



February 28, 2021

Director Kilgore
 California Department of Child Support Services
 P.O. Box 419064
 Rancho Cordova, CA 95741-9064

Re: Ideas to Strengthen the Compromise of Arrears Program

Dear Director Kilgore,

Truth and Justice in Child Support (TJCS) is a statewide coalition of more than 20 direct service, advocacy and legal organizations that seeks to bring equitable reform to our State's child support system to better support low-income children and their families, and reduce child poverty in California.

On behalf of our member organizations, the TJCS Coalition is writing to request that the Department of Child Support Services (DCSS) considers reforms to the Compromise of Arrears Program (COAP) that will provide economic relief to the low-income parents and families it serves.

Currently, California non-custodial parents have been pushed into \$7 billion in debt to compensate for the cost of public benefits. The median income of a parent who owes this type of debt is less than \$15,000 a year, an amount that is barely above the federal poverty line. Research from the Urban Institute in 2003 showed that 95% of California's child support debt is owed by a parent who is very poor, with old debt, or who lives out of state. The Orange County Department of Child Support Services reports that 52% of parents and children in the statewide child support program live in poverty, compared to 19% of the overall state population. In addition, families in California are struggling economically because of the coronavirus pandemic. Almost one in four families in the State earns less than \$40,000 a year, and 43% of low-income families have had their work hours or pay reduced during this health crisis, according to a report prepared by the Public Policy Institute of California. All of these factors make the task of collecting child support debt an incredibly difficult and costly one to carry out.

Low-income families need to use all of their limited income to meet their living expenses, and the State should not add further hardship to them by collecting government-owed child support debt. Yet money intended to pay for a child's household needs and expenses - groceries, school supplies, clothing and bills - is instead being redirected to the government. In FY 2017, California redirected \$368 million in child support payments away from low-income children to repay the cost of public assistance. These policies take valuable resources from children and disproportionately harm children of color, which account for more than two-thirds of the children affected by them. They also create conflict in families' relationships as the custodial parent doesn't know how much money the non-custodial parent is actually paying.

We know that DCSS is considering reforms to COAP already, given the request submitted by the Governor in 2019. We support the additional funds to study the COAP program in the proposed Governor's budget. Some of our requests may already be aligned with DCSS goals for the program. We are interested in working together to assist DCSS in implementing improvements to COAP. We would like to participate in COAP-led workgroups and also invite parents who have participated in the program to share their experiences and knowledge.

The Coalition recommends DCSS implement the following reforms to COAP. They are based on conversations we have had with fatherhood, legal assistance, and social service providers, who have experience assisting parents with COAP.

1. Streamline the COAP **application process** to make it easier to understand and navigate for parents. Local Child Support Agencies (LCSAs) should provide more

culturally sensitive and trauma informed support to parents handling the application process by offering informational workshops and individual counseling. Also, information collected about a parent's assets should not be used as a determinant of eligibility. The documentation requested from applicants should be as minimal as possible.

2. **Eliminate the partial debt payment** requirement as a criteria for participation. Requiring a large lump sum payment is a difficult task for parents, especially during a global pandemic.
3. **Reward** not only monetary contributions from parents, but also **non-monetary contributions**, such as the time spent caring for a child. Approaches that connect parents to programs that help them succeed at co-parenting are opportunities for parents to show commitment to the process. Parental involvement is critical to the emotional well-being of the child.
4. Place **caps** on the **accumulation of government-owed child support debt**. New York offers a program that allows these arrears to be capped at \$500 for very low-income parents, and this may serve as a useful policy to explore.
5. **Inform parents of the COAP decision immediately in writing** and provide them with the specific reason(s) for any denial. Work with the parents to correct any errors or omitted information on their part from the application.
6. Include the COAP in the State's **complaint resolution and hearing rights processes**. If a parent disagrees with the LCSA's decision, the parent should be given the option to file an administrative complaint with a response required within 30 days, and if the issue is not resolved to request an administrative hearing.
7. **Build greater awareness** of the COAP throughout the community. Require all LCSAs to promote the program through communications such as texts, emails, newsletters, correspondence, and through direct conversation.
8. **Provide LCSAs with support** to review applications and work with families to explain the COAP process. Centralize the internal review of COAP applications within DCSS, or the handling of certain components of the program on a statewide level.

9. **Contract with Community-Based Organizations** (e.g., fatherhood organizations, etc) to provide training and contractual procurements to assist parents in applying, following, and meeting COAP guidelines.

We appreciate the Department's consideration of this request and look forward to working with you to implement reforms to COAP. Please let us know a time when we can meet to discuss. We are grateful for the opportunity to partner with you to support policy reforms intended to improve the lives of California's families and children.

Sincerely,

Manuel Galindo, A New Way of Life
Joanna Billings, All of Us or None
Marc Philpart, Alliance for Boys and Men of Color
Miguel A. Garcia, Anti Recidivism Coalition
Andrea Luquetta, California Asset Building Coalition
Michelle Chan, California Families Rise
Shimica Gaskins, Children's Defense Fund-CA
Julia Root, Center for Employment Opportunities
Terry Kim, Children's Institute
Sara Shortt, Community Housing Partnership
Asher Waite-Jones, East Bay Community Law Center
Derick Morgan, Ella Baker Center
Debra Gore-Mann, Greenlining Institute
Ronnell Hampton, Growing Greatness
Jhumpa Bhattacharya and Aisa Villarosa, Insight Center for Community and Economic Development
Joanna Billings, Legal Services for Prisoners with Children
Mindy Garland, Los Angeles Black Worker Center
Juliet Sims, Prevention Institute
Melissa Jones, BARHII
Katherine Katcher, Root & Rebound
Jane Fischberg, Rubicon Programs
Chala Bonner, Safe Return Project
Ryan Berryman, San Bernardino Fatherhood
Anne Stuhldreher, Michelle Lau, and Shawn Young, San Francisco Financial Justice Project, City and County of San Francisco
Jacob Dumez, San Francisco Office of Financial Empowerment
Sheryl Davis, San Francisco Human Rights Commission
Jamie Austin and Jacob Leos-Urbel, Tipping Point Community
Elena Chávez Quezada and Christa Brown, The San Francisco Foundation
Chris Iglesias, The Unity Council
Sereeta Reid, Time for Change Foundation
Anne Marks, Youth ALIVE!

Anthony Robles, Youth Justice Coalition LA
Amika Mota, Young Women's Freedom Center
Mike Herald and Christopher Sanchez, Western Center on Law and Poverty
Rachel Freitas, former child support program professional

CC:

Honorable Toni Atkins, President Pro-Tempore of the California State Senate
Honorable Anthony Rendon, Speaker of the California State Assembly
Honorable Nancy Skinner, Chair, Senate Budget Cmte
Honorable Phil Ting, Chair, Assembly Budget Cmte
Honorable Susan Talamantes Eggman, Chair, Senate Budget Cmte Sub 3
Honorable Dr. Joaquin Arambula, Chair, Assembly Budget Cmte Sub 1
Members of the 2019-20 Budget Committee
Jim Deboo, Chief of Staff, Office of the Governor
Mark Ghaly, Secretary, California Health and Human Services Agency
Angie Wei, Office of the Governor
Tam Ma, Office of the Governor
Ryan Anderson, Legislative Analyst Office
Jackie Barocio, Legislative Analyst Office