fail to establish a relationship with the child. *See, e.g., Tariah v. Hannah Prayer Adoption Agency, Inc.*, 903 P.2d 304 (Ok. 1995), *In the Matter of Baby Boy K.*, 546 N.W.2d 86 (S.D. 1996), *In the Matter of K.J.R.*, 687 N.E.2d 113 (Ill. App. 3d 1997), *In re A.S.B.*, 688 N.E.2d 1215 (Ill. App. 2d, 1997), *In the Matter of Karen A.B.*, 513 A.2d 770 (De. 1986).

Most states follow similar procedures in how they deliver notice documents to individuals entitled to participate in child welfare proceedings. The most preferable form of service is in person, where a copy of the petitioning document(s) regarding a child welfare case are hand-delivered to the parent, guardian or other custodian. If the process server is unable to deliver the documents to the individual in person, they can affect substitute service. Substitute service is the delivery of documents to a person of suitable age and discretion who is residing in the home of the summoned individual. If neither personal nor substitute service is possible, a judicial officer may authorize service by certified mail to the individual's last known address. In those instances where a parent is missing or their address is unknown, after a diligent search is conducted to find them, the court may allow service to be issued by publication. *See, e.g.,* Idaho Code § 16-2007



## Chapter 2

### Legal Literature

(West 2007), D.C. Rules Governing Neglect and Abuse Proceedings, Rule 11 (2004), Geiger, Kimpflen & Zakolski, 2006.

#### *Summary and Gaps in Literature*

Court-directed procedures to provide notice to non-resident fathers of pending child welfare proceedings are relatively uniform throughout the country. Courts use a tiered approach, attempting personal service and then using substitute or constructive service by mail. Publication of service is used as a last resort and for those non-resident fathers who are unknown and cannot be found after a diligent search.

Following Supreme Court precedent, most states, however, do not afford putative fathers a right to notice of adoption or termination of parental rights proceedings, unless they have established a relationship with their child or have taken some steps to do so, such as filing in a paternity registry. This may result in unfair outcomes for non-resident fathers who were not aware that they fathered a child or were told that the child was not their biological child, especially when the mother relinquishes the child to child welfare services at birth.

It is also unclear whether some state statutes include presumed, alleged, putative non-resident fathers as parties entitled to notice from the beginning of child welfare cases. While some state statutes clearly list presumed and alleged fathers as individuals entitled to notice when a child enters the court system, because of abuse or neglect, other statutes are vague and only list the parent, guardian or custodian as the individual(s) entitled to notice. Without further definition, these statutes could be interpreted to exclude some non-resident fathers from child welfare proceedings.

#### **Engaging Non-Resident Fathers and Paternal Kin**

Federal child welfare policy and common law support preserving families and engaging parents in reunification efforts. ASFA requires agencies make reasonable efforts to provide the assistance and services needed to preserve and reunify families. Laws in all states require the provision of services that will assist families in remedying the conditions that brought the child and family into the child welfare system. Statutes in most states use broad definitions of what constitutes reasonable efforts. Some commonly used terms associated with reasonable efforts include “family reunification,” “family preservation,” “family support,” and “preventive services” (Reasonable Efforts . . . , 2006).

In 2006, Congress reauthorized the *Promoting Safe and Stable Families Act* (PSSF). Child and Family Services Improvement Act of 2006, S. 3525, 109<sup>th</sup> Cong. (2006) and H.R. 5640, 109<sup>th</sup> Cong. (2006). PSSF is one of the few federal sources for services that prevent and remedy issues that bring families to the attention of child

## Chapter 2

### Legal Literature

welfare systems. Its primary goals are to prevent the unnecessary separation of children from their families, improve the quality of care and services to children and their families, and ensure permanency for children by reuniting them with their parents, by adoption or another permanent living arrangement.

States spend most PSSF funding for services that address: family support, family preservation, time-limited family reunification and adoption promotion and support. These services are designed to help child welfare agencies establish and operate preventive family preservation services and community-based family support services for families at risk or in crisis (CWLA, 2006)

Both ASFA and PSSF support state efforts to engage and involve parents in reunification efforts. Supreme Court cases also strongly encourage the engagement of non-resident unwed fathers to establish relationships with their children. Under these cases, failure to engage may prohibit unwed fathers from opposing attempts to terminate their parental rights. *See, e.g., Lehr v. Robertson*, 463 U.S. 248 (1983).

All state statutes require child welfare agencies make reasonable efforts to prevent the removal of children and reunify families. Many also discuss the consequences associated with a father's failure to engage the child welfare process. Fewer state statutes outline or provide a framework within which the child welfare agency must engage parents in reunification efforts.

Laws and court rules in New York and California promote the provision of reunification services and provide some guidance on how these services should be offered. Under New York law, child welfare agencies must determine the particular problems facing parents whose children have been removed and make meaningful efforts to assist parents in overcoming these problems. Agencies fail to exercise diligent efforts to strengthen parental relationships when their reunification plans do not address the problems that separated the parent from child (Coltoff, 2006). In California, child welfare agencies must provide services to the child, the child's mother, and the statutorily presumed father to facilitate reunification of the family. Services are not afforded to alleged, biological, or de facto fathers who have not demonstrated a full commitment to their parental responsibilities. Ca. Rules of Court, Rule 5.695 (West 2007).

Statutes in Montana, Nevada, and West Virginia, among others, outline the consequences associated with a father's failure to establish a relationship with his child in foster care. In each state, if a father does not acknowledge, establish a substantial relationship, or contribute to the support of the child, he has presumptively abandoned the child, taking away his ability to oppose a future adoption or termination of parental rights proceeding. Mont. Code Ann. §41-3-423 (West 2007), Nev. Rev. Stat. Ann. § 128.095 (West 2007), W.Va. Code § 48-22-306 (West 2007).

## Chapter 2

### Legal Literature

The above laws show that child welfare agencies may not engage certain types of fathers in reunification efforts. Specifically, services may not be offered to non-resident fathers who were outside the home at the time of the referral, have not established a full commitment to parenting, but did not perpetrate the abuse or neglect. Moreover, even if these fathers receive services, many state statutes do not define what makes these prevention or reunification efforts “reasonable,” leaving this determination to courts. (Crossley, 2003). Thus, while many state statutes generally promote the engagement of parents in reunification efforts, many state cases expose the lack of services being offered to non-resident fathers.

For example, in *In re Shaiesho O.*, 887 A.2d 415 (Conn. App. 2006), the Connecticut Court of Appeals found that the child welfare agency failed to make reasonable efforts to reunite a father with his daughter before filing a termination of parental rights petition. Here, an infant born with cocaine in her system was removed from her mother’s care and placed in foster care. The mother named an individual other than the biological father on the birth certificate and at the initial court hearing. She named the biological father several months later, but the agency failed to contact him immediately. The court reasoned that the agency’s three brief phone conversations with the biological father about establishing paternity, failure to set up a visitation schedule, and one discussion of a placement plan with the father *after* the termination petition was filed did not constitute “reasonable” efforts to reunify.

Courts in Ohio and California have made similar findings. In *In the Matter of Asia Willis*, 2002 WL31114983 (Ohio App. 3 Dist. 2002) the child welfare agency assumed custody of an infant born with cocaine in her system. Despite a lack of evidence pertaining to the father’s drug use or involvement in the mother’s drug use, the child welfare agency required he participate in a drug assessment, accompany the mother to Narcotics Anonymous, and attend parenting classes in an apparent attempt to correct the problems that led to child’s removal. The agency gave the father six months to comply with this reunification plan and then filed paperwork to terminate his rights. The court held that there was insufficient evidence to terminate rights because the agency failed to make a good faith effort to reunify the family; it only offered services for six months and the father complied with all services offered and visited with the child when his work schedule allowed.

In *Robin V. v. The Superior Court of Orange County*, 33 Cal. App. 4<sup>th</sup> 1158 (1995) (*Robin V.*), a California court held that reunification services offered to an incarcerated father were unreasonable. The father’s reunification plan stated that he would be considered a placement option after his release from prison if he enrolled in a substance abuse program through the prison, maintained monthly contact with the social worker, and upon release remained drug and conviction free, completed parenting classes, and secured adequate housing. The father complied with the services offered while in prison, but although he attempted to coordinate with the social worker after release, the social worker failed to respond. The court held that there was virtually no

## Chapter 2

### Legal Literature

showing that (1) the social worker offered services to the father that would remedy the problems that brought the child into the system; (2) the agency made any reasonable efforts to assist him when compliance proved difficult; and (3) the agency maintained reasonable contact with the father.

The *Robin V.* case raises issues regarding incarcerated father involvement that have not been the focus of many state laws but are common in child welfare practice. Incarcerated non-resident fathers are a particularly difficult population of fathers to engage in the child welfare process, given ASFA's reunification timelines.

Generally, incarceration, whether in prison or a mental health facility, by itself, does not constitute abandonment under adoption statutes that disregard parental consent if the parent deserts the child (Lough, 2000). However, some state cases have dispensed with parental consent in adoption proceedings based solely on the father's incarcerated status. In contrast, there is some case law support for assessing each case involving an incarcerated parent on its own particular facts. Some courts, like *Robin V.*, take a realistic and balanced approach to determining whether an incarcerated father abandoned his child, obviating the need for his consent to an adoption. These courts assess "whether an incarcerated non-consenting parent, unable to fulfill the customary parental duties of an unrestrained parent, has nonetheless pursued the opportunities and options which may be available to carry out such duties to the best of his . . . ability" (Farrell, et al, 2006).

Even though some non-resident parents are not alleged to be or adjudicated as the perpetrator of child abuse or neglect, some state case law exposes how they are still expected to rebut a presumption within state statutes that they are unfit to parent their child, be a placement option, or engage in the child's life. For example, in *In re S.S.*, 728 N.E. 2d 1165 (Ill. App. 3d 2000) (*S.S.*), a trial court found that both the father and mother were neglectful, despite a lack of evidence that the mother harmed the child. On appeal, the court noted that the state statute appeared to treat parents as a unit as it did not address situations where only one separated parent had abused or neglected the child. It was only by implication that the court could assess each parent's culpability separately and hold that there was no evidence that the mother was neglectful. The *S.S.* case exposes a significant barrier to non-custodial parent engagement in child welfare cases. In determining whether a child has been neglected or abused, many state statutes focus on the child in passive voice. At trial, the court primarily determines whether the child was abused or neglected and only secondarily looks at who the culpable party was. In practice, many non-custodial parents, who were not involved in the incident which brought the child to the system's attention, are therefore deemed unfit, neglectful or abusive.

Another important engagement issue that has received little focus in case law and statutes is the involvement of paternal relatives. A handful of states, through statute or court rule, require the engagement of relatives in the child welfare process. Florida's child welfare statute includes provisions assuring grandparent rights. Under Florida law,

## Chapter 2

### Legal Literature

a maternal or paternal grandparent is entitled to reasonable visitation with his/her grandchild who has been adjudicated dependent or been placed in foster care unless the court finds that this contact would be contrary to the child's best interests. Fla. Stat. Ann. § 39.509 (West 2007). California's court rules require courts to order, at an initial hearing, parent(s) or guardian(s) disclose the names and addresses (if known) of any maternal or paternal relatives. Cal. Rules of Court, Rule 5.678 (West 2007). By requiring the location of relatives early in a case, the California courts increase the possibility of identifying and utilizing paternal relatives as placement resources. In addition, by requiring child welfare agencies schedule visits between foster children and grandparents, Florida's statute maintains important family connections while children are in out-of-home care.<sup>1</sup>

#### *Summary and Gaps in Literature*

ASFA, PSSF, and Supreme Court precedent support preserving families and engaging parents in reunification efforts. Laws in all states require the provision of services that will assist families in remedying the conditions that brought the child and family into the child welfare system. However, many state statutes focus on the consequences associated with fathers' failure to engage in the child welfare process. Fewer provide a framework for how child welfare agencies must engage parents in 'reasonable' reunification efforts, particularly non-resident fathers.

As a result, courts are left to determine what constitutes reasonably diligent efforts to reunify families. There have been many cases where non-resident fathers challenge agencies' limited or non-existent efforts to engage them. Moreover, there has been virtually no focus in statute, court rule, or case law on ensuring parents receive gender-responsive and appropriate services and reunification plans. Finally, issues relating to relative engagement and the provision of services to incarcerated fathers have been inadequately addressed in statute and case law.

#### **Summary and Conclusion**

Federal child welfare policy and case law support the engagement of non-resident fathers early in child welfare cases. But, the Supreme Court has limited the rights of non-resident and unwed biological fathers by holding that they must either establish a relationship with their child or seize the *opportunity* to establish a relationship. States provide an *opportunity* for father involvement in different ways. They may require non-resident unwed fathers to file in paternity registries, place their names on birth

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<sup>1</sup> In addition, several states, including Florida, Louisiana, Tennessee, and the District of Columbia promote relative engagement by establishing "kinship care" or "relative caregiver" programs that provide relatives with benefits to help offset the cost of caring for a placed child (Placement of Children with Relatives . . . , 2005).

## Chapter 2

### Legal Literature

certificates, live with the mother, pay child support, or take other steps to establish a relationship with their children.

State efforts to identify and locate fathers are also diverse. Most state statutes articulate a procedure by which a non-resident father must be identified before adoption or termination of parental rights proceedings, but fewer articulate clear guidelines regarding identification and location early in a case. Overall, identification efforts can be categorized into three areas (1) a multi-tiered approach that places responsibility on the mother, father and state; (2) a father-focused approach that requires the father to self-identify; or (3) a mother-focused approach that requires the mother to offer information about herself to publish notice to prospective fathers.

In contrast, court-directed procedures to provide notice to non-resident fathers of pending child welfare proceedings are relatively uniform throughout the country. Courts use a tiered approach, attempting personal service and then using substitute or constructive service by mail. Publication of service is used as a last resort and for those non-resident father's who are unknown and cannot be found after a diligent search.

Following Supreme Court precedent, many states, however, do not afford putative fathers a right to notice of adoption or termination of parental rights proceedings unless they have established a relationship with their child or have taken some steps to do so, such as registering on a paternity registry. This may result in unfair outcomes for non-resident fathers who were not aware that they fathered a child or were told that the child was not their biological child, especially when the mother relinquishes the child to child welfare services at birth.

Finally, federal policy and case law support preserving families and engaging parents, including non-resident fathers, in reunification efforts. However, many state statutes focus on the consequences associated with fathers' failure to engage in the child welfare process and fewer provide a framework for how child welfare agencies must engage parents in 'reasonable' reunification efforts. In addition, some state statutes, which treat parents as a unit, are unclear as to whether non-custodial parents who did not abuse or neglect the child will be treated as if they were unfit and unable to parent or engage with their child. Moreover, there has been virtually no focus in statute, court rule, or case law on ensuring that parents receive gender-responsive and appropriate services and reunification plans.

Failure to locate and engage non-resident fathers early in child welfare cases can result in negative outcomes for children. Some non-resident fathers may be inappropriately excluded from the child welfare process, preventing them from maintaining or establishing a relationship with their child. Delaying location or engagement attempts may also delay permanency for children and decrease the likelihood that they will maintain relations with paternal relatives.



## Chapter 2

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### Legal Literature

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S.D. Codified Laws § 25-6-1.1 (West 2007).

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Cal. Rules of Court, Rule 5.635 (West 2007).

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## Chapter 3

### Programs and Practices Literature

#### Introduction

##### *Programs that Promote Father Involvement*

In the past decade, numerous national and local fatherhood programs have been developed to respond to the varied needs of families and different types of fathers. Oftentimes these programs fill service gaps left by social service agencies that are experiencing high caseloads, limited funding, and are unable to offer father-focused activities and services. Fatherhood programs, whether specific to child welfare systems or not, assume many forms. Some address special issues that affect fathers, some work with special populations of fathers, such as incarcerated dads, some are informal support groups, and others address behaviors that may affect fathers' abilities to properly parent their children (Rosenberg & Wilcox, 2006).

Moreover, while early interest in father involvement focused largely on collecting child support, programs and practice are now addressing physical and emotional support to fathers as well. Initiatives at a federal, state, and local level focus on increasing fathers' capacity and motivation to become involved in their children's lives (English, Brummel & Martens, 2004).

##### *Programs and Practices Regarding Fathers in the Child Welfare System*

In recent years, there has also been increased focus on the involvement of fathers in child welfare cases. Some practices and programs have begun to challenge existing practices that inappropriately exclude fathers who may be viable placement options or could be positive influences in their children's lives.

Federal, state, and local child welfare initiatives have begun to address the specific needs of non-resident fathers in child welfare cases. Some initiatives have sought to increase father engagement by offering broad and targeted services. Likewise, many child support and welfare-to-work programs for fathers offer non-resident fathers employment assistance and case management. Some offer court representation, psychological counseling, and parenting skills training geared towards fathers.

As more father engagement programs and practices develop, more have begun to specialize by targeting sub-populations of non-resident fathers. For instance, several jurisdictions have implemented engagement programs for incarcerated fathers that focus on developing relationships between fathers and children during and after prison. Others focus on fathers who are at-risk for domestic violence to reduce the likelihood that their family may enter the child protection system.

In addition, several new and promising child welfare practices may also be used to better locate and engage non-resident fathers and paternal relatives. For example,



## Chapter 3

### Programs and Practices Literature

Family Group Decision-Making engages immediate and extended family in the case planning process for a child. Differential response promotes parental engagement, including non-resident fathers, by supporting family preservation by focusing on service provision and family strengths and needs without conducting a formal child protective services investigation. These promising approaches are discussed below.

#### ***Court-Generated Fatherhood Initiatives***

All 50 states, the District of Columbia, and Puerto Rico participate in the federal *Court Improvement Program* (CIP) administered by the Children's Bureau of the U.S. Department of Health and Human Services. The grant program was established in 1994 as a response to the dramatic increase in child abuse and neglect cases and the expanded role of courts in achieving stable, permanent homes for children in foster care. Under the grants, which are awarded to the highest court of each participating state, recipients complete a detailed self-assessment, develop recommendations to improve the court system, and implement the recommended reforms. Among other issues, states assessed the timeliness and quality of hearings, training and education of judges and other court participants, attorney and judicial caseloads, quality of legal representation, timeliness of appeals, treatment of parties and witnesses, and the adequacy of court facilities, (Court Improvement Fact Sheet, 2007).

Some child welfare fatherhood initiatives begin under federally funded CIPs. Each year, the National Child Welfare Resource Center on Legal and Judicial Issues, part of the American Bar Association Center on Children and the Law, conducts telephone surveys to find out how the states are progressing with their reform efforts. The results, published in a *Court Improvement Progress Report*, include both a national overview and a state-by-state progress description (Community Involvement: What You Can Do to Help Improve the Court System for Abused and Neglected Children, 2007). The report describes implementation activities on the quality and depth of hearings, legal representation of parties, timeliness of decisions, use of technology, training and education, state legislation and court rules, relationships between courts and agencies, and other topics. The discussion below includes a review of state CIP initiatives that have addressed issues relating to father in child welfare cases.

#### ***Remainder of Chapter***

This introduction provides some background and an overview of types of fatherhood programs and practices currently being implemented throughout the country. The remainder of this chapter summarizes and analyzes how these programs and practices respond to several salient issues affecting non-resident fathers in the child welfare context. Using the definitions outlined in the Introduction to this literature review, the rest of this chapter assesses, in a programmatic and practices context, the identification, location, contact, and engagement of non-resident fathers in child welfare.

## Chapter 3

### Programs and Practices Literature

#### Identifying Non-Resident Fathers

Many state child welfare agency policies include language regarding the location of unknown parents. Agency policies regarding identification typically focus on determining who the unknown parent is within the context of initiating a foster care case, establishing permanency, adoption, and/or child support (*see, e.g., Virginia Department of Social Services, 2006*). For example, in 2005, New York's Office of Children and Family services issued guidance on identifying and locating absent fathers and extended family. This policy guidance provides a framework of practice for social workers handling child welfare cases with absent fathers. The guidance urges child welfare professionals to identify fathers early in the case to "help him become involved in his child's life . . . [and] to avoid delays" at termination of parental rights proceedings. Based on focus groups and survey instruments, the guidance cites numerous barriers that New York child welfare workers must overcome to identify non-resident fathers, including: (Brown, 2005).

- A mother may not be forthcoming with the name of the father because of personal feelings against him. She may not feel the father's participation is important and she is not interested in assisting in locating him;
- There is a perception that if the father is not involved in the child's life that he is not interested in being involved; and
- When a caseworker asks a mother about an absent father and the mother responds "unknown," the caseworker does not always continue to ask about his identity because they lack the skills necessary to effectively probe for information or mistakenly believe that information about him is privileged and not accessible.

The guidance, therefore, encourages child protection investigators to inquire into family composition, including the identity of the father of any child who has been referred to the agency. It also recommends that the child welfare caseworker ask those who know the mother whether she has been married or if anyone visits or supports the child (Brown, 2005).

An analysis of the most recent *Court Improvement Program (CIP) Progress Reports* as well as *State Progress Reports*, shows that a few state CIPs have addressed the need for early identification of non-resident fathers in child welfare cases and developed programs or policies to address the issue. For example, Massachusetts' Strategic Plan for Court Improvement for Fiscal Years 2002 through 2006 states that the courts intend to identify fathers early and resolve outstanding paternity issues (Massachusetts State Summary, 2004).

## Chapter 3

### Programs and Practices Literature

In 2005, Alabama's Policy Review Subcommittee approved a document entitled *Social Worker Guide for Working with the Courts*, which assists courts and social services to reduce or eliminate barriers to achieving permanency for children in foster care, including, but not limited to, the location of missing parents and the determination of paternity early in the case.

The guide suggests that if a caseworker is unable to identify the father or determine his legal status by the 72-hour initial court hearing, efforts must be made to identify him and address the issue by the next court date or permanency hearing. The guide encourages workers to contact the child support unit to determine if it has already identified the father, obtain a copy of the child's birth certificate, determine if the father signed an Affidavit of Paternity, and check the Putative Father Registry. Workers are also advised to assist the mother in completing a Paternity Worksheet, preferably before the initial court hearing. As the State Summary points out, "the purpose of this Worksheet is to help DHR social workers find putative fathers early in the case so that the issue of finding the father will not be a barrier to permanency"(Alabama State Summary, 2006).

#### *Summary and Gaps in Literature*

Some child welfare agency policy manuals and CIPs provide guidance to social workers and courts regarding father identification. While some of these practices are encouraged to engage the father in the child's life, other agencies or courts stress early father identification to avoid delays in permanency planning for the child. The latter exposes a gap in agency practice relating to identifying fathers as it explicitly perpetuates the notion that fathers should not be identified in child welfare cases except to terminate his parental rights when the goal of the case is adoption. This may have a particularly pernicious effect on non-resident fathers and children when the father was not the perpetrator of abuse or neglect and could be a viable placement option. In fact, few, if any, child welfare policy manuals focus on early identification of non-resident fathers who are not the alleged perpetrator to see if court involvement may be avoided by coordinating an agreement between the mother and father that would allow the latter to care for the child.

In addition, few CIP efforts provide judges with guidance or practice tips on identifying fathers early in child welfare cases. Although some generally encourage courts to ask the mother to complete a paternity affidavit or attempt to establish paternity early, most do not provide tips to judges on how to engage mothers in a culturally competent conversation about the importance of father identification, keeping in mind some mother's privacy and/or domestic violence concerns, when those issues arise.

## Chapter 3

### Programs and Practices Literature

#### Locating Non-Resident Fathers and Paternal Kin

Although most state statutes or case law do not explain the steps agencies must take to attempt to locate non-resident parents, several state child welfare agency policy manuals provide guidance on the subject. For example, Florida's, Illinois,' New York's and Wisconsin's policy materials provide detailed explanations of recommended steps caseworkers should take to diligently search for and locate non-resident parents early in a case. In Florida, caseworkers must maintain a record of their diligent search attempts, results, responses, and records by making inquiries of the following: (Florida HRS Operating Procedure, 1996)

- All known relatives, asking them what they know about the parent's location, date of birth, employment, etc;
- All program offices of the child welfare department, including economic services, alcohol, drug abuse and mental health and all client registration systems used by the department that are likely to have information about a parent;
- Other state and federal agencies likely to have such information, such as child support enforcement, Department of Motor Vehicles, etc; and
- Telephone directory and directory assistance, schools, last known employer, utility companies, etc.

In addition to the searches above, New York's guidance recommends that caseworkers (1) ask the child who his/her father is, when it is developmentally and age appropriate; (2) send letters to his last known address; and (3) try to obtain information from friends or members of the child's community, such as church members or local community organizations (Brown, 2005).

In Illinois, the child welfare agency has contracted with a private agency to develop and implement a Diligent Search Service Center (DSSC) that caseworkers can access by phone or computer. A diligent search to locate a non-custodial or absent parent must occur before a temporary custody hearing and other juvenile court proceedings, including adoption or guardianship. Unlike other policy manuals, Illinois outlines specific steps agency workers must take to locate non-resident parents at several steps in the child welfare process, including intake, removal, and termination of parental rights proceedings. Illinois policy also explains how caseworkers may access and use the state's DSSC. Because the child welfare agency has established numerous interagency agreements, caseworkers are able to access multiple state and national databases to locate non-resident parents, including: (Illinois Department of Children and Family Services, 2003)

## Chapter 3

### Programs and Practices Literature

Department of Corrections in over half of the states	Military Locator Services	Illinois Putative Father Registry
Multi-State Sex Offender Registry	National Death Locator	Illinois Department of Children and Family Services Advocacy Office
Trace Credit Reports	World Page Locator	Illinois Department of Motor Vehicle Record System
Federal Parent Locator System	Directory Assistance Look-Up	Illinois State Board of Elections

Some state policies, however, do not focus on locating non-resident fathers until later in a case; sometimes not until termination of parental rights or adoption proceedings commence. For example, Indiana's policy manual only discusses locating parents in the context of adoption proceedings (Indiana Department of Children's Services, 2007).

Some state policy manuals recommend use of the Federal Parent Locator Service, such as Illinois, and others explain how caseworkers can access other agency locator services. For example, in 2006, Missouri's Department of Social Services created an enhanced diligent service mechanism through a memorandum of understanding (MOU) with the Department of Revenue. Through this MOU, child welfare agency caseworkers are able to locate non-resident fathers by searching Department of Motor Vehicle, General Registration, and Marine electronic systems (Neese, 2006).

Some, but not many, policy manuals also provide guidelines and promote the importance of finding relatives. Wisconsin's practice guide outlines when caseworkers must make diligent efforts to not only find non-custodial and alleged fathers, but also relatives. In Wisconsin a relative search *must* occur when, for example:

- It is likely that a child will be placed in out-of-home care with someone other than a fit and willing relative;
- The child is placed in out-of-home care with someone other than a fit and willing relative on either an emergency basis or with planning;
- It is likely that the child's placement will change to a non-relative placement;
- Paternity is adjudicated or acknowledged;
- A concurrent permanence goal is established; and/or

## Chapter 3

### Programs and Practices Literature

- Reunification is no longer the primary goal.

Importantly, Wisconsin's practice guide further states that even if a relative who is found as a result of a diligent search cannot be a placement option for a child, s/he may act as an important "less formal resource . . . and a connection that will last beyond the child's involvement in the child welfare system." Therefore, under Wisconsin policy, the search for relatives must continue until a caseworker believes that relatives could not be found or the child's needs have already been met (Wisconsin Department of Health and Family Services, 2007).

Some child welfare agencies have also begun to use publicly available search tools to locate non-resident parents and relatives. In California, Illinois, and North Dakota, child welfare agencies have begun to use a program called "*Family Finding*." *Family Finding* is a set of people-locating tools and strategies, which its founder, Kevin Campbell, adapted from a Red Cross initiative that reunited families separated by war and natural disasters. In 2000, Catholic Community Services in Washington State began to use the *Family Finding* strategies and found relatives for 99 percent of the children for whom searches were conducted. Many family members were willing and interested in either caring for the child in foster care or establishing a relationship with the child. Other jurisdictions in California have seen similar results and Campbell has begun to train child welfare professionals in jurisdictions all over the country to utilize the program's strategies. *Family Finding* also has a special web portal for child welfare professionals through U.S. Search.com (Shirk, 2006).

A handful of *Court Improvement Programs* (CIPs) have also addressed father location issues. In 2003, Georgia's CIP supported a study to assess improvements in child welfare case adjudications. (Georgia State Summary, 2004). The study recommended, among other things, that courts implement best practices for diligent searches and there be improved representation of fathers in abuse and neglect cases (Georgia State Summary, 2004). In Maryland, the Termination of Parental Rights Initiative Subcommittee developed a Parent Locator Litany Form that judges and masters should use at each court proceeding to inquire about missing parents (Court Improvement Progress Report, 2003).

In 2000, through Michigan's CIP, the state developed an "*Absent Parent Protocol*" to find absent or missing parents earlier in child welfare cases (Absent Parent Protocol, 2004). In 2002, Michigan piloted the protocol in four counties (Court Improvement Progress Report, 2003). The protocol was distributed to all Michigan courts and agencies in 2005 and integrated into its Child and Family Services Review Program Improvement Plan (PIP) (Court Improvement Progress Report, 2005).

The protocol outlines minimum requirements for locating parents, search checklists, and resources. Citing the child welfare agency's policy, the protocol notes



## Chapter 3

### Programs and Practices Literature

that caseworkers, as part of their diligent search efforts must determine (1) if the mother was married at the time of conception; (2) whether she is currently divorced, (3) if the father or anyone is paying support; (4) if the father is listed on the child's birth certificate; (5) whether an order of filiation has been entered; and (6) if an affidavit of parentage has been filed. In addition to the agency's policy, the protocol suggests that caseworkers use other resources to locate non-resident fathers, such as:

- Conduct a statewide Client Information System inquiry;
- Search telephone books;
- Conduct a friend of the court inquiry;
- Check with the county clerk's office for vital statistics;
- Contact the absent parent's last place of employment; and
- Use the Federal Parent Locator Service.

To facilitate more extensive searches for missing or absent parents, the Michigan Friend of the Court (FOC), the Office of Child Support Enforcement (OCSE), the Department of Human Services (DHS), and the courts are developing collaborative agreements to better connect child welfare caseworkers and courts with FOC and OCSE search resources. Moreover, in order to assure the protocol is used properly, training modules are being created for caseworkers, judges, and court staff (Michigan State Summary, 2006).

#### *Summary and Gaps in Literature*

Several child welfare agency policy manuals and CIPs provide social workers and courts guidance on what steps should be taken to locate non-resident parents in child welfare cases. (See, e.g., Illinois Department of Children and Family Services, 2003, Michigan State Summary, 2006, Wisconsin Department of Health and Family Services, 2007). Some state policies, however, do not focus on locating non-resident fathers until later in a case; sometimes not until termination of parental rights or adoption proceedings commence. In addition, fewer state policies or CIPs promote the development of collaborative agreements or memoranda of understanding between child serving systems to more quickly and efficiently locate non-resident parents. For example, fewer policy manuals encourage collaboration and information exchange between public and child welfare systems or child support and child welfare. Through the QIC NRF's key informant interview process, some significant and potential barriers to this sort of collaborative effort are: (1) agencies have distinct funding streams that inhibit or limit inter-system collaboration and (2) confidentiality rules regarding the dissemination of



## Chapter 3

### Programs and Practices Literature

personal information may prohibit certain agencies from providing some types of information to child welfare caseworkers.

In addition, few agency policy manuals or CIPs focus on inter-state collaborations between child welfare or child-serving agencies to locate non-resident parents. Although several policy manuals encouraged the use of the Federal Parent Locator Services, few address or attempt to resolve the difficulties associated with out-of-state father location. Through the QIC NRF's key informant interviews, several interviewees shed light on the difficulties associated with locating non-resident fathers who are out of state or out of the country. Many decried the lack of inter-state or regional agreements between nearby jurisdictions to expedite and help locate non-resident fathers. These concerns were more acute in jurisdictions that were near other state's borders or foreign countries.

Finally, few state practice or policy manuals discuss the importance of caseworkers making diligent efforts to locate maternal and paternal relatives. As a result, most do not outline the best practices that should be employed to find relatives or when these searches should occur, if at all. As discussed in Wisconsin's practice guide, locating relatives, even when they do not end up being a viable placement option can provide an important connection to the child that will last beyond child welfare system involvement.

#### Contacting or Providing Notice to Non-Resident Fathers

Few state child welfare policy manuals include policies or procedures on how to initiate contact with non-resident fathers. Those policy manuals that address this issue generally include provisions on whether a putative father should be notified of court hearings, often at the termination or adoption phase (Indiana Department of Children's Services, 2007) For example, Virginia's foster care policy manual delineates when a putative father may or may not need notification of a termination of parental rights proceeding: (Virginia Department of Social Services, 2006)

- If his identity and location are known, the agency should contact him about signing a permanent entrustment agreement or an affidavit waiving all rights to notice. If he is unwilling to do either, the court will notify him of the hearing.
- If the father's identity is known, but his current whereabouts are unknown, the agency must attempt to contact him at his last known address by registered certified letter. The agency must attempt to locate the father through all sources such as relatives, former employers, social security, etc. If he cannot be found, the court requires an order of publication.
- If the father's identity is not known or is not reasonably ascertainable, the agency must secure an affidavit from the mother to this effect. This affidavit must be

## Chapter 3

### Programs and Practices Literature

presented to the court. If the court certifies the identity of the father is unknown, notice is not required. When the agency has any question regarding the validity of the mother's affidavit, the matter should be brought to the court's attention.

- If the mother knows the father's identity but she refuses to reveal it and the court certifies on the record that the father's identity is not reasonably ascertainable, the court may appoint a guardian *ad litem* to protect the rights of the unknown father.

Many states, however, provide limited guidance regarding notification or contact procedures. For example, Missouri's Child Welfare Manual discusses numerous different avenues caseworkers should use to locate parents, but only states that a "reasonable effort to notify" includes a minimum of two calls at different times of the day by telephone or letter sent to the last known address where the agency believes the biological parent is located (Missouri Department of Social Services, 2007).

Only a few state *Court Improvement Programs* have specifically addressed the issue of notice or initial contact of non-resident parents in their improvement plans. For example, in 2002, the Arkansas Court Improvement Project sponsored a four-hour interactive training for caseworkers on putative fathers' rights, including topics relating to notice and contacting fathers (Court Improvement Progress Report, 2003). In addition, Michigan's *Absent Parent Protocol* includes specific instructions on how to serve notice on non-custodial legal parents and incarcerated parents as well as what to do if personal service on a non-custodial parent is impossible (Absent Parent Protocol, 2004). For incarcerated parents, caseworkers are instructed to:

- Contact the Department of Corrections to confirm the parent's incarceration, prisoner number, and location;
- Serve the incarcerated person with the petition alleging abuse or neglect and file proof with the court that papers were served; and
- File the petition with the court stating that a party is incarcerated, providing the prisoner number and location so that the court can issue an order to the Department of Corrections allowing the parent to participate in proceeding by phone.

#### *Summary and Gaps in Literature*

Virtually no policy manuals or CIPs include guidance on how to approach a non-custodial parent in a gender-specific and responsive way. In fact, there is little focus in child welfare agency policy or CIPs on initially contacting or providing sufficient notice to non-resident parents, usually fathers. Numerous key informants of the QIC NRF raised concerns about initial contact between non-resident fathers and agencies or courts as being adversarial and accusatory, even when the non-resident father has not been

## Chapter 3

### Programs and Practices Literature

accused of abuse or neglect. These concerns have yet to be addressed through training or written guidance by most child welfare agencies or courts.

#### Engaging Non-Resident Fathers and Paternal Kin

There are a handful of jurisdictions that make an effort to provide gender-responsive services to fathers involved in the child welfare system. In addition, federal and state welfare reform and child support agencies have developed a significant number of father-specific programs, often serving the same fathers who enter or are at risk of entering the child welfare system. In many cases, these programs are private or semi-private initiatives that supplement existing child welfare agency efforts or respond to perceived or actual gaps in service to fathers. The first generation of these programs are initiatives focused on responsible fatherhood, employment counseling, and anger management, with some programs also addressing alcohol and drug abuse (Burns, 2002; Anderson, Kohler & Letiecq, 2002).

In recent years, there has been a shift in the approach of many state and federal fatherhood programs, recognizing fathers' needs to not only confront immediate crises, but also overcome deeper barriers to engagement—such as poverty, chronic unemployment, criminal histories and limited education (Miller & Knox, 2001). Addressing these larger systemic barriers increases the likelihood that fathers will achieve the financial and legal stability required to meet their responsible parenting goals. More comprehensive programs have been developed nationwide that offer a range of services, from job skills and resume-writing training to psychological and legal counseling (CFFPP, 2005).

#### *Father Engagement Programs/Practices in Child Welfare Systems*

For instance, Virginia Beach, Virginia's *Fathers in Training* (FIT) program offers a wide range of services to non-resident fathers and specifically targets fathers in the child welfare system. FIT divides its services into three interactive tiers aimed to engage fathers in child welfare proceedings: parent education, employment services, and court assistance. FIT has been recognized by the National Family Preservation Network as a best practice fatherhood program model in child welfare (Martens, 2001; Best Practice/Next Practice, 2002).

FIT provides an environment in which fathers can interact with professionals, each other, and their children comfortably, and works to help them become more self-sufficient to develop relationships with their children and family. Brian Hawkins, the director of FIT, explains that part of FIT's success is based on its sustainability. "[F]or this program to be successful it has to build into a self-sustaining entity, with many individuals able to step to the plate with support. This is a long-term program; it takes a

## Chapter 3

### Programs and Practices Literature

long time to make the changes that some fathers need to make” (Best Practice/Next Practice, 2002).

FIT also enlists the input and support of the local community and works with state and local agencies and fathers to achieve common goals. FIT works with child welfare agencies to help reduce caseloads and provide parenting skills training. FIT encourages father participation by emphasizing the positive impact fathers may have when they fully participate in the child welfare process. FIT works to develop better relationships between some mothers and non-resident fathers by inviting mothers to FIT-moderated forums, and encouraging frequent conferences with FIT case workers (Best Practice/Next Practice, 2002).

As state and federal welfare, child support, and to some extent child welfare systems begin to focus on non-resident father involvement, many private or semi-private programs have begun to specialize engagement services to targeted populations of non-resident fathers. For example, “*Caring Dads*,” based in Toronto, Canada, developed a program model that targets fathers who are or may be perpetrators of domestic abuse against their children or the children’s mother. Clinical psychologists in the program attempt to intervene before abuse occurs, resolve issues with abusive fathers, and carefully reintegrate them into their families’ lives (Scott, 2003; Scott & Crooks, 2004). “*Emerge*,” the U.S. pilot site for *Caring Dads*, was founded in Cambridge, Massachusetts in 1977 and is the nation’s first and oldest abuser-education program. It began to use the *Caring Dads* program in October 2002, with funding from the Massachusetts Department of Revenue.

The *Caring Dads* approach is structured around six principles of intervention, which differ from most other parent education and abuse intervention models: (Scott, et al., 2004)

- Overly controlling behavior, a sense of entitlement, and self-centered attitudes are primary problems of abusive fathers; thus, the development of child management skills should not be an initial focus of intervention;
- Abusive fathers are seldom initially ready to make changes in their parenting;
- Fathers' adherence to gender-role stereotypes contributes to their maltreatment of children;
- The relationship between abusive fathers and the mothers of their children is a required focus of intervention;
- Fathers need to rebuild children’s emotional stability and trust; this will affect the pace of change in the relationship and potential impact of relapse on the child; and

## Chapter 3

### Programs and Practices Literature

- Community collaborations and supports should guide the effort to safely and ethically offer services to abusive, neglectful, and at-risk fathers. This collaboration must include the perspectives of professionals in male batterer services, women's advocacy, child protective services, children's mental health, and justice and probation services.

*Emerge* utilizes individual and group counseling and cognitive behavioral techniques to help men recognize, predict, and avert abusive behavior. *Emerge* has developed culturally-specific batterer intervention groups. For example, its Cambodian father's program encourages men to address unmet problems related to physical or mental health, legal immigration status, education, and employment training. *Emerge* receives most of its referrals from the courts, but has also begun a community education campaign to help men and women recognize abusive or controlling behavior that may damage their families. As a result of this campaign, self-referrals to *Emerge's* voluntary program have risen to 30 percent of its clients (Koob, et al., 2003).

Although many father engagement programs are privately run, some child welfare agencies are also beginning to develop programs, practices, and protocols to engage fathers and non-resident fathers in child welfare cases. As of May 2005, the Illinois Department of Child and Family Services (DCFS) requires all case-carrying workers undergo its "*Fatherhood Initiative Caseworker Training*." This training focuses on recognizing fathers as an important part of their child's development, training caseworkers to engage fathers and their families as resources, and incorporating father's experiences and views into DCFS's organizational outlook. Administrators at DCFS note that this is "... a new way of thinking for [the agency] about how fathers should be engaged and involved with their children" (McEwen, 2007a).

Working with *Diversified Behavioral Comprehensive Care* (DCCC), a Chicago based non-profit organization providing comprehensive and holistic care to youth and families, DCFS has also created a *Parental Involvement Center* (PIC) that recognizes father involvement as "the missing connection to family preservation" and attempts to help fathers move "more successfully" through the DCFS system by "... identifying and addressing barriers of employment, education, substance abuse, and parenting" (McEwen, 2007b). The PIC does this by providing its clients with employment-related assistance, including job readiness sessions, job placement, job retention/support, and career development, with transportation provided; continuing education, including literacy, GED, and some college educational programs; substance abuse education; parent education, which includes responsible fatherhood and training on parental rights in court and in the child welfare system; counseling services that address clinical issues that are identified as barriers to fathers' personal development and involvement with their children; and, a visitation center (McEwen, 2007b).

However, as illustrated above, these engagement programs are only useful if a non-resident father is identified, located and either he or someone working with him are

## Chapter 3

### Programs and Practices Literature

aware of their availability. As noted in the 2006 *What about the Dads?* report, over half of all child welfare caseworkers receive training to engage fathers, yet only 55 percent of fathers identified were contacted and only 28 percent of them expressed an interest in assuming custody of their child. Hence, despite the benefits of caseworker training, a myriad of social, economic, and systematic barriers remain that prevent fathers from becoming actively engaged in the lives of their children.

In a report prepared by the National Family Preservation Network (NFPN) entitled, “*An Assessment of Child Welfare Practices Regarding Fathers*,” a number of barriers were identified that negatively influence or exclude fathers from their children’s lives. In this report, data was gathered through a series of focus groups with 100 child welfare practitioners, family based program workers, and court personnel across five states. Findings clearly demonstrate the complexity and scope of the social, economic, and systematic issues father’s face.

The report outlines several barriers to engaging fathers in child welfare cases. A significant barrier discussed is men’s reluctance to participate in court proceedings regarding visitation when they cannot pay child support. The report notes that raising issues of non-payment of child support can negate efforts to involve fathers. For example, in some states fathers may not be eligible to establish a co-parenting arrangement (which includes visitation) if child support issues, such as non-payment, remain unresolved. Moreover, the report notes that some courts will more closely scrutinize males versus females when making a custody determination (NFPN, 2001).

As discussed in the report, a related barrier to engagement is fathers’ reluctance to establish paternity. Once an alleged father is identified, paternity must be established to move the case forward. However, many fathers are hesitant to establish paternity, fearing child support obligations to which they may not be able to respond. Feeling their role is solely financial, their motivation to become involved decreases, particularly if they are unable to pay. (NFPN, 2001).

In addition to the psychological and financial barriers, the actual task of establishing paternity was cited as an impediment to engagement. Caseworkers surveyed noted that it can take six to eight months before paternity can be established—a significant amount of time before a father may be engaged in an agency’s case planning process or for a child to wait for what may be a viable placement option. (NFPN, 2001). This process is even longer for fathers out of state who may be harder to locate and require additional work to establish paternity.

Lack of placement options for fathers and children may also pose a barrier to father engagement when a father lacks adequate housing. As the report notes, because homeless shelters typically only accept mothers and children, fathers who lack adequate housing or are homeless are often excluded from becoming a placement option for their child (NFPN, 2001).



## Chapter 3

### Programs and Practices Literature

There has been a significant amount of research on the value of positive father involvement in the lives of children (Horn & Sylvester, 2007). But, there is little research or published work about the benefits of engaging non-residential fathers in the lives of their children who are involved in the child welfare system or the best and most effective ways to engage them. A report produced by the Center for Advanced Studies in Child Welfare (CASCW) entitled, “*The Fatherhood Factor in Permanency Planning*,” describes the challenges specific to this issue and some suggested ways to overcome barriers.

Some of the challenges and barriers sited in this piece include: (CASCW, 2004)

- **Time.** Locating and involving a father is time consuming. The transition from biological father to committed and involved parent is a complex journey, and may require staff time that is not always available.
- **Deficiencies in data.** A lack of sufficient data regarding fathers and permanency planning make it difficult to understand the complexities of father involvement in child welfare cases. For example, most jurisdictions do not track the number of fathers who have been awarded custody in child protection cases. In addition, data on services provided are not easily accessible and single fathers’ living arrangements are not clearly documented.
- **Paternity establishment.** Paternity must be established for many unmarried fathers to assume the same legal rights as mothers. This may delay or act as a barrier to viewing the father as a resource because paternity establishment can be time consuming and costly. Moreover, while paternity is pending other options are explored and implemented.

In response to these barriers, CASCW suggests several strategies and approaches to overcome barriers and encourage father inclusion, including but not limited to: (CASCW, 2004)

- Provide fathers information on voluntary paternity acknowledgement;
- Create a resource list for legal help in child support, parenting time, and custody issues, identify community resources for education, employment, and housing services;
- Explore the father’s capacity to provide respite care and mobilize resources from his paternal line;
- Explain to the father the importance of the Fathers Adoption Registry;



## Chapter 3

### Programs and Practices Literature

- In case planning, inform the father that the child may be placed with him but if paternity is not established the court may order paternity testing to determine if the child may remain in his home;
- Assure the father that a plan for supportive services can be developed if he is awarded custody; and
- Explain to the fathers procedures associated with termination of parental rights and adoptions.

When considering the monumental task that caseworkers face involving non-resident fathers in child welfare cases, the most powerful insight oftentimes comes from the caseworkers themselves. In a piece called, *‘Engaging Fathers in Child Welfare Cases: a Case Manager’s Perspective,’* published by the National Child Welfare Resource Center for Family Centered Practice, Donna Hornsby, MSW, provides insight on how she achieved success in working with a father in a foster care case.

Some of the strategies she utilized include:

- Working to engage the father and create a relationship built on trust;
- Allowing the father to express his anger of not being informed earlier, which validated his feelings; and
- Encouraging involvement and supporting efforts to help the father become involved in his child’s life (For example, the father was interested in his child’s schoolwork so the caseworker arranged a meeting between the father and his child’s school counselor.)

Despite the above-mentioned efforts, few state child welfare policy manuals discuss the engagement of non-resident fathers in the child welfare process. Several state child welfare agencies link to fatherhood initiatives on their websites, but it is unclear the extent to which these fatherhood programs are incorporated into day-to-day child welfare practice. Most manuals also do not address or discuss paternal relative engagement. However, some new promising child welfare practice initiatives discussed below (such as Family Group Decision-Making) increase paternal relative involvement.

#### ***Court-Initiated Father Engagement Programs in Child Welfare Cases***

Only a few state Court Improvement Plans mention the engagement of parents and fewer discuss engagement within the context of child welfare cases. None specifically discuss the engagement of non-resident or non-custodial fathers; however, some engagement services discussed may be suited for the non-resident father population. For example as reported in its CIP, in 2005, three Kentucky family courts

## Chapter 3

### Programs and Practices Literature

developed programs with local employment agencies to find jobs for parents delinquent in support obligations. The Jefferson Family Court operates “*Turning It Around*,” an intensive course that involves developing employment skills and opportunities for fathers who are delinquent in child support obligations. The Fayette Family Court runs “*Partners in Employment*,” which pairs individuals who are delinquent on payments with local community employers in need of personnel. The Henderson Family Court is partnering with personnel and vocational training agencies to provide referrals for delinquent obligors to find employment within the community (Kentucky State Summary, 2005).

Washington State’s CIP is one of the few to examine engagement and access to service issues for parents. As part of its assessment of parents’ access to services and appropriate counsel, the Committee recommended that paternity determinations be made early and encourages better access to services for families (Court Improvement Progress Report, 2004). To increase parent involvement in court hearings and identify and involve fathers in the case process, the CIP funded the Pierce County “*Parent-to-Parent Pilot Project*.” Through this project, the Pierce County Juvenile Court connects parents involved in dependency court cases with parents who have successfully reunited with their children. This interaction occurs at the first hearing after a child’s removal, encouraging parents to participate in the dependency process. A project coordinator guides veteran parents in helping new parents and facilitates “Dependency 101” classes. Either the coordinator or veteran parent attends each court hearing with the new parent (Washington State Summary, 2006).

#### ***Other Child Welfare Practices/Programs Relevant to Father Engagement***

Several new child welfare case practices also implicitly emphasize the importance of engaging non-resident fathers. These practices may not be father-specific, but promote family involvement, preservation, information sharing and collaboration between the agency and child’s immediate and extended family. Moreover, they are mechanisms by which agencies can better identify and locate fathers and paternal relatives early in a case. For example, Family Group Decision-Making (FGDM) is a family empowerment model that emphasizes involving the nuclear and extended family in decision-making and case planning for children in or at risk of entering the child welfare system. In practice, FGDM has taken various forms and names (e.g., family team meetings, family group conferences), but each promotes family involvement in child welfare decision-making processes (Goodmark, 2002).

FGDM typically includes four stages. First, the investigative social worker in a child protective services case refers the matter to an FGDM coordinator who determines if the case is appropriate for FGDM. Second, the FGDM coordinator plans and prepares for the meeting. The coordinator will identify and invite family members and find a location for the meeting that is convenient for the family. Third, the FGDM coordinator facilitates the meeting. The meeting also consists of four stages, including introductions,

## Chapter 3

### Programs and Practices Literature

information-sharing, the family meeting, and the decision. During the family meeting phase, service providers and non-family members are asked to allow the family to discuss privately how they plan to assure the children's future safety from harm. The family creates a plan of action and presents it to other FGDM participants for approval and comments. Once a plan is formulated by the family and professionals, it is implemented, monitored, and reviewed (Merkel-Holguin, 2001).

Several states have enacted legislation encouraging the use of FGDM and numerous communities have integrated some form of FGDM into their child welfare practice. Many of these communities have set up strict protocols for using the FGDM model, including how to coordinate the process when there has been domestic abuse between the child's parents. FGDM is a promising technique that may be used to increase appropriate father and paternal relative involvement in child welfare cases.

Since the late 1990s, child welfare programs have increasingly focused on keeping children at home. Many states and local child welfare agencies have implemented "differential response" in addition to traditional child protective service investigations (Goodmark, 2002). Differential response typically keeps the child in the home, offers the family voluntary services, and does not commence a formal child abuse or neglect investigation. The child welfare agency monitors the case and determines if it can close without court involvement. As of 2003, approximately 20 states identified themselves as offering one or more alternatives (differential responses) to the traditional child protective services response (National Study of Child Protective Service Systems: Review of State CPS Policy, 2003). Differential response may be another promising technique to involve non-resident fathers on a voluntary basis, to establish a relationship with their child, prevent the child's removal, and/or increase the father's involvement in the child welfare case. Through differential response, non-custodial fathers may become placement options for children whose safety may be at risk if they remain with the caretaker with whom an abuse or neglect referral was made.

Although states' differential response systems vary, they share common themes. Most approaches prohibit differential response for high-risk or egregious abuse cases. Several use a risk and safety assessment tool to determine if a family should be selected for the differential approach. If selected, a family must be offered a minimum level of prevention services. Many statutes describe these services as community-based and tailored to meet the specific needs of each family. Other approaches require the family to help create a plan to mitigate problems. Many differential approaches require services and treatment offered to families be voluntary (National Study of Child Protective Services Systems and Reform Efforts, 2003).

Only a few states have had differential responses in place long enough to evaluate outcomes. Most research on differential responses is limited to individual state analyses. A federal study, published in summer 2005, is the largest to evaluate differential responses (Shusterman, 2005). It noted that earlier state-specific reports found that

## Chapter 3

### Programs and Practices Literature

children's safety is not compromised when a differential response is used instead of a more formal investigation. These reports also concluded that children involved in a differential response are less likely to be subject to later CPS investigations or reports (Chipley et al., 1999; English et al, 2000; Loman & Siegel, 2004).

#### ***Incarcerated Father Engagement Programs***

In recent years, there has also been an increased programmatic focus on non-resident father engagement during and after incarceration. For example, Kentucky's "*Fathers and Children Together (FACT)*" is a collaborative effort between Prevent Child Abuse Kentucky and the Blackburn Correctional Complex. FACT teaches incarcerated fathers abuse prevention and responsible parenting. FACT graduates are entitled to special visits with their children in an environment that is less restrictive than typically offered through the prison system (Sonenstein, Malm, & Billing, 2004).

Like "*Caring Dads*," FACT proactively works to reduce the potential for child abuse and neglect by promoting the involvement of fathers in the lives of their children by reinforcing positive father-child interactions through training and counseling inside prison. The University of Kentucky, College of Social Work is currently conducting a comprehensive three-year study of FACT, funded by the U.S. Department of Health and Human Services. The purpose of this study is to assess what aspects of the program may be replicated and improved (Duncan, 2004).

Texas' "*Papas and Their Children (PATCH)*" program provides services to incarcerated fathers during and after discharge as it continues to encourage fathers to participate in their children's lives. Under the program, outside organizations typically come to the participating jail five times a week to train fathers on parenting and life skills topics, such as nutrition, child development, child support, and paternity. PATCH inmates must attend five sessions in order to earn an hour-long Saturday contact visit with their child. Following their child's visit, PATCH inmates and counselors undergo an hour-long group debriefing, where the men discuss and assess their visit. Upon release, fathers may be referred to additional outreach services and supports, such as counseling, crisis intervention, or job development. Fathers typically participate in the PATCH program for four to six months and most have no major incidents while in jail (Jeffries, Menghraj & Hairston, 2001).

#### ***Father Engagement Programs/Practices in Child Support and Welfare-to-Work Systems***

Although there are a limited number of father engagement child welfare initiatives, there are numerous responsible fatherhood programs all over the country that promote increased child support enforcement. Many of these programs are supported by demonstration project funds from the U.S. Office of Child Support Enforcement and monies under PRWORA (Curren, 2003). These programs engage fathers in a variety of

## Chapter 3

### Programs and Practices Literature

ways, from allowing temporary reductions in child support payments to training and employment support.

According to a report published by the U.S. Office of Child Support Enforcement (OCSE) entitled “*OCSE Responsible Fatherhood Programs: Early Implementation Lessons*,” federally funded Responsible Fatherhood Demonstration Projects in eight states included (as of early 2000) fatherhood related services such as employment services, child support promotion services, child access services, parenting education, peer support, case management services, mediation services, legal seminars, money management education, supervised visitation, GED education services, father’s rights education, and team parenting education. Across the sites, the purpose of the programs was “to explore ways of improving parental involvement among low-income non-custodial parents from both an emotional and financial point of view.”

This report was published as an early review of the eight programs and focused on how they were administered, the types of services delivered, descriptions of collaborative efforts created to support the programs, recruitment of participants, and monitoring of client progress. The purpose of these programs was to explore avenues for “improving parental involvement,” but at the time of the writing of the report little was known about the outcomes of the projects with respect to employment, parent-child contact, and the payment of child support. The California site (administered by the child support enforcement agency in San Mateo County) reported that none of their 51 clients referred for employment services had made any child support payments in the 12 months prior to referral, but after referral, about half made at least one child support payment (OCSE, 2000).

State and federal child support-affiliated fatherhood engagement programs face many challenges as they attempt to full-fill multiple purposes that may conflict. On one hand these programs often aim to locate and enforce collections from non-resident fathers in order to improve outcomes for their estranged or abandoned children. However, at the same time they attempt to earn fathers’ trust and encourage them to qualitatively re-engage with their children to secure better emotional and developmental outcomes and to fulfill children’s needs beyond basic financial security. Moreover, agencies with decidedly non-punitive missions may have difficulty establishing contact and engaging with non-resident fathers who fear that the programs are linked to child support enforcement mechanisms. Mixed-message approaches may confuse clients who are hesitant to engage in programs that simply attempt to enforce child support orders without significant supports or services (NPNFF, March 2003; Kaufman, 2005).

In “*Responsible Fatherhood: A Review and Conceptual Framework*,” the authors note that for many non-resident fathers, child support agencies’ provisions for additional services send mixed messages, even when those messages come from different state entities. Moreover, the authors state that not all fathers will respond positively to the “responsibility model” used by some father-oriented child support programs because they

## Chapter 3

### Programs and Practices Literature

can imply that a father is ‘irresponsible’ if he does not employ the techniques used in the model. The authors stress that although a ‘responsibility model’ may be empowering for some, the model must be cognizant that many fathers are: (Doherty, Kouneski & Erickson, 1998)

[U]niquely sensitive to contextual influences, both interpersonal and environmental. Fathering is fundamentally a multilateral relationship in addition to a one-to-one relationship. A range of influences including mothers' expectations and behaviors, the quality of the co-parental relationship, economic factors, institutional practices, and employment opportunities all have potentially powerful effects on fathering.

In addition, fathers' inability to financially provide for or see their children may be due to a range of factors, which may be a product of distance, personal reasons, and/or economic barriers, among others. For instance, many independent researchers have found that the ability of non-resident fathers to meet their child support obligations depend on factors affecting their ability to pay, including employment, income, and education. Non-economic factors also affect fathers' ability or willingness to contribute, such as their distance from the children, length of time they have been apart, and whether they can monitor how the money is utilized (Seltzer & Meyer, 1994). In addition, some non-resident fathers may contribute in-kind support, such as purchasing food and clothes, or engage in other extracurricular activities with children, which may defer the costs of care and contribute to overall child well-being, but do not respond directly to a child support order (Garasky, Stewart, Gundersen & Lohman, 2007).

Child support engagement programs that are father-focused address some of these barriers specifically when working to establish meaningful contact and sustained non-resident father engagement. They do so by implementing some combination of the following:

- Separating child support enforcement duties from child support-related services and supports to non-resident parents;
- Working with non-resident fathers on a case-by-case basis to evaluate what obligations they are able to meet and establish realistic goals;
- Eliciting input and support from the surrounding community;
- Taking a father-friendly approach that is strength-based and also assesses and supports father's non-pecuniary contributions to their children; and
- Incorporating non-resident father interests into the agency mission.



## Chapter 3

### Programs and Practices Literature

For instance, Minnesota's "*Fostering Actions to Help Earnings and Responsibility (FATHER) Project*," established in 1999, assists non-resident fathers overcome barriers that prevent them from supporting their children economically and emotionally. The FATHER Project's mission is to meld fatherhood skills, employment, training, and child support services. In addition, the FATHER Project provides family law and adult basic education services. Established as one of ten "*Partners for Fragile Families*" national demonstration projects (supported by the U.S. Department of Health and Human Services and the Ford Foundation), the FATHER Project has partnered with many local community organizations and state agencies, such as Goodwill/Easter Seals Minnesota, the Minneapolis Youth Coordinating Board, the Minneapolis Neighborhood Employment Network, the City of Minneapolis Employment and Training Program, Hennepin County Child Support Division, and the Minnesota Department of Human Services, Child Support Enforcement Division. Between 1999 and 2003, the Project assisted over 450 low-income fathers, 90 percent of whom established paternity through the program. Fifty-eight percent of program participants were working within a year, earning above minimum wage (Goodwill/Easter Seals, Summer 2004).

Another example of a child support agency implementing one or more of the aforementioned approaches, New York's Office of Temporary and Disability Assistance (OTDA) is the agency responsible for overseeing the state's employment, welfare, and child support policy. Through the state's "*Strengthening Families Through Stronger Fathers*" initiative and OTDA's "*Responsible Fatherhood Initiative*," OTDA focuses on helping non-resident fathers become more self-sufficient and bridging gaps in employment, welfare, and child support programs. OTDA also administers five state-wide non-resident father pilot programs, which focus on a variety of issues such as healthy marriage training activities for non-resident fathers or classes and programs that work to enhance non-resident father's economic stability. Driven by OTDA, New York regulations changed so that non-custodial parents are able to claim an enhanced Earned Income Tax Credit (EITC) (OTDA, February 2007). In other words, non-resident fathers (or mothers) may receive up to \$1,030 for a single child in 2006, a figure substantially higher than that of other states (Okwuje & Johnson, 2006). The OTDA notes that this increase will augment non-resident father wages who are already working, provide a substantial work incentive for those not working or working only intermittently, and, "... encourage greater involvement by fathers who may have avoided contact with their children due to their limited resources" (OTDA, 2007).

Welfare-to-work programs have also incorporated some father-friendly elements to promote non-resident father engagement with their children. For example, Tennessee's "*Families First*," the state's welfare reform program, has taken a non-punitive approach to engage fathers with their children and transition them into the work force. *Families First* offers small class sizes in adult basic education (ABE) so instructors can engage with and manage each client according to their particular needs.



## Chapter 3

### Programs and Practices Literature

Over time, *Families First* found that a large portion of the fathers it worked with were non-resident and more than half did not graduate from high school. To respond to these issues, the program received a waiver from select federal requirements that it believed prevented or limited the program's ability to encourage education and training programs. In 1999, an analysis of the program, "*Families First: Implications of Welfare Reform for Tennessee Adult Basic Education*," noted that the program is successful because it is not: (White, Ziegler & Bingman, 1999)

. . . simply a punitive approach. The program has acknowledged the importance of basic skills education by making it a vital part of welfare reform efforts . . . [and through] additional services, such as child care and transportation, [has] made participation in adult basic education possible for many adults.

Illinois' "*Parental Involvement Demonstration Project*" (PIDP) likewise uses TANF funds to assist non-resident fathers obtain employment and encourages them to become involved in their children's lives. The program assumes that "...by becoming employed, responsible parents, non-custodial fathers on welfare would be in a much better position to pull themselves, their children, and the mothers of these children out of poverty." The project approaches father's social, education, and employment issues simultaneously by enrolling fathers in life skills, counseling, and customized job training programs, often utilizing employers as trainers (Howard, 1996). An independent review of PIDP in 2001 found that it located employment for and placed approximately 75 percent of its participants. Though wages and job-retention rates were low, PIDP was found to have "... had a positive impact on participants' sense of parental responsibility" (ASDC, 2001).

Funding limitations can be a significant factor that affects the quality and the availability of service programs that engage non-resident fathers. Identifying funding streams is as important as improvements in other areas of development when implementing father engagement programs. The *Minnesota FATHER* project, for instance, receives funding from multiple diverse sources and offers numerous engagement services to fathers. Through partnerships with various federal, state and local organizations, it has branched out from its original child support mission to embrace services for parenting, fatherhood, family issues, and employment to non-resident fathers. As mentioned above, the FATHER project is a national demonstration project site under the *Partners for Fragile Families* initiative, sponsored by the Ford Foundation and the U.S. Department of Health and Human Services. It also supplements its foundation resources with a Welfare-to-Work competitive grant and federal child support matching funds (Martinson, Trutko & Strong, December 2000). The project uses its seed and grant money to leverage additional funding from private, state, and local sources. With additional funding, the project assists non-resident fathers with child support issues and payment options and offers intensive case management services and peer support/parenting groups.

## Chapter 3

### Programs and Practices Literature

#### *General Father Engagement Programs/Practice*

Many jurisdictions have general fatherhood engagement programs that focus on issues and problems common amongst fathers whose children are system-involved. Key features of many of these programs may be useful in child welfare practice. Although fatherhood programs may address a variety of topics and utilize different approaches, the basic goal of all fatherhood engagement programs is to support fathers to become responsible, committed, and involved in the lives of their children. In a comprehensive report published by The Lewin Group and Johns Hopkins University entitled, “*An Evaluability Assessment of Fatherhood Programs: Final Report*,” the authors provide a significant amount of information about the basic nature of fatherhood programs and the challenges researchers face when measuring impact and program effectiveness.

In this report, the authors discuss findings from a comprehensive review of over 300 community-based general fatherhood programs, providing a valuable framework within which many of these programs may be categorized: (The Lewin Group, 1997)

- **Prevention Programs:** aim to prevent men from having children before they are financial and emotionally prepared;
- **Preparation Programs:** seek to prepare fathers for the legal, financial, and emotional responsibilities of fatherhood;
- **Establishment Programs:** intend to establish paternity so that every father and child have, at a minimum, a legal connection;
- **Involvement Programs:** reach out to all fathers to foster an emotional connection and support and encourage fathers’ financial and emotional support of their children; and
- **Support Programs:** help fathers support a healthy connection with their children, regardless of their legal, physical, and financial status (married, unmarried, employed, unemployed, resident, non-resident).

These types of programs will vary in the numbers of fathers served, recruitment strategies used, services provided, and program goals (The Lewin Group, 1997). In addition, these engagement efforts may exist as stand-alone programs or as a component of a larger system, such as child support or child welfare.

For example, the “*Father Friendly Initiative (FFI)*” program sponsored by the Boston Public Health Commission conducts “Involvement Programs” and “Support Programs” with the goal of helping fathers contribute to their children’s health and overall well-being. FFI describes itself as a “one-stop service designed to reintegrate the father into the family, specifically targeting men who have child support,

## Chapter 3

### Programs and Practices Literature

custody/visitation, or court involved issues. FFI uses . . . a comprehensive case management program designed to accommodate the psychological, physical and social support needs of those men falling within the low to no-income range.” FFI services are described as being “packaged in a six month comprehensive program that includes: medical exams, application for medical insurance, substance abuse, and anger management counseling, parenting skills, support groups, or individual counseling” (BPHC-FFI, 2007).

The FFI program began in 1999 as a collaborative effort between the Boston Public Health Commission, the Boston Medical Center, and the Department of Revenue, which operates child support program in Massachusetts. The program’s original goals were to:

- improve child support payments;
- increase child access;
- improve the quality of parenting; and
- provide employment for unemployed or underemployed fathers.

Since its founding, FFI has successfully provided extensive employment related services and family focused services through a variety of collaborations (OCSE, 2000). In 2006, FFI served 430 new clients as well as some continuing clients. Evaluations of FFI indicate continued positive progress on each of its four original goals. FFI has received extensive positive public recognition and grants from various sources to continue its work with families and fathers in the Boston area (Tucker, 2007).

#### *Summary and Gaps in Literature*

There are few father engagement programs that specifically target non-resident fathers in the child welfare system. Of those that do, many derive from child support and welfare system initiatives. Existing child welfare father engagement programs attempt to involve non-resident fathers in the child welfare system by encouraging relationships with their children and meeting their specialized service needs.

Existing child welfare father engagement programs often incorporate child support, job training, and responsible father counseling into their programs, while also referring fathers to applicable outside resources. Many of these programs receive federal and state funding. Many potentially promising programs focus on specific populations of fathers—such as programs for incarcerated fathers and proactive programs that provide counseling for fathers at-risk for domestic and child abuse.

## Chapter 3

### Programs and Practices Literature

As many of the programs discussed above show, effective engagement is often a dynamic process that includes identifying clients' needs, listening to their feedback, and adjusting accordingly, rather than simply identifying system gaps and attempting to fill them. For example, many of the programs discussed have expanded or changed their operational missions as a result of clients' changing needs. Many of the programs are also successful, in part, because they work with local communities and stakeholders to establish and promote their initiatives. Research and program experience also suggests non-resident fathers respond more positively when asked to assume responsibility of aspects of their lives that they have direct control over rather than being asked to comport to a general 'responsible' father model.

Though several of the programs mentioned have been the subject of some independent review, many programs for fathers in child welfare have not undergone rigorous outcomes analyses. Many of these programs, unlike initiatives to identify and locate fathers are local or county-based rather than statewide projects. Moreover, because there are a limited number of engagement programs for fathers in child welfare it is difficult to determine the extent these programs improve child-focused outcomes, such as child permanency, safety, and well-being. In addition, questions about whether child support and/or welfare fatherhood initiatives can be tailored to meet the specialized needs of non-resident fathers in child welfare systems have not been adequately raised or answered.

#### Summary and Conclusion

Many state child welfare agencies house their policy manuals on-line and make them available for public consumption. Many of these state agency manuals include general provisions related to identifying and locating non-resident parents. Few, however, outline procedures for contacting and engaging non-custodial parents and non-resident fathers in particular.

Likewise, a review of the most recent *Court Improvement Program (CIP) Progress Reports* as well as the *State Progress Summaries*, shows that while a few states have identified the need to identify and conduct early diligent searches for fathers, the majority of states have not created programs to address this need. Furthermore, of those states that have addressed the need for identification, location, and notification of fathers, the purpose is generally related to preventing barriers to permanency rather than involving fathers in the child welfare process. Moreover, only a handful of state CIPs have focused their attention on engagement of parents and there has been even less focus on engaging non-resident fathers, specifically.

In addition, few states or localities have developed collaborative agreements or memoranda of understanding between different child and family serving systems to more quickly and efficiently locate non-resident parents. Problems identified in the QIC

## Chapter 3

### Programs and Practices Literature

NRF's key informant interview process that may pose a significant and potential barrier to this sort of collaborative effort are: (1) agencies have distinct funding streams that inhibit or limit inter-system collaboration, (2) confidentiality rules regarding the dissemination of personal information may prohibit certain agencies from providing some types of information to child welfare caseworkers, and (3) the lack of interstate collaboration between child welfare or child-serving agencies to locate non-resident fathers, and interstate or regional agreements between bordering jurisdictions to expedite this process.

Establishing first contact with and providing sufficient notice to non-resident parents, especially fathers, does not always occur at an initial child welfare court hearing. Few child welfare agency policy manuals or CIPs include guidance on how to approach non-custodial parents in a gender-specific and responsive way. Key informants of the QIC NRF have noted that initial contact between non-resident fathers and agencies or courts can be adversarial and accusatory, even when the non-resident father has not been accused of abuse or neglect. These concerns are not addressed or remedied in most child welfare agency policy guidance.

Finally, there are few engagement programs that target non-resident fathers in the child welfare system, and those that do often derive from child support and welfare system initiatives. Few address specific things non-resident fathers can do to engage with their children in 'real' activities, such as attending an individual educational plan meeting (IEP) or recreational activities with the child. In addition, non-resident fathers may be less inclined to seek these programs out because fears that involvement will lead to child support orders that they are either unable or unwilling to honor. However, some states and local jurisdictions are succeeding in effecting positive economic and psychological outcomes for non-resident fathers through a combination of innovative engagement practices and subpopulation targeting with specialized services.

## Chapter 3

### Programs and Practices Literature

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### Programs and Practices Literature

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## Chapter 4

### Research Methodology

#### Introduction

The research literature on non-resident fathers in child welfare encompasses three distinct methods. First, descriptive studies of national or state data systems provide an overview of the problem and its implications about child well-being. National and state data systems often use administrative data based on the State Automated Child Welfare Information Systems (SACWIS) or the National Child Abuse and Neglect Data System (NCANDS). Other large descriptive studies may utilize archival survey data about children in care or community populations. Another type of study on non-resident fathers entails intervention program evaluations and direct assessment of non-resident father family members with inventories and other instruments. These data are sometimes referred to as case data, though administrative data may be at the case level. Qualitative studies of the opinions of social workers, supervisors and administrators constitute a third methodology to assess the breadth of the issues facing services to non-resident fathers.

This chapter focuses on defining the study population, selecting participants, replicating program interventions, establishing comparison or control groups, and systematizing measurement and data analyses. Previous chapters addressed outcome-based findings of these studies. To develop future QIC NRF projects, this chapter helps classify methodology and procedures used to study non-resident fathers to advance findings and bring reliable research methods to larger scale projects.

#### Descriptive Studies

Descriptive studies directly measure children and other family members. These studies determine personal characteristics and other factors affecting child well-being and family dynamics. The number of children or families participating in the study usually exceeds thirty and there are often comparison groups. These studies do not include an intervention program intended to change behavior. Descriptive approaches are able to directly study a large number of cases or individuals and provide generalized and external validity.

#### *Case Pattern of Non-Resident Father Involvement*

Malm, Murray and Geen (2006) used descriptive, intervention-based, and qualitative data in their collection of information about non-resident fathers from four states. They obtained a three-way view of policies, procedures and individual cases by interviewing child welfare administrators and caseworkers “to collect case-level data and data linkage between those cases and child welfare and child support systems” (Malm, Murray & Geen, 2006, p. 8). This work was uniquely defined by the focus on specific cases with social workers and the linkage of child welfare and child support data. Case selection procedures for intensive data collection illustrated the methodological rigor that can be used with large data sets.



## Chapter 4

### Research Methodology

The study design was descriptive and correlational, though comparison groups of father types illustrated differences between groups. Cases were described by events over time providing a fuller view than a one-time case study.

Children selected for the study were placed in the child welfare system.<sup>1</sup> This allowed specific identification of children to be included in the study based on:

- first time in placement;
- length of stay in foster care;
- presence of father in the home at time of child removal; and
- selection of only one child per mother.

The Adoption and Foster Care Analysis and Reporting System (AFCARS) assembles case level information on placement and adoption from all states and includes data fields to address these criteria. Those data were insufficient without further data extraction from SACWIS. Within each state, a sampling design called for random selection of two cases from 300 caseworkers. Response rates of 70 percent to 85 percent were obtained from caseworkers across states.

Malm, Murray & Geen accessed data from child welfare and child support administrative systems as well as case worker surveys. Detailed case level data from social workers allowed the researchers to classify non-resident fathers as alleged or legal. The case worker survey allowed researchers to obtain results regarding identifying, locating and contacting each child's father. These points of information are not typically available in administrative data systems.

This approach shows how the use of administrative data can establish populations for more detailed study. Here, establishing the study group allowed researchers to cross match to child support records within the states. By contrast, earlier large scale studies were entirely dependent upon case record review (e.g., Rittner, 1995). The case record review methodology is useful in obtaining data elements that were not previously defined and recorded, but the methodology is expensive and relies on manual coding of information.

#### ***Non-Resident Fathers and Child Maltreatment***

Another large data collection system that can be used to study non-resident fathers is NCANDS. This data, however, is limited because there is no data element that refers to whether the perpetrator of abuse or neglect was living in the home. It does include a data element that allows identification of children living with the mother only or with

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<sup>1</sup> Placement is defined as being under the care, custody and supervision of the local child welfare agency.

## Chapter 4

### Research Methodology

mother and stepfather or another adult. Adding specific data elements about father location may have significant benefits towards improving practice and the NCANDS data system. The inclusion of new data elements would promote early identification and location of fathers and paternal relatives during an investigation or assessment.

Noting the lack of father involvement, Fluke and Redel (2005) describe non-residents fathers as a missed opportunity. NCANDS data shows that fathers are a large proportion of perpetrators, but prevention and treatment services are targeted disproportionately toward women.

Using data from the North Carolina Central Registry for Child Abuse and Neglect, Radhakrishna, Bou-Saada, Hunter, Catellier, and Kotch (2001) randomly selected a cohort of 70 participants. All participants were previously part of a birth cohort from 37 counties and were determined to have an 80 percent risk level. An additional 140 member cohort of non-victims was selected from the larger group as a comparison. North Carolina data was derived from the national, multi-site Longitudinal Studies of Child Abuse and Neglect (LONGSCAN). Information was gathered from a series of survey interviews over time about numerous variables, including household composition, maternal education, and maternal depression. Other studies of the LONGSCAN data (e.g., Black, Dubowitz & Star, 1999; Dubowitz, Black, Kerr & Star, 2000) used similar procedures to address the relationship of father presence in the home and maltreatment.

There have been other descriptive studies that highlight the child welfare system's disproportionate focus on mothers rather than fathers. For example, Kahkonen (1997) reviewed cases of 44 children in care for multiple years in a mid-size Finnish town. By examining service plans for father participation, the study established results relating social worker gender (i.e., all female) to maternal concentration of service plans.

#### ***Non-Resident Fathers and Child Behavior***

Marshall, English, and Stewart (2001) addressed the presence of fathers and child behavior problems using the age four and age six subsets of the Northwest LONGSCAN data. Children were selected based on an allegation report of abuse or neglect. An initial group of 261 children was selected with 182 having sufficient data for the final analysis. Obtaining teacher ratings using the Teacher Report Form version of the Child Behavior Checklist allowed comparison of the same ratings obtained from the caregiver. Researchers also obtained caregiver ratings of child health issues. An involvement questionnaire measured maternal perceptions of paternal family dynamics. Domestic violence in the family was also assessed from maternal perception.

Thomas, Farrell, and Barnes (1996) examined the level of non-resident father involvement in a survey of more than 600 adolescents and their parents. Adolescent self report on a six item scale measured father involvement. Race and father involvement were related to delinquency, heavy drinking and drug use (*see also* Vincent, 2005).

## Chapter 4

### Research Methodology

#### *Non-Resident Fathers and Family Involvement*

Valerie King and her colleagues (King, 1994; King & Heard, 1999; King, Harris & Heard, 2004) have performed a series of secondary analyses of surveys regarding non-resident father involvement and child well being, emphasizing the ambiguous effects of father involvement. She used the National Longitudinal Survey of Youth for her 1994 work. In her 1999 paper, she used the National Survey of Families and Households to address maternal satisfaction issues. The more recent 2004 study addressing racial and ethnic diversity used the National Longitudinal Study of Adolescent Health. The extensive demographic and family activity data used in these studies offers a broad description of how non-resident fathers interact with children in non-child welfare populations.

Also assessing fathers in non-child welfare involved families, Fagan and Palkovitz (in press) examined the level of involvement of 835 non-resident, unmarried, biological fathers with their infants using a secondary analysis approach. These fathers were part of the Fragile Families and Child Well Being Study, which included a larger group of 3,712 unwed and 1,200 married couples. Maternal and paternal self report determined risk and resilience variables. Father self-report of involvement with children was used due to the very young age of children and comparability of mother reports. The paper also noted the level of father involvement in linking children to paternal family members. Relationship with mother, legal paternity establishment, payment of child support, other legal issues and substance abuse were father risk issues. Father resilience was assessed with historical items, current employment, religious involvement and family contact (*see also* Lerman & Sorenson, 2000).

Child well-being can be measured from multiple perspectives. Education and home environment are important data points. For example, Greene and Moore (1996) examined the Federal Job Opportunities and Basic Skills (JOBS) national program evaluation and reanalyzed that data for non-resident fathers of young children who receive welfare. The study used father-child visitation, formal child support payments, and informal child support as measures. Researchers used the Personal Maturity Scale to measure fathers' personal characteristics, the Caldwell Preschool Inventory to assess child preschool readiness, and the Home Observation for Measurement of the Environment short form to address the quality of the child's environment.

Jones (2004) advanced concepts of father involvement by addressing psychological separation issues. In a comparison study of 25 children with no father in the home and 25 with, Jones used the Psychological Separation Inventory to assess maternal and paternal separation. The research negatively related father absence and separation to academic performance. Likewise, Wood and Repeti (2004) followed an initial cohort of 156 families over three years using an annual survey method. Father involvement in child care, direct and indirect, in two parent families was shown to increase over the years. Using a 10 item child care giving involvement scale provided more detail about father involvement than the number of contacts or visits.

## Chapter 4

### Research Methodology

Extensive reviews of literature in general by Amato (1999; 63 studies) and of non-resident fathers and the child welfare system (Sonenstein, Malm & Billing, 2002; 65 studies) have addressed payment of child support and Temporary Aid to Needy Families (TANF). However, as this present review has found, there has been little research that addresses non-resident fathers and recurrent safety issues, and no studies have been found that address non-resident fathers and permanency issues. Studies of family involvement in case planning have addressed paternal issues but do not focus on the residential status of fathers.

#### Program Evaluation of Interventions

Shore, Wirth, Cahn, Yancey and Gundersen (2002) performed a retrospective study of 70 families participating in Family Group Decision-Making (FGDM or Family Group Conferences) as a service planning practice in Washington State. Family conference participants' relationship to the child was a fundamental measure of family involvement approaches. Shore et al. found that 38 percent of relatives participating were paternal, and the number of children in placement living with non-relatives decreased after the conference. The degree of paternal participation was not reported in post-conference living arrangements. A related study in Washington, D.C. (Edwards, Tinworth, Pennell & Burford, 2007) reported similar findings but did not report if post-conference living arrangements involved paternal relatives.

English, Brummel and Martens (2004) reported positive changes in measured case worker attitudes, and agency policies and practices for a large service region in Washington State. The study performed a substantial process evaluation of worker attitudes, beliefs, and values as well as an organizational assessment of agency values and practices involving administrators. This information was provided to agencies with a two year training series on father engagement and father friendliness assessment results.

Researchers assessed intervention results using follow-up worker surveys and tracking case planning involvement of fathers in two different client cohorts. They tracked case planning by interviewing workers and reviewing case records. Importantly, this study presumed that changes in father engagement would occur incrementally rather than as a single, dramatic shift. By monitoring cohorts of cases from either before or after the intervention provided a design that allowed researchers to monitor change over time. In assessing worker perceptions and attitudes, tracking organizational policies and practices, and monitoring fathers' participation in case plans, the study established positive changes towards the engagement of fathers in practice. The study did not, however, examine whether there was a relationship between those changes and positive changes in child safety and permanency outcomes.

Father absence due to incarceration is a prevalent issue in child welfare. For example, in Edwards et al. (2007), incarceration is listed as first of nine reasons why fathers are not included in case planning. The work of Skarupski and her colleagues

## Chapter 4

### Research Methodology

(Skarupski, Mizikowski, Pelkowski, Patterson, Rogers, Jares, Kallgren, & Smith, 2001; Skarupski, Bullock, Fitch, Johnson, Kelso, Fox, Napenas, Dimperio, & Drabik, 2003) documented a program for incarcerated fathers implemented in six penal institutions in Pennsylvania and eighteen other states. The *Long Distance Dads* program has had considerable participant and public support. Skarupski et al., (2001) provided a detailed process evaluation with a program logic model. Input measures included facility space, staff and materials and the activities assessed included a peer leader training and group sessions. Process outputs addressed included the programs offered, inmate attendance at classes, and materials distributed. To evaluate the process, researchers:

- interviewed prison staff and inmates;
- observed sessions; and
- inventoried programs.

Qualitative analyses were also performed at sites and at other parent training programs for inmates.

These process activities were necessary to assess outcomes addressed in a second report (Skarupski et al., 2003). Participating inmates had a matched comparison group. Outcome measures addressed knowledge, attitudes, skills and behaviors among participants using surveys and interview data. Researchers measured actual involvement with children through self-reports regarding the number of letters sent and total contact. They used the Involvement, Consistency, Awareness and Nurturing Fathering Profile (ICAN) as a standardized measure within the program. Other evaluation measures included a program content knowledge test, Parental Locus of Control, an Index of Parent Attitudes and a Parent Satisfaction Scale. The outcome study experienced two limitations, specifically, high drop out rates during the program and barriers to actual contact with children. High attrition rates resulted in a subset of participants with unknown bias completing all outcomes measures. The barriers to contact with children limited outcome measures to self-report.

Laasko and Adams (2006) conducted structured interviews with 25 fathers participating in a responsible fatherhood program. These interviews addressed the father's relationship with the mother, relationship status at time of pregnancy and changes in that relationship over time. The study also addressed maternal and child support barriers to contact and paternity status issues. Like, Fagan and Palkovitz (in press), the study raised questions about fathers' resilience and family of origin experiences. Researchers discussed findings with a 10 member focus group for confirmation after they qualitatively coded interview results.

Abusive and at risk fathers are the focus of the Canadian *Caring Dads* project (Scott, 2003). While the evaluation of this program did not specifically address non-resident fathers, several measures are important to note. The author indicates that at the

## Chapter 4

### Research Methodology

time of the study there was insufficient program maturity to assess outcome measures with children. A battery of standardized evaluation instruments were used, including the Child Abuse Potential Inventory, the Parenting Stress Index, and the Adolescent-Adult Parenting Inventory. Researchers conducted structured interviews with fathers addressing six defined areas of risk:

- knowledge of and connection to child;
- seeking inappropriate support from child;
- feeling threatened by child misbehavior;
- anger management in relation to child;
- negative parenting strategies; and
- poor relationship with mother.

These areas of risk overlap with other measures of father involvement and should be considered potential areas of exploration to move the measurement of father involvement beyond frequency of contact.

### Qualitative Studies

Professional knowledge, beliefs and attitudes are important sources of information when assessing non-resident father involvement in child welfare. Malm, Murray and Geen (2006) drew extensively upon these sources of data as did English, Brummel and Martens (2004), Edwards, Tinworth, Pennell and Burford (2007), Skarupski et al. (2003), and Shore, Wirth, Cahn, Yancey and Gundersen (2002). Each of these studies used professional interviews to collect data within a larger study.

Some studies intend to obtain data from professionals in multiple settings to offer broad generalizations. The National Family Preservation Network (NFPN, 2001) undertook such a study in five sites in different states with a total of 100 participants. O'Donnell, Johnson, D'Aunno and Thornton (2005) conducted five focus groups within one State with a total of 34 direct service staff. Both studies provided careful discussion of group composition.

Source data for coding are developed from transcriptions of group conversations. Researchers may develop coding schemes, which may be cross validated by raters (O'Donnell et al., 2005), or provided by qualitative analysis software such as *NuDist* or *Atlas.ti*. In either instance, a series of issues and related themes emerge as a result.



## Chapter 4

### Research Methodology

#### Program Improvement Plans from States

The largest scale case record review program to address non-resident fathers is the current process of federal monitoring of states. In 1994, amendments were made to the Social Security Act (SSA) authorizing the U.S. Department of Health and Human Services (HHS) to conduct national reviews of each states' child and family service programs to ensure conformity with SSA titles IV-B and IV-E requirements. Previously, federal reviews focused primarily on assessing state compliance with procedural requirements, as evidenced by case file documentation, rather than services results and states' capacity to create positive outcomes for children and families. Additionally, past reviews did not provide states with opportunities to improve before penalties were imposed.

In 2005, HHS published a final rule by which states would be assessed for substantial conformity with federal requirements regarding child protective, foster care, adoption, family preservation and family support, and independent living services. The Children's Bureau, part of HHS, administers the review system, known as the Child and Family Services Reviews (CFSRs). The ultimate goal of these reviews is to help states improve child welfare services and achieve safety, permanency and well-being outcomes for families and children who receive services. After reviews are conducted, states that are not in substantial conformity with all areas assessed are required to develop and implement Program Improvement Plans (PIPs) addressing nonconformity areas.

Fourteen review items address fathers and father involvement; they are presented in Table 1.

**Table 1: CFSR Items Related to Non-Resident Fathers**

Item Number	Issues the Item addresses
2	Repeat maltreatment
6	Stability of foster care placement
7	Permanency goal for child
8	Reunification, guardianship, or permanent placement with relatives
9	Adoption
13	Visiting with parents and siblings in foster care
14	Preserving connections
15	Relative placement
16	Relationship of child in care with parents
17	Needs and services of child, parent, and foster parent
18	Child/family involvement in case planning
19	Caseworker visits with child
20	Worker visits with parents
28	Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.



## Chapter 4

### Research Methodology

In 2004, all 50 States, the District of Columbia, and Puerto Rico completed their first review. No state was in substantial conformity in all outcome areas. Since then, states have been implementing PIPs to correct nonconforming outcome areas.

As a part of this review, all state PIPs were assessed to identify ways the presence or absence of father involvement contributes to states' conformity or non-conformity with CFSR standards. Specifically, each state's PIP was reviewed to determine:

- if a lack of father involvement was identified as a contributing factor to non-conformity in any area;
- whether promising father-related programs or practices were planned to improve areas of non-conformity; and
- if fatherhood programs or practices were identified as factors that contributed or led to states' conformity with federal standards.

Sixteen of the 50 states and the District of Columbia did not mention father involvement in any portion of their PIPs. It is not clear if this is because father involvement had no effect on standards in those states or because father involvement wasn't considered in the PIPs.

Only two states, Idaho and New Hampshire, attribute meeting standards to successful father involvement. Idaho's PIP reports that Item 16, "relationship of child in care with parents," was met because agencies made diligent efforts to maintain connections between mothers and fathers. New Hampshire successfully met standards of Item 15, "relative placement," because of successful procedures in locating non-offending parents. New Hampshire requires agencies to submit an affidavit describing efforts made to locate absent parents, putative fathers or guardians before each court hearing.

Of all state PIPs, there were 42 instances where lack of father involvement was cited as a contributing reason for not conforming to item standards. Of all items, lack of father involvement was attributed to non-conformity most often for item 17, which addresses services and support to enhance children's relationships with parents when the children are in substitute care. Seven states, Colorado, Connecticut, Michigan, New Jersey, West Virginia, Idaho and Ohio, claimed they did not meet the standards of this item because fathers were not sufficiently involved in cases.

Thirteen states did not meet standards for Item 16, "relationship of child in care with parents," and Item 18, "child and family involvement in case planning," in part, because fathers were not sufficiently involved. Finally, improving father involvement was cited 54 times as a means to help achieve better outcomes. Item 18, which addresses child and family involvement in case planning, was referred to most often as an area in

## Chapter 4

### Research Methodology

which increased father involvement can improve outcomes. According to their PIPs, nine states, Arizona, Florida, Maryland, Michigan, New Mexico, New York, Texas, Utah, and Washington, set goals to improve father involvement relating to item 18.

Michigan and Rhode Island offered interesting and innovative plans to enhance father involvement in child welfare cases. For instance, Michigan planned to develop an Absent Parent Protocol to combat gaps in the states' efforts to diligently search for and locate fathers (*see* Chapter 3). In its PIP, Rhode Island expressed plans to use a Comprehensive Family Assessment (CFA) to weigh factors effecting safety, permanency and well-being decisions. Rhode Island's CFA is expected to increase father involvement in the lives of their children through education programs that focus on establishing paternity, legal steps for compliance, and penalties for non-compliance. The state child welfare agency is a member of the Father and Family Network (administered by the Rhode Island Parent Information Network), which is a central repository for father specific information.

This initial PIP review provides a broad national overview of the way non-resident father involvement impacts child and family safety, permanence, and well-being outcomes. The impact of PIP activities is unknown. At this writing, less than half the states have closed out their plans. The QIC NRF will follow up on state performance of father related plan items as part of its Phase II activities.

#### Methodological Issues in Random Assignment

Skarupski et al., 2003 argued that random assignment of program participants is the most valuable evaluation and research design. Random assignment has been used on a limited basis, but no non-resident father study has been identified that included random selection of participants to intervention or control conditions as a primary design feature. If evaluation research is to be relevant to sound policy decisions, improved and scientifically reliable methodological procedures are needed.

In an early methodological review of family preservation program evaluation, Metcalf and Thornton (1993) examined the concept of the ethical alternative to an intervention. They describe this as the *status quo* or what participants would have received if the intervention had not been available. This approach side steps the ethical issue of not offering services to individuals or families that have been identified as having a problem. The authors point to the value of randomized demonstrations in advancing public policy, but indicate that the following challenges must be addressed:

- conceptual difficulties in precisely defining both the target population of at-risk children and the treatment interventions;
- significant operational and ethical concerns regarding staff acceptance and the protection of children at risk of abuse or neglect; and

## Chapter 4

### Research Methodology

- potential contamination of the intervention and counterfactual environments, preventing the proper interpretation of results.

Another issue discussed by Metcalf and Thornton (1993) is the suspiciousness of program operators about whether the program would work. Those authors raise other procedural issues relating to the difficulty of implementing random assignment and the increase in workload it creates for research participants.

Metcalf and Thornton addressed two specific threats to experimental validity. The first is that disruption of the referral flow, an integral process of identification assessment and referral in child welfare, may pose a threat to the internal validity of evaluations. The burden of a randomized demonstration on workers and administrators becomes great, in perception if not in fact, as the regular flow of casework, with its accompanying pressures of ethical demands and public scrutiny, is disrupted. This may result in changes to practice to relieve the burden, which may sabotage random selection procedures. The second is that unanticipated changes in what usually occurs, particularly with respect to control group experiences, poses another threat to the internal validity of randomized demonstrations. One unanticipated consequence of an intervention is that it affects the behavior of members of the control group in an unpredictable way. This spill-over effect is more likely to occur when participants are randomized within the same geographic locations.

The issue of methodological validity and randomization was carefully described more than forty years ago by Campbell and Stanley (1966). Their analysis shows how even carefully designed random assignment studies are still vulnerable to internal validity threats. Their introduction of non-randomized comparison groups as a legitimate quasi-experimental way to obtain knowledge fits with the programmatic view of research presented by David Olds and his colleagues.

Olds' work is an example of a successful randomized demonstration that led to sound practice. In a recent methodological review (Olds, Sadler, & Kitzman, 2007), Olds and colleagues presented the evidentiary standards of the Society for Prevention Research (Flay, Biglan, Boruch, Castro, Gottfredson, Kellam, Moscicki, Schinke, Valentine & Ji, 2004). While the authors specifically addressed the issue within the context of prevention research, their conclusions are applicable to other child welfare practices. The standards address efficacy trials, effectiveness trials and dissemination research. Efficacy trials occur under almost ideal conditions of independent variable control and randomization. Ensuring the success of such experiments requires tightly monitoring the qualifications and training of individuals who deliver a practice model that has known characteristics. Effectiveness trials are characterized by increased formalization of the practice model and delivery under real world conditions. Issues of cost and benefit also

## Chapter 4

### Research Methodology

become important during effectiveness trials when practical value is discussed. This stage of research encompasses all the standards of efficacy trials with greater elaboration and attention to causal mechanisms, appropriate population and practical value. Dissemination research includes all the standards of the effectiveness trials and adds the study of “conditions that affect successful replication of evidence based interventions” (Olds et al., 2007, p. 358).

A critical design feature is program engagement of participants to preclude or minimize attrition. A loss of participants from intervention conditions leads to unknown bias in the results. Another critical feature of participant selection is timing of assignment to condition. Randomization of participants prior to obtaining consent to participate can lead to differential attrition between intervention and control groups.

Olds and his colleagues stressed the importance of pre-trial pilot testing for intervention development and formative research about effects and unintended consequences by citing the Institute of Medicine recommendations for preventive interventions. This is also true of other practice interventions. The potential loss of time and the good will of participants, as well as the depletion of project resources from extrapolating theoretical concepts to a large scale without understanding, is difficult. Having pilot experience in the actual setting of a large scale intervention is important.

### Summary and Conclusion

There are significant gaps in research on improving practice around engaging non-resident fathers. Although there is substantial descriptive and correlational evidence on the benefits of appropriate father involvement in children’s lives there is little reliable experimental evidence.

There are few intervention efforts to change practice with non-resident fathers. The heterogeneity of practices include some common factors that have not been summarized through research. Although it has been alluded to, no single research study has addressed the incremental nature of changing practice over time.

Lack of child safety and permanency findings related to non-resident fathers is a glaring gap. Anecdotal and service process evidence has pointed in hopeful directions, but such evidence is not compelling for policy changes. The general agreement on safety and permanency outcomes establishes an evidentiary base upon which interventions can be evaluated.

No systematic exploration of results of different protocols of identification, location and contact has been made. Different jurisdictions have their own protocols but the relative effectiveness of each has not been tested. The existence of an explicit required protocol provides a basis for consistent practice. This necessary condition for assessment presents an opportunity to optimize effectiveness.

## **Chapter 4**

### **Research Methodology**

Specification of models of engagement for non-resident fathers have been ambiguously defined. Components of models of engagement need to be specified. This will allow assessment of individual components as well as the assessment of combinations of components. Gender-specific and responsive strategies and incentive-based engagement procedures have been suggested as means to engage and retain intervention participants. How workers can consistently approach fathers and what strategies are available during initial contact are questions that need to be answered when addressing non-resident father participation in child welfare. Continued engagement depends upon the fathers having a personal reason to participate. Peer-led groups, specific legal supports that address father-defined problems, vocational and employment support and other tangibles such as transportation may be reasons for fathers continued engagement. The definition and measurement of these model components would allow cross site replication.

## Chapter 4

### Research Methodology

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## Chapter 5

### Summary, Gaps and Conclusions

#### Introduction

The purpose of this review is to provide interested stakeholders with a summary and analysis of written resources on non-resident fathers and child welfare from multiple disciplines. It also helps create a foundation of knowledge upon which the QIC NRF will identify substantive research topics for its sub-grantee site research, develop an experimental design, and assess substantive gaps in literature as a stimulus for future study.

This chapter summarizes prior chapters' review of social science, legal, program/practice and data as it relates to four primary stages of non-resident father involvement in child welfare cases: identification, location, contact and engagement. The often necessary collaboration between different governmental, private, and judicial agencies to address father involvement is discussed within the context of these four stages of non-resident father involvement.

#### Identifying Non-Resident Fathers

Federal child welfare law and policy encourages the early identification of non-resident fathers. State identification efforts, however, are diverse and often differ based on the stage of the case. Most state statutes articulate a procedure by which a non-resident father must be identified before adoption or termination of parental rights proceedings, but fewer articulate clear guidelines regarding identification early in a case. Agency or court efforts to identify may be multi-tiered, father, or mother focused.

Statutes, cases, and court rules show that there are gaps in many state approaches. First, many state statutes do not provide guidance to child welfare agencies and courts regarding the identification of non-resident fathers at an initial hearing or early in the case. Failure to identify fathers early may prevent children from establishing a relationship with their father, deprive children of potential paternal relative resources, and delay permanency planning, if the child's goal is adoption. Second, many states focus primarily on obtaining information from the mother. Yet as some case law shows, this may be harmful to the child by delaying permanency if the mother lies about the father's identity. It may also threaten the mother's right to privacy, especially if there are domestic violence concerns, and potentially thwart the father's interest in establishing a relationship with his child.

Some child welfare agency policy manuals and *Court Improvement Programs* (CIPs) provide additional guidance to social workers and courts regarding father identification. While some of these practices are encouraged to engage the father in the child's life, other agencies or courts stress early father identification to avoid delays in permanency planning for the child. The latter perpetuates the notion that fathers should not be identified in child welfare cases except to terminate his parental rights when the

## Chapter 5

### Summary, Gaps and Conclusions

goal of the case is adoption. This may have a particularly pernicious affect on non-resident fathers and children when the father was not the perpetrator of abuse or neglect and could be a viable placement option. Moreover, few, if any, child welfare policy manuals focus on early identification of non-resident fathers who are not the alleged perpetrator to see if court involvement may be avoided by coordinating an agreement between the mother and father that would allow the latter to care for the child.

Despite gaps in statute and limited written agency policy, available social science research suggests that many fathers are identified by child welfare agencies early in a case. Nevertheless, these studies also suggest that the public's lack of understanding regarding paternity establishment and the legal processes that accompany it act as a barrier to identify fathers quickly.

#### ***Opportunities for Future Research Regarding Identification***

A review of available literature shows that little is known about whether current child welfare identification practices regarding non-resident fathers promotes more positive outcomes for children and youth. Future research may analyze whether the use of multiple, established, and clearly defined methods to identify non-resident fathers *at case inception* increases child well-being and accelerates permanency. By not relying on a single identification approach, states may decrease the likelihood of mistake, fraudulent disclosures, or failure of fathers to self-identify because they were unaware of state identification procedures. Research in this area must be cognizant of the overlap or intersection between child welfare and domestic violence cases and determine how to account for and/or exclude these cases from the experimental design.

#### **Locating Non-Resident Fathers and Paternal Kin**

The federal *Adoption and Safe Families Act* supports the use of child support enforcement programs, such as parent locator services, to locate non-resident fathers and other relatives involved in the child welfare system. Although a few states have collaborated with child support agencies to locate non-resident fathers, social science research shows that this level of interagency collaboration has not become common place. In addition, although many states maintain putative father registries, it is unclear whether child welfare agencies use them to help locate non-resident fathers and it is questionable whether they should since most are not publicized adequately.

Many state statutes do not provide agencies a framework within which they can conduct reasonably diligent searches for non-resident fathers. Courts in several jurisdictions, however, have addressed the issue and provided child welfare agencies further guidance in their attempts to locate non-resident fathers. These cases do not specify the types of searches agencies must conduct, but analyze the reasonableness of the specific search, given case circumstances.

## Chapter 5

### Summary, Gaps and Conclusions

Several child welfare agency policy manuals and CIPs also provide guidance to social workers and courts on what steps should be taken to locate non-resident parents. Some of this guidance, however, does not focus on locating non-resident fathers until later in a case; sometimes not until termination of parental rights or adoption proceedings commence. Few agency policies or CIPs promote the development of collaborative agreements or memoranda of understanding between different child serving systems to quickly and efficiently locate non-resident parents. In addition, although several policy manuals encourage the use of the Federal Parent Locator Services, few address or attempt to resolve the difficulties associated with out-of-state or out-of-country non-resident parent location.

#### *Opportunities for Future Research Regarding Location*

A review of available literature shows that although many state laws do not define what constitutes a reasonably diligent effort to locate a non-resident parent, several state agency policies have begun to address this issue by developing checklists and protocols to locate non-resident parents. However, there remain several gaps in this area that may lend themselves to future research:

- Like identification, little is known about whether current child welfare practice efforts to locate non-resident fathers results in more positive outcomes for children and youth. Future research may focus on child welfare outcomes, such as safety, well-being and permanency when non-resident fathers are located early in the case.
- The literature shows that although federal law encourages interagency collaboration around the location of non-resident parents, many child welfare agencies do not adequately encourage or guide workers in collaborating and exchanging information with child support and/or other public welfare systems. Future research may focus on the coordination of efforts between different public systems to locate non-resident fathers to assess whether these interagency collaborations increase: (1) the number fathers who are located early in a child welfare case; (2) the number of fathers who are notified and participate in court proceedings; and/or (3) the number of fathers who are engaged in the child welfare agency case planning process.

#### **Contacting Non-Resident Fathers**

Social science research shows that *when* a father is identified and located significantly affects when and if he is contacted by child welfare caseworkers. Studies suggest that the earlier a father is identified and located the greater chance he will be contacted by the agency. These studies also found that there are numerous agency and

## Chapter 5

### Summary, Gaps and Conclusions

father-driven barriers to initial and regular contact between non-resident fathers and child welfare caseworkers. For example, agencies may be reluctant to involve more people in cases, fearing that they will overwhelm overburdened caseworkers. Fathers' situations may also pose a barrier to contact, if he is unresponsive to communication efforts, homeless or transient, lives out-of-state, or lacks reliable transportation.

Sometimes, a non-resident father is first contacted by the child welfare system when he receives notice from the court. Court-directed procedures to provide notice to non-resident fathers of pending child welfare proceedings are relatively uniform throughout the country. Courts use a tiered approach, attempting personal service and then using substitute or constructive service by mail. Publication of service is used as a last resort and for those non-resident father's who are unknown and cannot be found after a diligent search.

Following U.S. Supreme Court precedent, many states do not afford putative fathers a right to notice of adoption or termination of parental rights proceedings, unless they have established a relationship with their child or have taken some steps to do so, such as filing in a paternity registry. This may result in the termination of non-resident fathers' right when they were not aware that they fathered a child or were told that the child was not their biological child, especially when the mother relinquishes the child to child welfare services at birth.

It is also unclear whether some state statutes include presumed, alleged, and putative non-resident fathers as parties entitled to notice of child welfare cases. While some state statutes clearly list presumed and alleged fathers as individuals entitled to notice when a child enters the court system because of abuse or neglect, other statutes only list the parent, guardian or custodian as the individual(s) entitled to notice. Without further definition, these statutes could be interpreted to exclude some non-resident fathers from child welfare proceedings.

Finally, there is little focus in child welfare agency policies or CIPs on initially contacting or providing sufficient notice to non-resident parents, usually fathers. Moreover, virtually no policy manuals or CIPs include guidance on how to approach a non-custodial parent in a gender-specific and responsive way.

#### ***Opportunities for Future Research Regarding Contact***

A review of available literature shows little written material or guidance to child welfare agency caseworkers with respect to contacting non-resident parents and fathers in particular. Numerous key informants of the QIC NRF raised concerns about initial contact between non-resident fathers and agencies or courts as being adversarial and accusatory, even when the non-resident father has not been accused of abuse or neglect. Available research regarding contact also shows deep shifts in caseworker attitudes about

## Chapter 5

### Summary, Gaps and Conclusions

paternal contributions to family and child well-being that should be addressed through any research methodology. Future research may:

- Promote and analyze culturally competent and non-adversarial, strength-based gender-responsive approaches to initial contact between non-resident fathers and the child welfare system. This research could assess whether such approaches increase later positive father involvement in child welfare cases and ultimately result in better permanency, safety, and well-being outcomes for children and youth.
- Assess which initial contact methods are most effective in establishing meaningful and regular contact with non-resident fathers. Research questions may focus on whether more staff is needed to handle cases with multiple parents or what caseworker practice techniques should be employed to first approach fathers. Research may assess whether providing immediate services to fathers would increase the likelihood of establishing and maintaining regular contact.

#### Engaging Non-Resident Fathers and Paternal Kin

Federal child welfare law and Supreme Court precedent support preserving families and engaging parents in reunification efforts. Laws in all states require the provision of services that will assist families in remedying the conditions that brought the child and family into the child welfare system. However, many state statutes focus on the consequences associated with fathers' failure to engage in the child welfare process. Few provide a framework for how child welfare agencies must engage parents in 'reasonable' reunification efforts, particularly non-resident fathers.

As a result, courts are left to determine what constitutes reasonably diligent efforts to reunify families. There have been many cases where non-resident fathers challenge agencies' limited or non-existent efforts to engage them in services. Moreover, there has been little focus in statute, court rule, or case law on ensuring mothers and fathers are treated equally during the agency case planning process and that all parents receive gender-responsive services and reunification plans. In addition, issues relating to relative engagement and the provision of services to incarcerated fathers have been inadequately addressed in statute and case law.

Social science studies also suggest that, historically, the child welfare system reaches out to, works with, and provides the bulk of its services to mothers. These studies find that child welfare caseworkers' efforts to address fathers' needs are minimal, in comparison to mothers, even when fathers have the same or more service needs. These studies also propose that fathers often have to demonstrate to the agency their connection to the child whereas agencies presume mothers' connection.

## Chapter 5

### Summary, Gaps and Conclusions

There are few father engagement programs that target non-resident fathers in the child welfare system. Many seem to derive from child support and welfare system initiatives. Existing father engagement programs attempt to involve non-resident fathers in the child welfare system by encouraging relationships with their children and meeting their specialized service needs. They often incorporate child support, job training, and responsible father counseling into their programs, while also referring fathers to applicable outside resources. Many of these programs receive federal and state funding. A few focus on specific populations of fathers—such as programs for incarcerated fathers and proactive programs that provide counseling for fathers at-risk for domestic violence and child abuse.

Though a handful of general engagement programs have been independently reviewed, many programs for fathers in child welfare have not undergone rigorous outcomes analyses. Moreover, because there are a limited number of engagement programs for fathers in child welfare, it is difficult to determine the extent to which these programs improve child-focused outcomes, such as permanency, safety and well-being. In addition, questions about whether child support and/or welfare fatherhood initiatives can be tailored to meet the specialized needs of non-resident fathers in child welfare systems have not been adequately raised or answered. Child welfare advocates and researchers also note a lack of research, models, and training curricula on fatherhood in the child welfare system. Other critical areas absent in social science research include evaluative data on the involvement of incarcerated fathers in the child welfare system, and how cultural competency issues affect working with fathers.

#### *Opportunities for Future Research Regarding Engagement*

A review of available literature shows that child welfare caseworkers receive little guidance on engaging non-resident parents in the child welfare case planning process in a gender-responsive way. In addition, only a handful of child welfare agency and fatherhood programs have developed and implemented engagement programs for fathers in the child welfare system. The literature exposes several gaps in the area of fatherhood engagement that may lend themselves to future research:

- Because most child welfare programs to engage non-resident fathers have not been the subject of independent review or undergone rigorous outcomes analyses, future research may assess these programs in terms of outcomes for children and non-resident fathers.
- Existing child welfare father engagement programs often incorporate child support, job training, and responsible father counseling into their programs. Questions about whether child support and/or welfare fatherhood initiatives can be successfully tailored to meet the specialized needs of non-resident fathers in child welfare systems could be assessed through future research.



## Chapter 5

### Summary, Gaps and Conclusions

- A significant number of children in the child welfare system have had a parent who has or will be incarcerated before they turn 18 years old. Future research could assess how incarcerated fathers are engaged by the child welfare system.
- Responding to non-resident fathers in a culturally appropriate way is an area that has not been fully researched or written about in the child welfare context. Future research could assess how cultural competency issues affect working with non-resident fathers.
- There is a paucity of research on how agencies and child-serving systems work together on fatherhood initiatives. As more initiatives are borne and best practices grow, future research may focus on inter-system collaborations to engage non-resident fathers in child welfare matters.

### Conclusion and Assumptions for Future Research

Federal policy and case law support preserving families and engaging parents, including non-resident fathers, in reunification efforts. However, many state statutes focus on the consequences associated with fathers' failure to engage in the child welfare process and few provide a framework for how child welfare agencies must engage parents in 'reasonable' reunification efforts. In addition, failure to locate non-resident fathers early in child welfare cases can result in negative outcomes for children. Some non-resident fathers may be inappropriately excluded from the child welfare process, preventing them from meaningfully engaging in reunification efforts. Delaying location or engagement attempts may also delay permanency for children and decrease the likelihood that they will maintain relations with paternal relatives.

Available literature on identification, location, contact, engagement, interagency collaborative efforts, and varying legal definitions of "father" within the child welfare context raise several issues that future research project(s) with QIC NRF sub-grantee sites must be cognizant of when developing an experimental design. Preliminary questions that should be addressed include:

- Should fathers who were alleged or adjudicated as abusive or neglectful be included in site-specific research?
- Should fathers who committed or allegedly committed a domestic abuse offense against the mother be included in site-specific experiments?
- Which legal types of fathers can or should be included in the research design, e.g. biological, presumed, putative, and/or *in loco parentis*?

## **Chapter 5**

### **Summary, Gaps and Conclusions**

- Should selected sites have certain general promising engagement models already in place, such as Family Group Decision Making and/or differential response?
- Should selected sites have certain laws, policies or practices in place that promote and do not hinder the possibility of developing and sustaining father engagement procedures and research?
- Should selected sites have existing agreements, collaborative initiatives or memoranda of understanding between child welfare and other child-serving, child support, or welfare programs to locate and/or engage parents?

## Appendix A: Fatherhood Program Descriptions

**About this document:** This document is for informational purposes only. It provides a flavor of different types of fatherhood programs from around the country. Use it along with one's own primary research and independent reading of the websites and literature available about these initiatives. This document does not represent all fatherhood programs, but provides a sampling of programs that exist throughout the country. These programs were identified by conducting numerous literature and on-line searches, including a review of previous literature reviews conducted on behalf of the U.S. Department of Health and Human Services and direct searches of online resources including but not limited to: Ingenta, Lexis-Nexis, and Google Scholar.

### Father Engagement Programs

Name	Website	Location	Description
CACOST Compu-Dad Program	N/A	Texas	<p>Trains resident and non-resident fathers in computer job skills to help them find employment. School age children and fathers take computer programs and applications lessons together.</p> <p><i>See a discussion of the program at:</i></p> <p>Raymond, Rene. "Compu-dads in Texas—Building Computers and Father Involvement." Head Start Bulletin, Issue 77, 2004. &lt;<a href="http://www.headstartinfo.org/publications/hsbulletin77/hsb77_17.htm">http://www.headstartinfo.org/publications/hsbulletin77/hsb77_17.htm</a>&gt;.</p>
Caring Dads	<a href="http://www.caringdadspprogram.com">http://www.caringdadspprogram.com</a>	Toronto, Canada	<p>Uses counseling intervention models that intervene with fathers at-risk for domestic and physical abuse of their partners and children.</p> <p><i>See a discussion of this program at:</i></p> <p>Scott, Katreena L and Claire V. Cooks. "Effecting Change in Maltreating Fathers: Critical Principles for Intervention Planning." <i>Clinical Psychology: Science and Practice</i> 11, 2004, 95-111.</p> <p>Scott, Katreena, Claire Crooks, Karen Frances, Tim Kelly &amp; Maureen</p>

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			<p>Reid. <i>Caring Dads: Helping Fathers Value their Children</i>. Presentation for Society for Prevention Research, May 2004. &lt;<a href="http://home.oise.utoronto.ca/~scottlab/scott.pdf">http://home.oise.utoronto.ca/~scottlab/scott.pdf</a>&gt;.</p> <p>Scott, Katreena. <i>Final Report: Pilot Implementation of the Caring Dads Program for Abusive and At-Risk Fathers</i>. Toronto, Canada: University of Toronto. &lt;<a href="http://www.caringdadsprogram.com/agency/pdfs/final_report.pdf">http://www.caringdadsprogram.com/agency/pdfs/final_report.pdf</a>&gt;.</p>
Dads for Life	<a href="http://www.asu.edu/cilas/asuprc/dadsforlife.html">http://www.asu.edu/cilas/asuprc/dadsforlife.html</a>	Tempe, AZ	<p>Works to prevent children's post-separation mental health problems by targeting non-resident fathers. The eight-week program is based on the findings of a longitudinal study of separated families and interviews with divorced couples.</p> <p>See a discussion of the program at:</p> <p>Cookston, et al. "Effects of the Dads for Life Intervention on Interparental Conflict and Co-parenting in the Two Years After Divorce." <i>Family Process</i>, Vol. 46, No. 1, 2006. &lt;<a href="http://www.blackwell-synergy.com/doi/pdf/10.1111/j.1545-5300.2006.00196.x">http://www.blackwell-synergy.com/doi/pdf/10.1111/j.1545-5300.2006.00196.x</a>&gt;.</p>
Fatherhood Initiative	<a href="http://www.dpw.state.pa.us/Child/ChildWelfare/003670969.htm">http://www.dpw.state.pa.us/Child/ChildWelfare/003670969.htm</a>	Philadelphia, PA	<p>Offers GED preparation, job readiness skills, life skills, health and parenting, intensive case management, and monthly parent and child activities--primarily to young non-resident fathers who do not receive public aid.</p> <p>See a discussion of the program at:</p> <p>U.S. Department of Health and Human Services. "Around the Regions: Region 3." Washington, DC: <i>HHS' Fatherhood Initiative</i>, 2004.</p>

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			< <a href="http://fatherhood.hhs.gov/regions/region03.shtml">http://fatherhood.hhs.gov/regions/region03.shtml</a> >.
Father to Father	N/A	Charleston, SC	<p>Provides legal services, anger management/self-esteem counseling, and job skills training to non-custodial fathers to help them connect with their children.</p> <p>See a discussion of the program at:</p> <p>Burns, Megan. "Promoting Responsible Fatherhood, Some Promising Strategies." <i>Progressive Policy Institute Policy Report</i>, March 19, 2002. &lt;<a href="http://www.ppionline.org/ppi_ci.cfm?knlgAreaID=114&amp;subsecID=143&amp;contentID=250290">http://www.ppionline.org/ppi_ci.cfm?knlgAreaID=114&amp;subsecID=143&amp;contentID=250290</a>&gt;.</p> <p>"Georgetown's Father to Father Project, Inc.." <i>Testimonials</i>, 2005. &lt;<a href="http://www.sistersofcharitysc.com/testimonials.php?id=12">http://www.sistersofcharitysc.com/testimonials.php?id=12</a>&gt;.</p>
Head Start	<a href="http://www.acf.hhs.gov/programs/hsb">http://www.acf.hhs.gov/programs/hsb</a> (National)	Baltimore, MD	<p>Attempts to engage non-resident fathers in the early education experiences of their children by soliciting support and feedback of the communities in which they live.</p> <p>See a discussion of the program at:</p> <p>Promoting Responsible Fatherhood Homepage. "Head Start and the Fatherhood Initiative." <i>Parenting</i>, 1998. &lt;<a href="http://fatherhood.hhs.gov/Parenting/FINAL.PDF">http://fatherhood.hhs.gov/Parenting/FINAL.PDF</a>&gt;.</p> <p>U.S. Department of Health and Human Services. <i>Head Start Handbook of the Parent Involvement Vision and Strategies</i>. Administration for Children and Families, Administration on Children, Youth and Families, Head Start Bureau, 1996.</p>
Hospital Paternity		Charleston,	Statewide educational program in birthing hospitals to increase the

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
Establishment Program, Child Advocate Office, West Virginia Department of Health and Human Resources		WV	<p>number of unwed fathers voluntarily establishing paternity.</p> <p>See a general discussion of this program at:</p> <p>Turner, M.D. "Child Support Enforcement and In-Hospital Paternity Establishment in Seven Cities." <i>Children and Youth Services Review</i>, June 2001 (23) No. 6.  <a href="http://www.ingentaconnect.com/content/els/01907409/2001/00000023/00000006/art00148">http://www.ingentaconnect.com/content/els/01907409/2001/00000023/00000006/art00148</a>.</p>
Institute for Responsible Fatherhood and Family Revitalization	<a href="http://www.responsiblefatherhood.org">http://www.responsiblefatherhood.org</a>	Milwaukee, WI	<p>Promotes responsible fathering by providing one-on-one and peer group counseling, case management, job referral and job support services.</p> <p>See a discussion of the program at:</p> <p>Lewin Group. <i>Evaluability Assessment of Responsible Fatherhood Programs: Final Report</i>, August 6, 1997.  <a href="http://fatherhood.hhs.gov/evaluaby/intro.htm">http://fatherhood.hhs.gov/evaluaby/intro.htm</a>.</p>
It's My Child Too	<a href="http://sharepoint.agriculture.purdue.edu/ces/csr/its_my_child_too.aspx">http://sharepoint.agriculture.purdue.edu/ces/csr/its_my_child_too.aspx</a>	New Castle, IN	<p>Provides a six-week program for non-resident fathers. The goal of the program is to encourage and educate fathers to stay involved in their children's lives.</p> <p>See a discussion of the program at:</p> <p>"It's My Child Too." West Lafayette, IN: Purdue University, Center for Families, 2004.  <a href="http://www.cfs.purdue.edu/CFF/pages/completed_projects/projects_my_child.html">http://www.cfs.purdue.edu/CFF/pages/completed_projects/projects_my_child.html</a>.</p>
National	<a href="http://www.nfnp.org/">http://www.nfnp.org/</a>		Offers basic and advanced fatherhood training curricula for

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
Fatherhood Preservation Network			practitioners, child welfare professionals, parents, and child and family policymakers. NFPN developed a comprehensive fatherhood program, with curricula that focus on best practices and skills needed to engage fathers. Training kits include a manual on skill-building, with specific examples of how to engage fathers; a video of best practices, featuring practitioners sharing their experiences in working with fathers; and information for administrators, including recommended agency policies and competency levels for engaging fathers.
National Resource Center for Family-Centered Practice and Permanency Planning	<a href="http://www.hunter.cuny.edu/socwork/nrcfcp/">http://www.hunter.cuny.edu/socwork/nrcfcp/</a>		Focuses on increasing the capacity and resources of state, tribal, and other publicly supported child welfare agencies to promote family-centered practices that contribute to the safety, permanency, and well-being of children while meeting the needs of their families. One major facet of their capacity-building is in the area of father identification and engagement.
Sisters of Charity Foundation Fatherhood Initiative	<a href="http://www.sistersofcharitysc.com/fatherhood.php">http://www.sistersofcharitysc.com/fatherhood.php</a>	Columbia, SC	Grant-making initiative that supports community-based fatherhood programs that engage fathers with their children and families by improving their emotional, physical, and spiritual well-being.  <i>See a discussion of the program at:</i>  U.S. Department of Health and Human Services. “Around the Regions: Region 4.” Washington, DC: <i>HHS’ Fatherhood Initiative</i> , 2004. < <a href="http://fatherhood.hhs.gov/regions/region04.shtml">http://fatherhood.hhs.gov/regions/region04.shtml</a> >.
Young Fathers Program, Louise Wise Services for Children and Families	<a href="http://www.louisewisec.org">http://www.louisewisec.org</a>	New York, NY	Helps non-resident fathers work with custodial mothers and offers educational services, job training, and health care assistance.  <i>See a discussion of the program at:</i>  Lewin, Enid. “Many Young Fathers Now Must Fend for Themselves,”



## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			<p><i>Youth Matters</i>, April 2004.  <a href="http://www.jrn.columbia.edu/studentwork/youthmatters/2004/welf_1_lewin.asp">http://www.jrn.columbia.edu/studentwork/youthmatters/2004/welf_1_lewin.asp</a>.</p> <p>Thornberry, Terence P., Evelyn H. Wei, Magda Stouthamer-Loeber &amp; Joyce Van Dyke. "Teenage Fatherhood and Delinquent Behavior." <i>Juvenile Justice Bulletin</i>. Washington, DC: Office of Juvenile Justice &amp; Delinquency Prevention, January 2000.  <a href="http://www.ncjrs.gov/pdffiles1/ojjdp/178899.pdf">http://www.ncjrs.gov/pdffiles1/ojjdp/178899.pdf</a>.</p>

## Appendix A: Fatherhood Program Descriptions

### Child support and welfare-to-work father engagement programs

Name	Website	Location	Description
Dekalb County Fatherhood Connection	N/A	Decatur, GA	Provides employment and case management services to non-resident fathers and promotes education and training on substance abuse, parenting, and engaging with children.
Families First	<a href="http://tennessee.gov/humanserv/adfam/afs_tanf.htm">http://tennessee.gov/humanserv/adfam/afs_tanf.htm</a>	Tennessee	Welfare reform plan that includes a fatherhood component emphasizing work, training, and personal responsibility. Participants must agree to follow a Personal Responsibility Plan and complete an individual work plan.
Full Employment Council's Concerned Parent Program	N/A	Kansas City, MO	<p>Provides employment assistance and help with child support payments, targeting non-resident parents in welfare-to-work programs.</p> <p><i>See a discussion of the program at:</i></p> <p>Martinson, Karin, John Trutko, John &amp; Debra Strong. "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs." Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) &lt;<a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a>&gt;.</p>
Georgia Fatherhood Program	<a href="http://www.state.ga.us/GAFatherhood">http://www.state.ga.us/GAFatherhood</a>	Georgia	Helps parent who cannot and/or do not financially support their children. Sponsored by the Department of Human Resources, Office of Child Support Enforcement, the Department of Technical and Adult Education Special Workforce Services, the program provides counseling, job readiness programming and life management skills to low-income, non-resident parents who lack a high school diploma or GED, and whose children receive public aid.
Houston Works,	N/A	Houston,	Works to prevent child support arrearages and parental incarceration

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
Project for Non-Custodial Parents		TX	<p>for failure to pay child support by encouraging more father-friendly approaches. Offers courts an alternative to incarceration for those who can not meet their child support obligations because of unemployment by helping them find and retain jobs.</p> <p><i>See a discussion of the program in:</i></p> <p>Martinson, Karin, John Trutko, John &amp; Debra Strong. "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs." Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) &lt;<a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a>&gt;.</p> <p>O'Shea et al. "The Effectiveness of Non-Custodial Parent Referrals to Workforce Services in Bexar and Harris Counties: An Initial Assessment." Ray Marshall Center for the Study of Human Resources, January 2001. &lt;<a href="http://www.twc.state.tx.us/news/ncp_referral.pdf">http://www.twc.state.tx.us/news/ncp_referral.pdf</a>&gt;</p>
Institute for Responsible Fatherhood and Family Revitalization	<a href="http://www.responsiblefatherhood.org">http://www.responsiblefatherhood.org</a>	Washington, DC	<p>Runs a grant-funded welfare-to-work project to serve low-income, non-resident fathers in several locations including Milwaukee, WI, Cleveland, OH, Nashville, TN, San Diego, CA, Washington, DC, and Yonkers, NY. The program provides intensive one-on-one and peer group counseling, and other services to help non-resident fathers find employment and reengage with their children.</p> <p><i>See a discussion of the program at:</i></p> <p>Martinson, Karin, John Trutko, John &amp; Debra Strong. "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work</p>

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			Programs.” Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) < <a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a> >.
Kent County Parents’ Fair Share Project	N/A	Grand Rapids, MI	Arranges for temporary reductions in child support owed by low-income, non-resident fathers; helps them find jobs, and offers them social supports to facilitate a continuing connection with their children.
Los Angeles County Private Industry Council Non-Custodial Parent-to-Work	N/A	Los Angeles, CA	<p>Provides pre- and post-employment services to non-resident parents who owe child support and are unemployed or underemployed. The program seeks to improve the lives of children by improving parents' means of caring for them financially and enabling parents to take a more active role in their children's lives. The program offers case management, services to improve self-image, and job search and skills workshops.</p> <p><i>See a discussion of the program at:</i></p> <p>Martinson, Karin, John Trutko, John &amp; Debra Strong. “Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs.” Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) &lt;<a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a>&gt;.</p>
LA Veterans in Progress Fathers Welfare-to-Work Program	N/A	Los Angeles, CA	<p>A residential program for homeless veterans to help regain self-sufficiency, reenter the job market, gain residential stability, and continued sobriety. A father component helps with parenting skills and child support assistance.</p> <p><i>See a discussion of the program at:</i></p>

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			Martinson, Karin, John Trutko, John & Debra Strong. "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs." Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) < <a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a> >.
Milwaukee County Private Industry Council	N/A	Milwaukee, WI	<p>Targets non-resident parents and seeks to enhance employability, job retention, and capacity to pay child support. The program refers parents to five community-based organizations for job placement, retention, training, and support services.</p> <p><i>See a discussion of the program at:</i></p> <p>Martinson, Karin, John Trutko, John &amp; Debra Strong. "Serving Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs." Washington, DC: Urban Institute and Mathematica Policy Research, Inc., December 2000. (Prepared for the U.S. Department of Health and Human Services.) &lt;<a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a>&gt;.</p>
Nevada Business Services	N/A	Las Vegas, NV	Focuses on enhancing employment outcomes, self-sufficiency, and payment of child support by non-resident parents. The program is voluntary and builds job-seeking skills, enhances basic and job specific skills, and assists in modifying child support payments. Parents who are welfare-to-work eligible are recruited.

## Appendix A: Fatherhood Program Descriptions

Programs for fathers who are incarcerated			
Name	Website	Location	Description
F.A.C.T. Program	<a href="http://www.pcaky.org/about.aspx?tabID=2&amp;req=fact.htm">http://www.pcaky.org/about.aspx?tabID=2&amp;req=fact.htm</a>	Kentucky	<p>A collaborative effort between Prevent Child Abuse Kentucky and the Blackburn Correctional Complex, the program teaches incarcerated fathers responsible parenthood and abuse prevention. Graduates of the program are entitled to special visits with their children in less restrictive environments.</p> <p>See a discussion of the program at:</p> <p>Sonenstein, Freya, Karin Malm &amp; Amy Billing. <i>Study of Fathers' Involvement in Permanency Planning and Child Welfare Casework Literature Review</i>. Washington, DC: Urban Institute, August, 2004. &lt;<a href="http://aspe.hhs.gov/hsp/CW-dads02/">http://aspe.hhs.gov/hsp/CW-dads02/</a>&gt;.</p>
Long Distance Dads	N/A	Albion, PA	<p>Assists incarcerated men develop skills to become more involved and supportive fathers and empowers them to assume responsibility for their children during and after incarceration.</p> <p>See a discussion of the program at:</p> <p>Penn State Erie, the Behrend College's Center for Organizational Research &amp; Evaluation. "Final Report of the Process Evaluation of the Long Distance Dads Program." Erie, PA: Pennsylvania Commission on Crime and Delinquency, June 30, 2001. &lt;<a href="http://www.pccd.state.pa.us/pccd/lib/pccd/stats/ldd%20full%20report.pdf">http://www.pccd.state.pa.us/pccd/lib/pccd/stats/ldd%20full%20report.pdf</a>&gt;.</p> <p>Waldman, Nicole &amp; Jeanette Hercik. "Uniting Incarcerated Parents and</p>

## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			<p>their Families.” <i>Promoting Responsible Fatherhood—Federal Resource</i>. Prepared for Office of Family Assistance, U.S. Department of Health and Human Service, 2002.  <a href="http://fatherhood.hhs.gov/Incarceration/parents02.shtml">http://fatherhood.hhs.gov/Incarceration/parents02.shtml</a>.</p> <p>Jeffries, John M. et al. <i>Serving Incarcerated and Ex-offender Fathers and their Families</i>. New York, NY: Vera Institute of Justice, 2001.</p>
Papas and Their Children	<a href="http://bcdm.org/index.htm">http://bcdm.org/index.htm</a> (parent organization)	San Antonio, Texas	<p>A weekly program that facilitates activities between children and their incarcerated fathers at several Texas state jails, incentivizing father participation in their children’s lives in jail and after discharge.</p> <p>See a discussion of the program at:</p> <p>Sonenstein, Freya, Karin Malm &amp; Amy Billing. <i>Study of Fathers’ Involvement in Permanency Planning and Child Welfare Casework Literature Review</i>. Washington, DC: Urban Institute, August, 2004.  <a href="http://aspe.hhs.gov/hsp/CW-dads02/">http://aspe.hhs.gov/hsp/CW-dads02/</a>.</p> <p>Jeffries, John M., Suzanne Menghraj &amp; Creasie F. Hairston. <i>Serving Incarcerated and Ex-Offender Fathers and Their Families</i>. New York, NY: Vera Institute of Justice, 2004.  <a href="http://www.vera.org/publication_pdf/fathers.PDF">http://www.vera.org/publication_pdf/fathers.PDF</a>.</p>
Wisconsin Department of Corrections NOW Program	<a href="http://www.wi-doc.com/">http://www.wi-doc.com/</a>		<p>Offers additional employment, job retention, and support services to non-resident parents who are on probation or parole or who are soon-to-be-released inmates of minimum security correctional facilities.</p> <p>See a discussion of the program at:</p> <p>Martinson, Karin, Trutko, John, and Strong, Debra. “Serving</p>



## Appendix A: Fatherhood Program Descriptions

Name	Website	Location	Description
			Noncustodial Parents: A Descriptive Study of Welfare-to-Work Programs.” U.S. Department of Health and Human Services, December 2000. < <a href="http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm">http://fatherhood.hhs.gov/ncp-wtw-d00/index.htm</a> >.