

# Taking a Chance on Child Support

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## AN ANALYSIS OF TENNESSEE CHILD SUPPORT LAWS AND NONCUSTODIAL FATHER INTERVIEWS

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The increase in nontraditional family structures in the United States and the subsequently detrimental effects single-parent households, divorce, and cohabitation have on *both* children and their parents are well-documented.<sup>1</sup> Studies show that child support payments mitigate many of the ensuing negative outcomes, such as lower levels of academic success, financial insecurity and generational poverty, and poor psychological and behavioral well-being.<sup>2</sup> Today, nearly one in three children live without a father present in their home, with one in four children in the United States enrolled to receive child support.<sup>3</sup> Given that child support orders last for 18 to 21 years of a child's life, it is one of the furthest-reaching programs in existence.<sup>4</sup>

Current child support policy is ineffective, failing to secure child support payments from noncustodial fathers (NCFs) and enable subsequent support for the entire family.<sup>5</sup> Small-scale studies show that when fathers are overwhelmed by a significant amount of unpaid child support, they are less likely to be involved in their children's lives, make monthly child support payments, and have a good relationship with the child's biological mother.<sup>6</sup> While scholarship has affirmed that NCFs face many barriers to payment, these barriers need to be accurately described from the perspective of the NCFs themselves.<sup>7</sup>

Scholars have studied NCFs' ability and willingness to pay and the strength of punitive measures necessary to motivate payment,<sup>8</sup> and in doing so, they have outlined four factors contributing to lack of formal child support payments from low-income

NCFs: (1) practical impediments to making child support payments, including income constraints, high-burden orders, and obligations to other children; (2) system-imposed barriers to paying support; (3) NCFs' preferences about types of contributions; and (4) responses to prior interactions with the child support system.<sup>9</sup>

Nonetheless, studies that examine specific aspects of these barriers are few and focused on the individual state level. To contribute to the ongoing improvement of child support policy, I used the perspective and lived experience of NCFs. In particular, my report examines the specific economic, social, and policy barriers that prohibit NCFs in central Tennessee from consistently paying their complete child support orders. In short, I ask what the commonalities are among NCFs with successful monthly child support payments. The purpose of this study is to gain a better understanding of three broad aspects of low-income NCFs' experience with child support by assessing their social capital, understanding of fatherhood, and barriers to employment.

I provide a brief history of child support policy and current proposals for its revision through the framework of social capital theory by conducting semi-structured, narrative-style interviews of NCFs who have previously and are currently participating in First Things First's (FTF) Dads Making a Difference (DMD) program in Hamilton County, Tennessee. I conclude with corrective policy revisions that use current academic research and the crucial insight derived from understanding the what and why of

NCFs' actions, beliefs, and mindsets concerning child support policy.

## Literature Review

In the early 20th century, Congress realized that many widows and their children were suffering financial hardship due to the loss of the breadwinning husband and father. The government established the Aid to Families with Dependent Children program through the 1935 Social Security Act to provide welfare assistance for single-parent families. Nonetheless, within three decades, the large majority of families receiving government assistance were dependent due to paternal abandonment rather than death.<sup>10</sup>

In a moment of rare bipartisan support, the Child Support and Establishment of Paternity program was implemented under Title IV-D of the Social Security Act in 1950. It is based on the belief that fathers ought to take responsibility for providing for their offspring rather than taxpayers. Child support policy followed the “welfare reimbursement” model wherein a father’s child support payments repaid the federal government for the benefits his child or children received in his absence.

As the prevalence of impoverished, single-parent homes continued to rise, policymakers recognized the need for a higher percentage of the noncustodial parent’s child support payment to go directly to the family.<sup>11</sup> In response to this, the legislative shift from a “welfare reimbursement” model to a “family-first” model (commonly referred to as “pass-through”) began to take shape in 1984 with the passage of the Deficit Reduction Act.<sup>12</sup> This act required states to “pass through” the first \$50 of monthly child support payments directly to the family, before the remainder of the NCF’s payment went to welfare reimbursement.

The Family Support Act of 1988 regarded effective child support enforcement (CSE) as the key to sustainable welfare reform in the United States. As policymakers began to recognize the poor employment prospects for many low-income NCFs, this act provided five states with grant waivers to provide

experimental services to NCFs through the Job Opportunities and Basic Skills Training program.<sup>13</sup>

Following the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, individuals who apply for Temporary Assistance for Needy Families (TANF) must register for child support.<sup>14</sup> TANF expanded how CSE functioned in society.<sup>15</sup> In a joint state and federal attempt to increase the percentage of “located” and therefore financially responsible fathers, custodial mothers were required to submit parental identity and location information as a precursor to receiving welfare assistance. The transition from Aid to Families with Dependent Children to TANF led to the removal of the federal pass-through requirement for families on child support. In its place, TANF ensured that families would collect arrears (past-due child support payments) before state and federal reimbursement collections. Currently, states are given the option as to whether they structure their child support collection as a welfare reimbursement model or a pass-through model.

Since the mid-20th century, family structure has changed dramatically. As of 2018, nearly 41 percent of births were to single mothers, and the percentage of marriages fell to 66 and 38 percent for the middle class and lower class, respectively, with cohabitation a cultural norm.<sup>16</sup> Whereas the initial implementation of CSE was responding to the minority of deadbeat dads who abandoned their wife and children, nearly half the fathers today were never married to or even living with their children’s mother. Because of this, the narrative of the deadbeat dad became an imprecise representation of the population. As such, policy researchers distinguish between the deadbeat dad and the “dead-broke” dad.

The term “deadbeat dad,” which is measured by an NCF’s willingness to pay, refers to fathers who do not take responsibility for their children’s financial well-being. Title IV-D sought to rectify this issue of familial abandonment and child poverty.<sup>17</sup> Early theories posited that fathers, following divorce or desertion, experienced a substantial increase in their financial stability.<sup>18</sup> Although later disproven, this notion formed the basis of countless policies such as high child support orders and strict enforcement methods.

Dissatisfaction with the previous framework led to the second explanation of dead-broke dads, measured by an NCF's ability to pay, which emerged in the mid-1990s as scholars began to document the many and varied reasons fathers were seemingly uninvolved or unable to pay child support consistently.<sup>19</sup> Through various interview-based research projects, scholars concluded that fathers faced many barriers to financial and relational participation with their child or children, including labor (unemployment and inconsistent employment), incarceration, multiple-child fertility, and public policy.<sup>20</sup> Other factors, such as a poor relationship with the child's mother and futile attempts to cooperate with the court or the Office of Child Support Enforcement (OCSE), create barriers to successful interactions between an NCF and his family. Moreover, in the place of formal payments, many fathers choose to provide informal support to their children (bypassing state-ordered child support) so as to show their care in tangible ways.<sup>21</sup>

Historically, Republicans and Democrats pursued bipartisan solutions to child support policy, regardless of whether the policy reflected the narrative of the deadbeat or the dead-broke dad. Interestingly, as parties have become more ideologically divided in recent years, this distinction fell along party lines with conservative politicians and policymakers focusing on the deadbeat narrative and liberal or progressive politicians and policymakers emphasizing the dead-broke narrative.<sup>22</sup>

Conservatives tend to emphasize the cultural and social values of fatherhood, suggesting shifts in policy that support the value of marriage (such as the removal of the marriage penalty) and a renewed focus on personal responsibility for the noncustodial parents (some suggestions mirroring the 1996 welfare model of instituting work requirements). Liberals, on the other hand, tend to focus on purely economic reforms that lean toward federally funded financial provisions for the single-parent family on behalf of the noncustodial parent. In each case, conservative debates tend to underemphasize the very real economic and employment barriers NCFs experience, and liberal policymakers tend to overlook the

foundational intent of CSE—namely, NCFs' responsibility to provide financially for their children.

State-level reforms in California, Florida, and Maryland represent the transition to policy solutions in response to the plight of dead-broke dads.<sup>23</sup> In each state, researchers used focus groups to assess the needs and barriers of noncustodial parents, of which 80–85 percent consisted of fathers. In California and Maryland, researchers found that unless fathers consistently earned a minimum of \$40,000 annually, they quickly fell behind in their payments, overwhelmed with high rates of interest on their arrears.

Many orders are set based on “imaginary earnings,” or an estimated minimum wage that may far surpass the NCF's actual earnings.<sup>24</sup> Three things can occur in this instance. First, many fathers are driven into the underground economy to earn a sufficient income for their own living expenses and child support orders. Second, fathers are less likely to be involved in their children's lives when they are behind on their payments. Third, this drives many noncustodial parents to despair, which deters future child support payments.<sup>25</sup>

In response, scholars support three central solutions by policymakers: (1) When the government alleviates “uncollectable” debts to give noncustodial parents a fresh start and (2) implements right-sized orders in its place, NCFs are significantly more likely to pay.<sup>26</sup> Highlighted best by Florida, (3) an emphasis on improving the relationship between child support caseworkers and noncustodial parents creates conducive grounds for improved communication and payments. Florida is experimenting with preemptive “predictive analysis” models that will ideally address potential missed payments before the occurrence.<sup>27</sup>

The dichotomy between deadbeat and dead-broke dads continues to be a useful starting point that policymakers reference when suggesting their own policy proposals. In an attempt to correct state-level policies that were formed in light of the deadbeat narrative, California and Maryland policymakers tend to overcorrect and remove a large part or all of the financial responsibility from the shoulders of low-income fathers.<sup>28</sup> This, I think, is a great mistake. Unlike Florida, which is searching for new,

creative ways to engage fathers, California and Maryland are, to varying degrees, positioning the state to step into the father's financial role. In doing so, the state could undermine the father's relational and physical presence. Current child support policy and research is focused on improving the financial prospects of fathers through right-sized orders or debt cancellation, which view the father solely through an economic lens, examining his job prospects or income in isolation from other equally important social factors.

My research examines the gaps in the literature by studying the role of social capital in an NCF's life. Social capital facilitates and enhances the necessary relationships that enable gainful employment and positive communal support in behavior and norms and that provide the opportunity for cultivating reliable assistance beyond the scope of the government. By using insight from NCFs' lived experiences, I hope to broaden the scope of research regarding the barriers NCFs face by taking their whole person into account.

In line with the philosophy of states such as California and Maryland, this report moves beyond rhetorical and political conceptions of NCFs that place them in an adversarial light. Unlike California and Maryland, however, I studied the social support and networks of NCFs to ascertain commonalities between fathers with successful child support payments. The role of social capital in an NCF's life is an unexplored facet of child support policy research. A better understanding of this will allow policymakers (and myself) to propose child support improvements that take into account the larger social context and influence of economic, social, and policy barriers.

Child support legislation is focused on children's well-being, an essential and unchanging value. Nonetheless, to effect sustainable change in society, one must make an agreement with the entire family. Inadvertently, the original design of CSE institutionalized the separation between fathers and their children, causing subsequent generations of NCFs to be viewed in an adversarial light. Beyond the economic state-reimbursement factors, child support represents the belief that it is good for fathers to be

involved in their children's lives through financial, relational, and interpersonal connections.

Whereas scholars generally situate the conversation on CSE with a view to the child's well-being, my study considers the content, quality, and effectiveness of child support policy as it is beneficial for the NCFs in tandem with (and not at the expense of) the well-being of the child. Fathers need relationships with their children, and child support enables fathers to take advantage of the opportunity to be responsible, involved fathers.<sup>29</sup>

## Theory

The barriers NCFs face regarding complete child support payments are many and varied. Whereas several studies<sup>30</sup> address many of the factors prohibiting an NCF's ability and willingness to pay child support, these often-overlapping explanations tend to emphasize the individual father in isolation from his broader connections in his community, network, and place of employment. My goal is to further their research by investigating the role of social capital in an NCF's life and the NCF's perception of employment opportunities as a barrier to full child support payments.

In short, a crucial but overlooked component to understanding the barriers NCFs face may be ascertained through considering the role of social capital and employment opportunities. My expectation is that NCFs with successful child support payments are actively involved in positive social networks (such as religious communities, frequent interactions with their own parents or grandparents, voluntary social gatherings such as intramural sports leagues, and active community participation).

Moreover, despite the seeming prevalence of job training and skill acquisition programs and blue-collar job fairs, I think an NCF's social capital (or lack thereof) corresponds to the reasons he is having trouble finding gainful employment. In short, disjointed attempts to place NCFs in jobs and training programs that fail to garner a holistic cultivation of social capital have not been successful. NCFs' needs often extend beyond the mere lack of employment and reflect a

broader breakdown in society. Although policy is (rightly) limited in its ability to rectify this, a better understanding of the way social capital functions and improves an NCF's life may allow for new insights that creatively engage and assist these fathers, like the programs Florida is pioneering.

Social capital is important to study because it provides the framework through which social scientists can study the networks, connections, and opportunities in an individual's life, including their economic and employment prospects. While many variations of social capital exist, I specifically use James S. Coleman's theory of social capital, which relies on trustworthiness in the structural expectations and obligations shared between individual actors.<sup>31</sup> For social capital to flourish, it relies on the trust an actor has for their social environment (that their obligations will be repaid), and it influences the extent of obligations they will hold.

For example, if NCFs do not trust the OCSE to distribute the funds accurately to reimburse welfare allocations, or if NCFs do not trust the custodial mother to spend the funds responsibly for the child's benefit, they will be less likely to pay child support. Conversely, NCFs who recognize child support payments as a means of investing their funds into the well-being of their child or children, be it through welfare reimbursement or direct amount, will be more likely to consistently pay child support fully. The difference here exists in the trust the NCFs have in their expectation for the CSE structure or the custodial mother to fulfill its or her obligations. CSE, like any institution, will cease to function effectively without a high level of trustworthiness in the system.

Coleman's theory of social capital suggests why people with more social capital are more likely to pay child support. The presence of social capital in an NCF's life consists of both the current collection and pattern of relationships they are involved in or have accessed and the opportunity to enhance and facilitate further social capital. As such, NCFs with more social capital are more likely to pay complete child support payments because social capital is a viable resource through which NCFs can develop responsibility and accountability. These networks

will implicitly or explicitly hold NCFs accountable for irresponsible or immoral behavior, shaping their attitudes to value actions that include or stimulate complete child support payments as a means of caring for their children. Moreover, as Coleman's theory stipulates, NCFs will also have greater access to resources that can help provide pathways to overcome legitimate inabilities to pay child support.

## Methodology

To test my research question and hypothesis, I employed a narrative-based, semi-structured, in-depth interview inquiry that uses the stories and lived experiences of NCFs as the raw dataset.<sup>32</sup> I interviewed 20 NCFs in a father engagement program and asked questions pertaining to their familial, educational, and work histories and the frequency and percentage of child support payments made. I also inquired into the possible avenues of social capital and labor opportunities.

To understand the barriers facing NCFs, their levels of social capital, and their perceptions of gainful employment opportunities, the rich texture of human experience shared through personal stories is essential because it reflects a strong correlation between the theory and methodology. To broaden the scope and depth of the data collection, I asked both open- and closed-ended questions, which yielded qualitative data through a mixed-methods approach. The progression of this twofold data collection method follows an exploratory sequential methodology research design.

The respondents ( $n = 20$ ) interviewed in my study are NCFs who were previously involved in FTF's DMD program, either by their own volition or at the behest of the court. FTF is a local organization that offers relationship enhancement training and resources. The DMD program specifically targets NCFs who are behind on their child support payments or struggling to find gainful employment. While there are no eligibility restrictions on who can participate, the NCFs represented are typically from low- or working-class demographics given the

parameter that they are struggling to complete their child support payments.

This eight-week program includes CSE training and information, relationship guidance (with children and the custodial parent), job training, and employment opportunities. The goal of the program is to provide useful resources and assistance to NCFs who are struggling to understand the child support system, find or sustain employment, and build relationships with their children.

Reggie Madison, the director of the DMD program, provided the necessary connections to introduce the respondents to the interviewer. (The majority of the interviews took place over Zoom due to COVID-19 restrictions.) Lee University and FTF approved the interview questions and format. Moreover, Madison reviewed prominent responses and story lines following the interviews to gauge to what degree the NCFs' interview responses aligned with what they told me and with Madison's prior knowledge, respectively.

This particular sample is important to study for two reasons.<sup>33</sup> First, Hamilton County demographic statistics for poverty, ethnicity, marriage, divorce, and out-of-wedlock births are within 3 to 5 percent of the national average on all accounts.<sup>34</sup> To this end, the NCFs in my study are representative of the larger sample. Second, NCFs are a notoriously difficult demographic to locate and study, save through a child support or family engagement program. While many studies would benefit from a random selection of NCFs, this is often inadvisable because of constraints of the father's time, resources, availability, and willingness.

On the other hand, this sample of NCFs in the DMD program is ideal for my study. DMD partners with local nonprofits, businesses, social services, and the court system to enhance and facilitate further social capital and employment opportunities for NCFs. The levels of social engagement vary among each father in the program. Some fathers participate in response to a court-mandated option instead of jail. Other fathers participate on their own volition.

Further variance occurs in the sample since not all the fathers I interviewed successfully graduated from the program. As such, it is a prime opportunity to

study the levels of social capital in an NCF's life and the corresponding presence of gainful employment and successful child support payments.

Based on the contours of the methodology, I am engaged in the task of theory building rather than a specific theory validation. Hence, the goal is not to report the strength of the correlation between social capital and child support payments but to understand what the fathers' answers reveal about involvement in family and consistent child support payments. By listening to the individual, concentrated accounts of NCFs' self-reported levels of social capital and gainful employment opportunities, I could create a narrative-style study that provided nuanced, unique insights into the barriers NCFs face.<sup>35</sup>

To begin, I asked closed-ended questions that established the father's demographic (age, class, income, ethnicity, number of children, educational attainment, employment history, and familial history). The answers to these questions illustrated a work-family calendar (Appendix B). Next, I transitioned into open-ended questions (Appendix C). A semi-structured interview guide of 10 prepared questions, supported by multiple possible probing questions under each question, allowed participants to answer the questions in narrative form while ensuring each respondent answered the same type of questions.

Each interview was conducted one-on-one and lasted an average of 55 minutes. With the express permission of each respondent, the interviews were recorded through Zoom and uploaded to the ATLAS.ti program for transcription, thematic coding, and analysis. The sample of 20 respondents was sufficient to obtain a saturation of themes, but it was not intended to be representative of an entire population.

## Data and Analysis

In tandem with my initial research question, theory, and expected findings and the consistent themes that emerged from the interviews themselves, I analyzed the content of the 20 interviews in the following categories: fatherhood, social capital, DMD program,

**Table 1. Interview Topics Discussed with NCF**

Fatherhood	Social Capital	DMD Program	Employment	Child Support (Policy Implications, Current Function Versus Improvements)
<ul style="list-style-type: none"> <li>• Fatherhood as Money</li> <li>• What Does It Mean to Be a Dad</li> <li>• Relationship Quality/Types</li> <li>• Visitation</li> </ul>	<ul style="list-style-type: none"> <li>• Social Support (Relational, Programs)</li> <li>• Religion</li> <li>• Responsibility (Family, Social)</li> </ul>	<ul style="list-style-type: none"> <li>• Benefit of DMD, Process-Tracing of How Fathers Decided to Participate</li> </ul>	<ul style="list-style-type: none"> <li>• Labor Barriers</li> <li>• Economic Barriers</li> </ul>	<ul style="list-style-type: none"> <li>• Child Support Improvement</li> <li>• Child Support Payments</li> <li>• Maximus</li> <li>• Tennessee OCSE</li> <li>• Magistrates/Judicial Court Modifications</li> <li>• Punitive Measures</li> <li>• Lack of Knowledge Pertaining to the System</li> <li>• State (Mis)Trust</li> <li>• Arrears</li> <li>• Biological Mother</li> </ul>

Source: Author’s research.

employment, and child support (policy implications, current function versus improvements). (See Table 1.)

### Findings

At various moments in its history, child support policy in the United States has reflected a philosophical progression from deadbeat dad to dead-broke dad and “disconnected” dad (a trend that emerged in my own research). Throughout my interviews with NCFs, I frequently heard NCFs claim that child support is used by mothers as a threat or retaliation.

In the following section, I examine NCFs’ answers regarding the primary relational descriptions of fatherhood, possible barriers enforced by the biological mother, and subsequent visitation rights consideration. This section examines fathers’ responses and reactions to being the primary caregiver of their children, including the increase in child support payments and subsequent visitation policy to reinforce these behaviors.

As I began to study child support policy in Tennessee, I observed the outdated philosophical

assumptions underlying the specific policies. When child support legislation was originally implemented, it was responding to a steady increase in paternal abandonment that resulted in financial des titution and state assistance for the family. In this case, the emphasis on punitive measures to ensure financial support from the father made perfect sense. However, this no longer represents the dominant demographic of fathers or mothers with child support orders.

With 41 percent of the population born to single parents and divorced couples frequently relying on private child support agreements between their attorneys rather than formal state agreements through the court, a large portion of low-income or struggling child support obligators were never married to the mother, nor were they necessarily living with the family in question. As such, current child support is not necessarily responsible for simply tracking down deadbeat dads. It must also secure an institutional framework by which the financial, relational, and social dynamics between fathers and children can be encouraged, cultivated, and protected

legally despite the mother's possible unwillingness to let the child or children spend time with the father.

Child support legislation should be based on the belief that it is good for fathers to be involved in their children's lives through financial, relational, and interpersonal contact—not simply for the undebated good of the child but for the good of the fathers, too. Fathers need relationships with their children, and child support policy enables fathers to accept the opportunity to be responsible, involved fathers (barring barriers to ability or willingness to pay, which Vogel outlines well in her 2020 article).<sup>36</sup>

In light of this, my study sought to understand the barriers fathers face in completing child support payments and to trace the process through which fathers can make successful child support payments. This process may be best understood through a discussion of their understanding of fatherhood, which reveals a few things: the central role of visitation and need for subsequent policy efforts to support a father's visitation rights, the need for and cultivation of social capital through their participation in programs like DMD, and barriers to employment that highlight the need for a renewed federal emphasis on and cultural encouragement for career and technical training services that provide ongoing employment, validation, and a sense of purpose in the father's life.

**Fatherhood: “It Means Everything to Me.”** Policymakers are clear that a father's child support orders are not dependent on the amount of time he spends with his child or children, even if they are unjustly withheld. Nonetheless, there is a growing consensus among scholars and policymakers alike that visitation and shared parenting are essential to the well-being of the child and the father and for the long-term payment of child support orders.

Each year, the OCSE allots \$10 million to a national access and visitation grant program to “increase noncustodial parents' access to and time with their children.”<sup>37</sup> Eligible activities include mediation, counseling, education, development of parenting plans, visitation enforcement, and development of guidelines for visitation and alternative custody arrangements.<sup>38</sup> Nonetheless, most states still lack the

legal and structural infrastructure and father-support or shared parenting-support programs necessary for an effective shift in this direction.

The first key finding regarding the commonalities among fathers with successful child support payments occurred when fathers spent time with their children as the primary, responsible adult and they encountered the child's vulnerability or need. This led to a moment of recognition for the fathers that transformed their subsequent payment patterns.

One of the first sections of questions I asked the NCFs pertained to the role of fatherhood and family in their life. Without fail, when I asked the initial question—“What does it mean to you to be a father?”—each would respond, frequently with great emotion, saying, “It means *everything* to me.” Part of disrupting the deadbeat dad narrative and understanding effective policy measures to promote child support payments requires a close examination of their beliefs and their perception of fatherhood and its specific role in their own lives.

In my study, the NCFs continued to describe their role through nurturing and relational responses such as adviser, mentor, encourager, and one who is an honest guide to prepare them for the difficulties of life. Interestingly, the NCFs interviewed in the study did not mention financial contribution in their answers nor their roles as providers. Upon probing further, most responded with a general, afterthought response along the lines of “Yes, in order to spend time with your kids, you need money to do things with them.” Nonetheless, there seems to be a larger disconnect between fatherhood and financial responsibility, at least as a central function. As one man said, “It is important for me to be a role model to my kids because I never had one.”<sup>39</sup>

As shown later, many fathers described frustration, hopelessness, and disappointment in their job prospects. On the other hand, fatherhood opened a door to a meaningful life and purpose beyond their economic circumstances and job prospects. As one NCF put it,

I didn't feel alive without them. So being a dad just made me feel useful. Like, I know I have a purpose. I didn't feel like I had to have another purpose in life. I



knew this is what I was supposed to be doing, raising my kids. Some people ask for money, cars, and material things, but this is what I asked for, what I pray for, that I can be a good dad to these kids. I got what I wanted. That's what being a dad makes me feel: complete.

It seems that the self-described purpose and power of fatherhood is found in mentorship relationships. It is what motivates these fathers to stay involved and provide for their children, exponentially multiplied by the amount of time the fathers can spend with their children. Three NCFs in particular cited a strong commitment to volunteering at their child's school or a local recreation center or coaching a sports team. "So not only inside the home, but I work with kids in the community, trying to be a mentor role model," one of them said. "There are a lot of fatherless kids in my community." The array of answers to the various interview questions, corresponding with a high value placed on time spent with the NCFs' children, highlight the conflict between their answers regarding fatherhood and the disconnect with formal child support payments.

**Barriers Imposed by the Biological Mother.**

Given the highly relational nature of these responses, it is unsurprising that many of the fathers find Tennessee's deferential preference for mothers frustrating. "The courts should promote a 'families first' policy which values the financial and physical presence of the fathers and mothers equally," said one NCF. "I don't think one parent should be able to suffice to care for the majority of the kids' relational, mental, or physical needs. I am more than a financial provider."

The National Fatherhood Initiative conducted a 2006 survey regarding fathers' attitudes toward fathering, and 91 percent of respondents affirmed a pervasive issue of fatherlessness facing the nation. Of the fathers who were not married to the child's biological mother, they attributed the causes to "a lack of cooperation from . . . mother[s] as the chief obstacle to [NCFs] being good fathers," with work demands and financial issues as the second and third reasons.<sup>40</sup> Breakdowns in relationships, not one's financial limitations, are listed as the most

significant barriers to a healthy relationship with an NCF's children.

In Tennessee, the court system functions under the belief that it is best for the children to primarily remain with their biological mother.<sup>41</sup> But for broken families in which the father is given limited access to see the children, policy decisions should not undermine the proven positive impact of close father involvement with their children.<sup>42</sup>

One father who had experience as both a custodial father and an NCF shared an interesting story in court that exemplifies his perception of negative bias against fathers in the judicial system and policy. This father appeared in court as the custodial parent to solidify child support orders from the child's mother. Upon standing in the plaintiff's booth, the magistrate began to berate the father for standing in the incorrect spot in the court and failing to pay child support for his child, calling into question his character, ability, and affection for his child's well-being. The father and his attorney eventually clarified the situation, leading to silence on the magistrate's part and a peaceful proceeding for the remainder of the session. The mother did not receive any such treatment. This account, like many others, is the self-reported account of an NCF in court. While this story helps underline court bias against fathers, it plays an even more important role in highlighting the father's lack of trust in the system and poor perception of magistrates.

Reflecting the complicated nature of parental relationships, 60 percent of the men shared stories of the child's mother using visitation as a weapon over the NCFs. In response, fathers expressed a desire for the courts and caseworkers to not simply take the mother's opinion at face value and instead consider multiple opinions and perspectives in court. Moreover, many biological mothers did not want to share time with the fathers and are not required by the courts to do so. This report does not consider the account of the biological fathers but is slightly reinforced by further conversations with Madison to verify story consistency. As one father said,

I think [the children] get upset with their mom. But I don't think like it hurts them like it hurts me. I

mean, they miss out on time to have fun with me, but I'm missing out on time to teach them something.

**Visitation.** This brings us to a central theme of the NCF experience: visitation rights. In Tennessee, the child support court system and the visitation court system are two distinct entities. Nonetheless, fathers perceive visitation and child support orders as legally linked. Of the men I interviewed, 29 percent initiated their child support because they thought it would provide them with legal rights to see their children. However, this is not the case. While the court suggests minimum visitation days, the children's mother decides when and how often the children see their father. In the case of child support, the best most men can hope for is the opportunity to see their children every other weekend.

This outcome is shown to lead to poorer outcomes for both the children and fathers. Whereas previous studies have shown that child support orders and payments correspond with a father's involvement in the child's life,<sup>43</sup> recent research finds that NCF social engagement, time spent with children, and provision of in-kind support (distinct but not necessarily separate from formal or informal cash support) all lead to a reduction in child behavioral problems.<sup>44</sup> As Michael Jindra concludes in a 2020 study,

A simulation based on their data indicates that increasing father involvement among lower socio-economic status (SES) families reduces gaps in behavior outcomes (e.g. aggression, depression, delinquency) with higher SES families by 30–50% for children with non-resident fathers and by 80% for children with resident fathers. The study shows the effects are long lasting, with a father's earlier life presence having a significant impact on latter adolescent behavior. In other words, kids who are having trouble in their teens often lacked a fatherly presence earlier in their lives, not only during their teen years. Cash support—formal or informal—had little effect. It was the social engagement of the fathers that made the big difference.<sup>45</sup>

Whereas strict CSE is a necessary conduit to initiate responsible fatherhood, it is insufficient to achieve the ultimate goal of forming healthy, whole children and overcoming many of the negative effects of single parenthood or divorce.

Lenna Nepomnyaschy and Irwin Garfinkle write that strong CSE “appears to increase formal child support from fathers . . . and have a weak positive effect on father involvement.”<sup>46</sup> Moreover, a 2012 study on the relationship between child support payments and child well-being found that higher financial contributions from the NCF resulted in higher cognitive development for the children, though inconsistent formal child support was linked with worse behavioral issues, especially for male children—likely a reflection of a volatile relationship between the NCF and the mother or child.<sup>47</sup>

While the degree to which child support positively affects a child's overall well-being can vary, a positive correlation clearly exists. Nonetheless, one of the largest benefits of consistent child support payments is the increased possibility of paternal involvement. Child support payments are essential to the financial and cognitive well-being of the child in question, but they are insufficient when it comes to forming the child's emotional or behavioral aspects.

One NCF's story is a poignant example of the effects of divorce and the impact of the loss of a close connection with their children:

Things were fine. And then when I had realized what had happened [the impact of the divorce], I didn't think it all the way through. Prior to that point I had children, so I could put them to bed, wake them up every morning, and be with them all the time. And I didn't realize the separation that was going to be involved with your kids, the way families take sides, and just the absence of it.

I was used to coming home late at night from being at work, and when my kids were up they would open the door, run to me, my ex-wife being there, too. I will never forget, I went home to my town-home, turned the door key. Nobody was there. And eventually it led me down a road of addiction. And I first got started drinking alcohol. And then it would

be like I'm hanging out at a place called Bud Stay late at night. And then there's other things started happening. And before I knew it, I was in dire straits.

And so yes, I have missed several months of child support. I actually ended up getting myself put in prison. I got a three-year sentence, not for anything bad; it was for failure to appear in court. The good Lord put me in that place to save my life. And it helped me out so much. But I went without seeing my kids for about two years. And so obviously, I was unable to pay child support for about two years. So, my child support is behind right now. But now currently, what I do is I have it taken out of my paycheck.

The majority of the fathers I spoke to were never married to the mother of their children. Because of this, few fathers have lived full-time with their children for more than a year or two. Without seeing the day in, day out costs and responsibility of raising children, many fathers unwittingly perpetuate the dead-beat dad stereotype.

As previously mentioned, visitation and the opportunity for NCFs to spend significant time with their children played notable roles in enabling fathers to transition from being disconnected dads to involved ones. A 2016 study on the relationship between fathers and their infant children found that infants exposed to skin-to-skin contact with their fathers had better heat conservation, were calmer, and cried less than those placed in cots or incubators. Fathers who provided skin-to-skin contact claimed to understand their role as fathers better, felt greater levels of control over situations, and actively cared for their infants more. Moreover, fathers who provided skin-to-skin contact engaged in more vocal communication with their infants and felt less stressed and anxious. They also had better relationships with their spouses. Finally, skin-to-skin contact increased fathers' oxytocin levels and decreased cortisol levels.<sup>48</sup>

Two stories from different NCFs exemplify the findings of this study. The first father shared the story of the first time he met his son and his moment of recognition regarding the importance of his role as father in financial, relational, and physical measures:

I'm not gonna miss a day away from him since I saw him in the glass incubator when he was born. That image of my son, so premature and struggling to live, changed my life, and I've been there for him every day since. If he was going to fight so hard to live, I knew I needed to do everything in my power to take care of him. I stopped drinking. I stopped doing a lot of stuff that I used to do. I stopped going to jail like I was. And for these six or seven years, I have only been away from them 14 days. That's because Child Support locked me up for a purge. I haven't missed a day except for 14 days out of seven years.

Moreover, even though the father has high arrears and falls behind on child support, his son spends nearly every day with him except for when he is at school and overnight, when he stays with the custodial mother. This highlights an important and often overlooked facet of child support payments: Because informal payments are not considered part of the formal monthly order, many fathers feel trapped between formal, state-mediated payments and providing day-to-day goods for their children.

A second father shared a story about the first time he watched all his children alone (three children from three different mothers, when they were age 6 and younger).

I wanted to give the mothers a break one weekend, so I offered to babysit the children at my mother's house where I was living at the time. Sometime during the first full day, I remember having this moment where one of the kids would not stop crying, one needed a diaper change but would not stay still, and the toddler kept trying to leave the room and get into something he should not have been doing. I just sat on the floor and cried. I had no idea how overwhelming or demanding it was to be a parent or how much your children need you.

After that, the father began to regularly visit his children and take care of them on a weekend rotation. Over time, this developed into the weekly or monthly "family game nights" in which he gathered his wife and their collective children and stepchildren

for dinner, games, and a movie to further strengthen their familial bonds.

Without consistent visitation time, NCFs share concerns that they are viewed as financial resources for their children and little else. This is further complicated by the fact that many custodial mothers reinforce this narrative in their expectations and rhetoric surrounding the father's role in the child's life. One father lamented how this mindset pervaded how his own son viewed his paternal role in his life:

It was just about what can you do for me? Money, money, money, money, money. I'll go try to spend time with him and go out to eat but then he wanted to go straight back home. So that was a very difficult time for me to try to get to know them and who they are becoming. It was just "what can you do for me now?"

Other factors that contribute to the deadbeat dad narrative pertain to the father's personal lifestyle (as a drug dealer or in a street gang), a lack of foresight in family planning, and the father's own childhood experiences. As one NCF put it,

You know, a lot of these fathers think that it's normal, to not be in the home with the kids. Because a lot of them work. They also were raised in single-parent homes. Their moms raised them by themselves so they have the expectation their own child's mom can do it, too. Basically, they don't have the desire to actually be there, well some of them. You know, they're more concerned about their personal happiness. It's not about personal happiness anymore, once you create a responsibility.

As the DMD class highlights, the surest route to paying lower child support orders is to spend more time with one's children. Higher amounts of visitation, when solidified by the state, lower monthly child support orders and enable fathers to care for their children with their own resources and relationships. As one father aptly put it,

It is much more financially feasible for me to care for my child 179 days out of the year and let me share

in my own food and resources that I am already purchasing, rather than spending an additional few hundred dollars a month extra to provide it at his mother's house.

A shared-parenting time agreement that evenly (or near-evenly) splits the time between the mother and the father would lower the monthly child support orders, hence making it more affordable for fathers to financially provide for their children. In instances in which fathers are limited in their ability to house their children, other solutions must be sought, primarily through higher employment earnings. It is not necessarily feasible or desirable for each family to have an equal shared parenting plan, given the demands of work or that one parent might live a significant distance from the child or children. Nonetheless, as social science research and the recurring themes among fathers reflect, it should be a priority for policymakers and the state to legally provide for and encourage such outcomes for the well-being of the child and the father.

While most fathers appear to view their children affectionately, many of these fathers also fail to provide for their children with or without child support orders, have high levels of unpaid support, and alleviate their financial responsibility through visitation disparities or personal selfishness. As I conducted research for this report, I was careful not to take the fathers' stories at face value, but further legitimate their accounts through follow-up conversations with Madison and use their responses to illustrate their perception of the child support system and general mistrust toward it.

**Social Capital and DMD.** As the "Theory" section of this report demonstrates, social capital is linked with an individual's connectivity to and positive interaction in society. As I examined the process by which many fathers began to provide consistent child support payments, I found that the father's ongoing contact with Madison and their subsequent involvement with DMD played a crucial role in transforming a father's payment patterns and involvement with children. Moreover, DMD further facilitates social capital

for NCFs by introducing them to nonprofit leaders, caseworkers, magistrates, and employers who they would otherwise be less likely to encounter in their daily interactions. In turn, higher social capital in one's community encourages and enables higher child support payments as it addresses the financial burden through greater employment opportunities, addresses the relational need through nonprofits and relationships with local leaders, and assists in alleviating much of the legal ignorance of fathers in the child support system.

Social capital exists on multiple tiers in an individual's life. For this report, I focus on bonding and bridging social capital. Bonding social capital refers to the relationships and capital an individual has with those in his or her own community. Bridging social capital, on the other hand, refers to the capital between two different social communities or classes.

As I assessed an NCF's bonding social capital, I asked questions pertaining to his relationships with his family, his use of social media, and his broader community involvements (which can also be considered under bridging social capital, ideally). Regarding an NCF's relationship with his parents, excluding deceased parents, 76 percent of men had a close relationship with their mothers. Interestingly, the two fathers who did not were also two of the fathers with the most children and child support arrears.<sup>49</sup> About half the NCFs had relationships with their own father, while the other half did not. Of those who did have relationships with their fathers, they typically reported seeing or talking to their fathers monthly or yearly, whereas the NCFs typically reported seeing or talking to their mothers weekly or daily. For NCFs who were self-employed through food trucks, lawn care services, or other small-business efforts, many attributed their business' success to the use of Instagram and Facebook to advertise for free and connect with family and friends.

Regarding an NCF's community involvements, 47 percent of NCFs mentioned activities such as playing in a local bowling league, coaching sports teams for a local league or their child's team, partaking in various motorcycle-riding clubs, working on cars with friends, and participating with the DMD program

as visiting alums. Of the interviews I conducted, the NCFs generally reported sparse or nonexistent community-wide or consistent involvements aside from these few examples. While this does not come as a surprise, low levels of social capital in an individual's life are highly correlative to low-earning jobs, debt, crime and imprisonment, and a sense of disconnection from society.

Regarding the presence of bridging social capital, I assessed the DMD program's community-wide dinners and program speakers, the NCF's employment and work culture, and his religious involvement. One of the key aspects of the DMD program is that fathers are routinely introduced to child support magistrates, caseworkers, local businesses looking to hire, and local nonprofit resources. Many fathers can gain a deeper understanding of the legal system, make meaningful connections that lead to job opportunities, and find the help they need to gain financial stability. This is key. The relationships the NCFs form through the DMD program are ones that they would otherwise be highly unlikely to cultivate, given their bonding communities and their reported lifestyle habits.

Moreover, DMD hosts annual banquets through FTF, which involve the fathers in a meaningful and "fancy" illustration of social standing. As one father said,

Miss Julie invited us (me, my family, and my wife) to the banquet two times. And to be there, it just felt great to be around all of these successful people, the positive people, and not being around people who were thinking lowly, or thinking poorly, or making bad decisions, you know? The problem is the vibrations that you feel around you in the neighborhood you live in. That's the only nonprofit organization that I ever really been around besides the YMCA when I was a kid.

Many fathers continue attending the DMD program as alums. When I asked about this, one father answered,

It was a good program. I learned a lot. But at the same time, I mean, it helped, but it didn't help. You know,

because the system is still the system. But for me, it was educational, because I learned something new every time. You get the experience from the perspective of everybody that comes in and out. And you get to watch the transformation of everybody, instead of just one.

For many men, this is the first program or group they have participated in since high school. It facilitates further social capital, connects them to influential members of the community, and provides an atmosphere in which they are treated as individuals who are known and whose perspective is valued.

In a largely White, Appalachian area of Tennessee, many of the NCFs I interviewed were low-income Black men. When it comes to the culture of their work environment, some fathers shared a relational disconnect with coworkers. While they did not cite this as a factor in whether they earn a promotion, it was correlated to one's ability to build meaningful relationships that lead to greater work opportunities. As one NCF said,

In order to get a job in this society, you have to conform to society. And it depends on what area of society you're in if you're considered acceptable. Like, if you were to go to a tattoo shop, and you looked at one of those guys you wouldn't think they were good workers, but that is normal in that field. If you put him in an office setting, people wonder, "Why is this guy here? He's not supposed to be here." Rather than looking at the book cover and assuming it's not right, you have to look at his ability.

When asked how much time this NCF spent with his coworkers outside of work, he responded,

I always look for jobs above my normal place in society, with more successful people. But so much of being promoted in a job has to do with the relationships you build. I am Black, and all of my coworkers are White. When they hang out on the weekend, they go "mudding" and do other things like that. I don't like mudding, and we do not share any of the same hobbies. It makes it hard.

Another notable statistic is that 45 percent of fathers cited local involvement in a religious institution, primarily in the Christian church or as a Jehovah's Witness at a Kingdom Hall. I was curious to see if there was a correlation between NCFs who regularly attended church and the amount of arrears or social capital they reported. I did not observe any trends to this end, and one's religious involvement appears to be equally represented in NCFs with high or low debt and social capital. However, one NCF made an interesting connection between his experience in church and his experience with child support:

We never really felt like we had the support we expected from the church that we attended. Yeah, maybe we just were attending the wrong church. But majority of the time when you go to a Black church, they look at you like, "You want something? Are you just trying to get something when you ask for help?" You know, they give you resources. And I like that, because a lot of times you might need help pay the light bill or something like that. But no one at the church ever singled us out and said, "Hey, let's talk to this person as an individual."

This same frustration is frequently described when fathers reflect on their time in court or at the child support office. Interestingly, when I compared fathers' answers regarding their religious involvement or perception with their understanding and attitude toward the child support system, their responses seemed to mirror each other. The way a father felt about the child support system is how he felt about his religious involvement and vice versa. Intuitively, I think this may reflect a larger understanding of how their levels of bridging capital function and how they perceive their place in society.

Understanding the general levels of social capital present and the relationships, organizations, and activities that the NCFs participate in enables policy-makers to tailor new rules and expand social support programs to the areas that are most needed. Moreover, for the purposes of this study, an examination of NCFs' social capital highlighted the process of DMD, the ongoing support and sense of accomplishment

DMD provided the fathers, and the need to cultivate further bonding and bridging social capital resources.

**Employment: Economic and Labor Barriers.**

Employment is essential in providing monthly child support payments through child support orders. To effectively understand the process by which fathers successfully fulfill this expectation, I asked questions regarding the father’s highest level of educational attainment, employment history, annual income, relationships with his coworkers, and barriers to ongoing employment. The results reflect typical findings regarding low-income barriers to employment, but an examination of the specific reasons the NCFs cite is important to strengthen the extent to which we may understand the process by which fathers become or continue to be gainfully employed.

As of May 31, 2012, the manner in which child support orders were collected shifted to a de facto income withholding (IWO) model.<sup>50</sup> When an individual is hired for a job, his or her employer searches the individual’s Social Security number and in doing so is alerted to the individual’s monthly child support orders. Each pay period, a portion of the individual’s paycheck is garnished and the money collected for child support. This systemized and improved the collection process for the fathers and the child support collectors alike.

**Education.** A father’s highest level of education affects the type of job and level of income he will be eligible to earn. Of the fathers I interviewed, 30 percent were high school dropouts, 30 percent had completed some college, 20 percent had earned a bachelor of arts from a local community or state college, 10 percent had completed technical training degrees, and 10 percent had simply graduated high school or received their GED.

For the 70 percent of fathers who have only some college, who have a GED or high school degree, or who are high school dropouts, they are faced with two key barriers to ongoing employment success and satisfaction. First, completing a program or receiving a degree—be it in high school, college, or a career and technical training program—provides a sense of validation, pride, and encouragement regarding the

father’s perception of his ability to succeed in his future conquests. Moreover, fathers with a college degree or technical certificate signal the learned skills of diligence, hard work, and commitment to their employers. Second, fathers who complete college or a technical degree are more likely to bring tangible skills to future jobs, further qualifying them for career prospects, promotions, and management positions.

**Felony Records, Transportation, Limited Career Mobility, and Multiple Jobs.**

Of the NCFs I interviewed, 55 percent were incarcerated at some point, and this group reported mixed experiences regarding employment availability after release from jail or prison. This was despite employers receiving a tax exemption when they hire an individual who was recently released from prison or who has a criminal record to incentivize labor options. Additionally, some programs such as the National Child Support Noncustodial Parent Employment Demonstration (CSPED) in Tennessee offer record forgiveness, which can reduce an individual’s criminal record significantly. Some fathers noted that depending on the job, the employers are happy to overlook their record.

Transportation issues served as a barrier to employment given the possibility of revoked driver’s licenses due to unpaid child support. Many fathers with criminal records, low educational attainment, or other restricting factors expressed frustrations with their limited career options. As one father of three in a stable job shared, after taxes, he pays \$600 a month in child support and takes home the remaining \$800 per month to cover house, car, utility, and food expenses for himself, his wife, and his stepchild. Fathers, especially those paid by the hour, may work 30–40 hours a week but barely have enough to live on. He said:

If you work at a restaurant, you’re not really going to get 40 hours a week. If you do say that you make \$200 or \$300 at the restaurant per week, child support takes a third, another third for transportation, and then you’re going to need food and household supplies. Not to mention if you have other kids living with you. What are you going to do with less than \$100 a week to live on?

Another father, this one with two children—one of whom is less than a year old—expressed similar financial frustrations:

As much as I work, I shouldn't be as broke as I am. And that's what drives me insane. I'm up at four o'clock every morning, and I don't normally get home until about eight, nine o'clock, sometimes maybe midnight. So, yeah, it's hard. Because every drop of money goes in diapers and formula. WIC doesn't fully cover everything. I mean, it covers the formula. But my kid eats a lot. And he's a little chunky.

Given the nature of low-income fathers' employment options, Tennessee (following the initiative of other states) implemented a "right-sized orders" approach that sought to rectify the monthly child support orders set higher than the noncustodial parent could feasibly pay according to "imagined earnings." In 2016, the federal OCSE passed the Flexibility, Efficiency and Modernization in Child Support Enforcement Programs Rule (also known as the Final Rule), which addressed order affordability and financial concerns for low-income parents. Key aspects of the expanded federal guidelines include requiring states to take into account the cost of basic subsistence needs for noncustodial parents with limited ability to pay. Moreover, should the state use an imputation of income model, this rule requires the states to consider 14 specific contributing circumstances and collect data on the skills and occupation prospects for the bottom 20 percent of earners.<sup>51</sup>

**Small Business Aspirations.** For many fathers, the solution to disheartening job prospects is owning their own business. Two NCFs I interviewed successfully owned a food truck and lawn care business, respectively, and others shared unrealized dreams of beginning their own lawn care business. This pathway of employment seems to represent a sense of distinction and agency for fathers.

Nonetheless, many barriers prohibit fathers from pursuing a small business. First, child support debt hurts an individual's credit score. Second,

corresponding to low educational attainment, many fathers expressed a lack of knowledge regarding how to qualify or apply for the proper loans, what certifications their small business would require, or the legal process necessary to establish it. Third, small business ownership leads to a conflict of interest between policymakers or the state and the fathers because those who are self-employed are not eligible for IWO, which is the primary way consistent child support orders are collected.

**Analysis of Child Support Policy.** In the 1950 Social Security Act, lawmakers responded to the issue of paternal abandonment by establishing child support orders and increasingly strict punitive measures to ensure the children were cared for and the government was repaid for the welfare it provided the family in the father's absence. Since the advent of the 21st century, federal and state lawmakers have placed a greater emphasis on fathers' financial ability by implementing the Income Shares Model, which accounts for both the custodial and noncustodial parents' income. Moreover, policymakers have implemented legal measures to ensure fathers are receiving right-sized orders to promote affordable support orders and alleviate debt. Although many states have yet to secure a strong legal framework that ensures the father's right and ability to spend meaningful time with his child or children through visitation or shared parenting, there is a growing consensus among policymakers and academia toward this outcome in CSE policy.

As I studied Tennessee's 2020 guidelines, I noted key statewide policy shifts that reflect this transition from a binary deadbeat, dead-broke narrative to one that seeks to support the whole family's well-being. In recent years, Tennessee child support policy removed the requirement that incarceration be considered "voluntary unemployment" (which meant that fathers would continue to incur child support arrears), the state shifted to a "pass-through" model wherein a portion of the father's child support payment went directly to the family, and Tennessee adopted an Income Shares Model (which considers the income of each parent and is based on statewide data regarding how much families actually spend and need).<sup>52</sup>



Following the implementation of the Final Rule, Tennessee state policy is on the right track toward addressing monetary disparities and affordability concerns for low-income fathers. This is pursued with an aim toward rightly assisting the fathers without simply alleviating their financial responsibility. The next step in continuing to improve child support for the well-being of the *whole* family is to address visitation disparities through legal, structural, and social support program measures. In doing so, child support policy and related programs may facilitate and stimulate social capital in a father's life, which will further improve his chances of employment and financial success.<sup>53</sup>

### **Child Support Remedial Policy Suggestions**

Moving forward, I present remedial policy solutions to highlight and address many shortcomings in the current child support policy guidelines.

**Federal Child Support Compliance.** The Tennessee Child Support Enforcement Services crafts a review committee of magistrates, lawyers, caseworkers, individuals in social work, and economists from the Center for Policy Research in Colorado to review and update state law in accordance with federal CSE regulations once every three years.

**Child Support Tax Credit.** The Tennessee guidelines and tax law should be updated to ensure that noncustodial parents with child support orders can receive a nondependent, child support tax credit. Single filers of up to \$41,756 and married or joint filers of up to \$47,646 would be eligible for a child support tax credit similar to the current earned income tax credit. Following 2020 calculations, filers could receive a maximum of \$538 in annual returns for one child and a maximum of \$3,584 in annual returns for two or more children (based on a credit rate of 34 percent). Based on the previous year's tax returns, the tax credit would supplement up to 50 percent of the noncustodial parent's monthly child support payment.

A child support tax credit would use the parent's own earned income and history of employment to further assist low-income fathers in the task of caring for their children. The key to this policy, however, is that it empowers fathers with their own resources and money rather than creating another government assistance program or a fully refundable credit devoid of the father's own monetary efforts. This way, the NCF's role as financial provider and relational figure is affirmed while much-needed financial resources are given to the children.

**Visitation.** Visitation is key to revitalizing child support and increasing payment frequency. The most effective way to lower a noncustodial parent's monthly child support order is to spend more time with the child accounted for by the court. For example, Texas combined its child support court with its visitation court to ensure that custodial and noncustodial parents received state-mandated financial support orders and enforceable visitation orders that extend beyond the typical but insufficient expectation of noncustodial parent visitation every other weekend. In Tennessee, the child support and visitation courts are largely distinct through a complicated web of legal and financial reporting to two different statewide government agencies.

Policymakers should advocate for creative partnerships between the two court systems through a process of sharing case documentation between court magistrates, communicating clearly, taking the dictates of one court into account in the other court, and ensuring the parents have a clearly explained understanding of the working relationship between the two courts. While combining the two courts would prove to be difficult, a strong partnership between them would ensure that a noncustodial parent's child support orders would automatically adjust following a visitation adjustment.

Moreover, policymakers should require individuals with child support orders to set generous visitation or shared parenting rights and increase the minimum visitation expectation to 10 days per month (where it is geographically feasible), either two weekends plus one Monday–Friday week or three weekends (Friday

evening to either Sunday evening or Monday morning) per month. Based on findings in various academic research journals and the reports of fathers, fathers should be spending far more time with their children than they are currently allotted.

**Child Support Payment and an Interactive Smartphone Application.** In keeping with the modernization of the 21st century and one-click payment, Tennessee should commission an application for custodial and noncustodial parents' smartphones that would centralize child support payments through Maximus, the collection agency. Like with Venmo or Cash App, noncustodial parents with or without IWO could link their bank account card to Maximus and provide one-click monthly payments or send informal, direct gifts to the custodial parent through the app. This process would enable noncustodial parents to track the amount of informal support they provide and the reason for it while ensuring the custodial parent must agree as to how the money will be used before accepting the amount.

Although current child support policy does not have a systematic way of accounting for informal child support payments, this process could lay the groundwork for informal payments being accounted for under formal child support orders. Moreover, the app could include accessible in-app information or links regarding the child support program and law, FAQs, quick facts, reminders about court dates, children's birth dates, and other important information. This could also include links to caseworker hotlines and online caseworker chat options to answer basic questions.

It would be interesting to incorporate an element of social media in which custodial and noncustodial parents alike are encouraged to share pictures, videos, and fun updates privately with the other parent regarding activities, accomplishments, fun moments, school participation and grades, children's medical visits or school events, growth charts, and more. Used properly, this application could provide accessible payment and relational connection through an inviting and easy-to-use format that may likely be less intimidating and more inviting for the tech-savvy generation of low-income individuals. Moreover, because

it is an application, it could be downloaded on several devices or platforms.

**Arrears Forgiveness Program.** Tennessee has an arrears forgiveness program for child support debt owed between a custodial and noncustodial parent. The noncustodial parent must make 12 monthly payments of the full amount to qualify for arrears forgiveness, should the custodial parent agree. However, if noncustodial parents miss a payment or provide only a partial payment, they forfeit their only chance at arrears forgiveness. This frequently occurs, especially for fathers with a low income and high arrears. Tennessee policymakers should consider lowering this amount to six months of complete, constant payments with the agreement from the custodial parent, or policymakers should provide noncustodial parents with two opportunities to reach the 12-month mark.

Additionally, states such as New Mexico offer both custodial parent debt forgiveness and state-debt forgiveness (the latter of which Tennessee does not offer). Tennessee policymakers should consider a state-debt forgiveness program for fathers whose debt incurred before the updated incarceration rule, which removed the voluntary employment clause of incurred debt while incarcerated.

**Review Court Rhetoric and Organization.** Given a reflection of the punitive foundations of child support policy and the court process of setting, reviewing, or modifying child support orders, child support court resembles the structural organization of a criminal court proceeding. This places noncustodial parents in adversarial roles that undermine their roles in their families without just cause.

For example, when an NCF goes to court for child support orders, this is how the courtroom looks: A magistrate oversees the proceedings, the mother of the child is in the place of the plaintiff accompanied by a state-assigned lawyer, guards are in the room should the NCF have arrears that warrant an arrest, and the NCF is in the position of the defendant, often without any legal representation (which is not guaranteed by the court and is often something one must acquire

or pay for using one’s own funds). Even though the state lawyer with the custodial mother is there to argue the best interest of the state (more money from the NCF), it appears as though they are there for the interests of the mother over those of the NCF. If the NCF has ever been arrested or witnessed court proceedings, the initial setup of child support court calls forth negative associations of wrongdoing, criminal behavior, or being held in an adversarial light. In reality, the reasons parents go to child support are many and varied, including the mandatory every-three-year modifications assessment. This assessment refers to when a caseworker reviews a father’s current earnings, obligations, and living situation to ensure the monthly child support payment amounts and stipulations are congruent.

The language used in court should also be analyzed and updated to accurately reflect the policy shifts toward disconnected or dead-broke dads rather than deadbeat ones. For example, the term “visitation” implies time in jail or prison, a funeral or cemetery, or state-mediated actions. Policymakers should consider rephrasing the term to a “parenting plan,” given the immense power of language in dictating an individual’s perception of and experience with something.

**Allocate Further Funding to Child Support Noncustodial Parent Employment Demonstration, DMD, and Healthy Marriage and Relationship Education Grant Programs.** Policies and legal guidelines aim to provide a just and fair framework through which individuals, groups, and institutions may interact with one another in society. Nonetheless, true transformation and positive change occur through meaningful relationships with peers, mentors, and people in authority. Countless times throughout the interviews, NCFs shared how the part of DMD that affected them the most was to have a space where their voice and story were heard and their frustrations validated. From those supportive relationships, the men were challenged to reform their behavior and act according to the law, the well-being of their child or children, and ultimately their own well-being. Moreover, many of the NCFs’

needs stem from low social capital, a lack of understanding regarding the current child support system, a lack of social support to do the hard work of finding and maintaining a job, and difficulty gaining the necessary skills to perform said job.

Therefore, policymakers should allocate further funding to expand the CSPED program—which can provide fathers an alternative or delay to child support-related jail time, job training and temporary child support arrears relief, relationship training resources such as DMD, and other community-wide resources. While these programs have shown varying levels of success in assessment studies, the lived-experience reports show high levels of positive impact and returns.

## Conclusions

This study yields insight into low-income NCFs’ perceptions of fatherhood; their levels of social capital; the specific people, organizations, and outlets where their social capital is manifested; and the barriers they face to ongoing employment. Contrary to public opinion, the single-parent structure of a majority of low-income families means that the underlying philosophy of CSE lacks the same level of precision. Rather than view the primary function of child support policy as coercing deadbeat dads into providing financial support for their child or children, current child support policy recognizes that many low-income fathers desire to provide financial assistance but lack the consistent resources to do so. Given the implementation of right-sized orders, low-wage adjustment, and other job training and employment assistance programs, policymakers are considering work-oriented measures of providing support through empowerment to fathers.

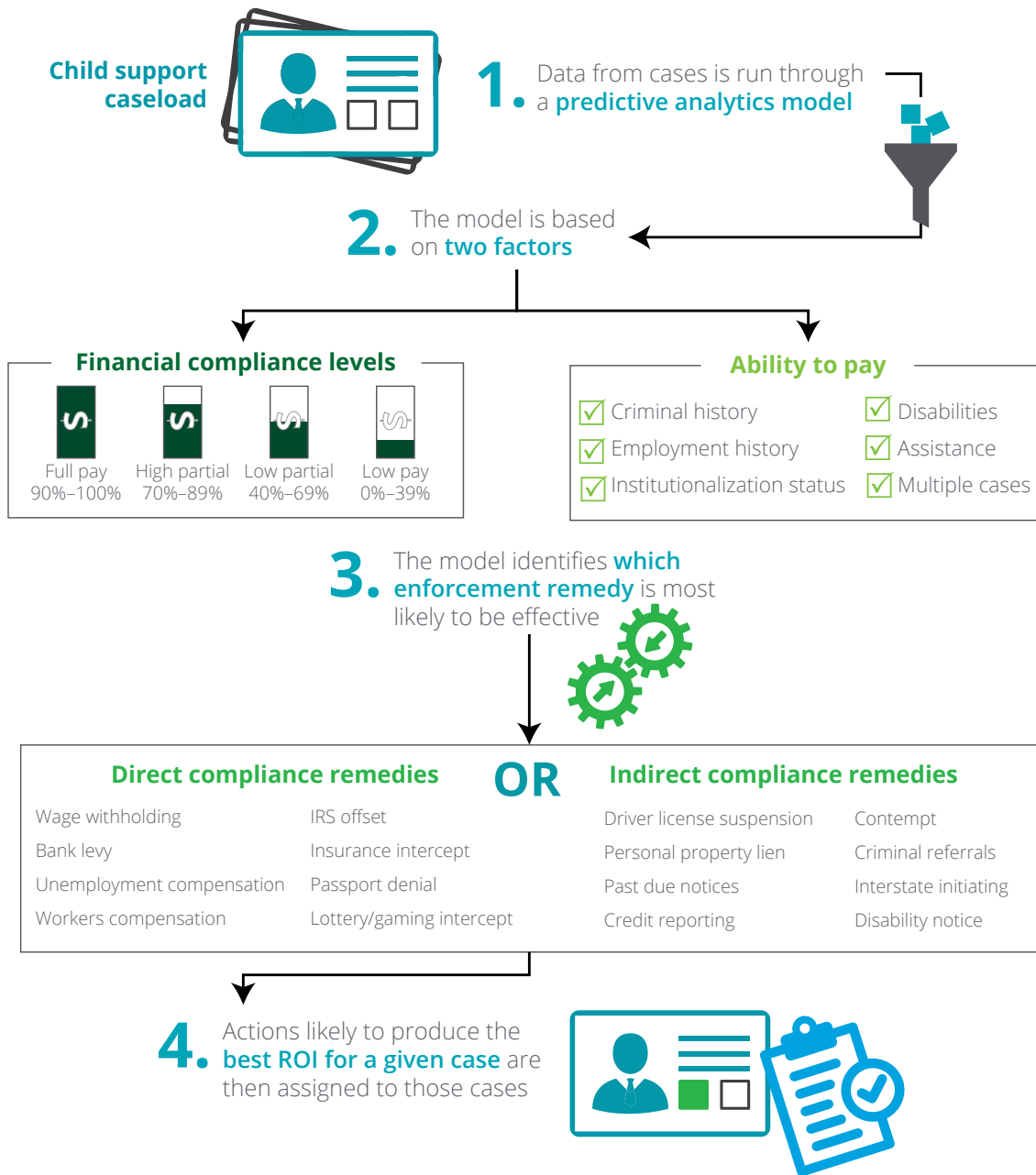
Nonetheless, as repetitively stated by fathers in this study and recent social science research, the next step for child support policy is to incorporate court-enforced visitation rights and shared parenting plans that favor meaningful time for both parents. Given that fathers who are actively involved in their children’s lives are more likely to pay child support

consistently and that consistent child support payments align with lower levels of financial, behavioral, psychological, and educational issues in the child,

linking visitation and child support is the next step for policymakers in ensuring that child support facilitates the holistic well-being of the entire family.

# Appendix A

**Figure A1. Predictive Analysis for Child Support Payment Success**



Source: John White et al., "Next Gen Child Support: Improving Outcomes for Families," Deloitte Center for Government Insights, Deloitte University Press, November 21, 2016, 12, [https://www2.deloitte.com/content/dam/insights/us/articles/3652\\_Next-gen-child-support/DUP\\_Next-gen-child-support.pdf](https://www2.deloitte.com/content/dam/insights/us/articles/3652_Next-gen-child-support/DUP_Next-gen-child-support.pdf).

# Appendix B

Figure B1. Work-Family Calendar

WORK-FAMILY CALENDAR									
Age	Family events		Who lived in the home?				Education / Employment		
	Marriage/ Divorce	Births/ deaths	Husband/ partner	Parents	Children	Others	School	Occupation	Work time
17							High Sc.		
18									
19							v	Cook	Full Time
20									
21									
22									
23			Tom						
24	Married Tom								
25									v
26		Jen born			Jen				Part time
27									
28								v	v
29		Dad died		Mom					
30			v						
31	Divorced Tom							Nurse sch.	
32									
33				v	v			v	

Source: Emily Danforth, Philip N. Cohen, and Jonathan Horowitz, "Work-Family Calendars for Family Sociology Research," January 11, 2017, <https://osf.io/preprints/socarxiv/nk8mg/>.

# Appendix C: Sample Interview Questions

The text below provides a detailed outline of the introductory script I followed and the questions I asked when conducting interviews with noncustodial fathers. While the order of the questions or exact wording differed slightly, the meaning and content of each question were preserved. To increase trust and comfortability, I conducted each interview conversationally while ensuring that the specific questions and framing of the interview remained intact.

\*\*\*\*

Hi, my name is Emma Posey, and I am a student at Lee University. I am pursuing a degree in political science and conducting a senior thesis project studying child support policy in the state of Tennessee. My desire is to understand the experiences and barriers that fathers face in order to form policy that serves you and your children better. Your story and perspective are valued sources of insight. Thank you for taking the time to meet with me! Is it okay with you if I record our conversation so that I can remember it best? Your identity and the stories you provide are 100 percent confidential. Please respond verbally.

Do you have any questions before we begin? Please let me know if I can clarify a question at any point in the interview!

First, I would like to begin with a few questions about your background. You can answer these questions with simple one-sentence answers. These questions are meant to establish context; they are not value questions.

1. How old are you?
2. How many children do you have?
  - a) How old is your child or children?
  - b) How many different mothers/are they all from the same mom?
3. What is your nationality?
4. What is your highest level of education?
  - a) Are you currently in school? (high school, trade school, college)
5. How much money do you make, on average?
  - a) What was your income last year?
6. Have you ever been married?
7. Have you ever lived with your children?
  - a) If so, for how long or how many times?
8. What is the nature of your relationship with the child or children's mother?
9. Are you currently employed? If not, what is the average duration of previous jobs?
  - a) How long have you been working at your current job?
  - b) Where do or have you worked?
10. Do you pay formal child support through the state?
  - a) Does part of your monthly child support payment cover Temporary Assistance for Needy Families or welfare benefits? Do you know how much of your child support goes to the mother versus the government? (Sometimes the government takes out money with birth recovery costs.)
11. Do you provide informal support? If so, how much?
  - a) In addition to your formal child support, do you ever give diapers or other goods, cash, and so on?
  - b) Have you frequently paid the full amount

of child support ordered? In a typical month, do you pay all the support that you owe? In the past year, how often did you pay the whole or part?

12. On a scale of one to five (five being complete understanding), describe how confident you are that you understand the child support order process.
  - a) Why was the amount set as it was?
  - b) How much do you understand what to do if your order is too high or you lose your job?
  - c) How much do you pay in child support?
  - d) How much do you owe in child support?
  - e) Do you usually pay with income withholding or outside of income withholding?
13. Have you ever spent time in jail or been arrested?

Thank you for answering each of those questions! Now we are shifting into the second part of the interview. For the following questions, please respond in as much detail as you feel comfortable sharing. My desire is to hear your stories related to the experiences, so please include stories in your responses.

First I am going to ask you a few questions about your time in the Dads Making a Difference program.

1. How did you decide to participate in the Dads Making a Difference program?
  - a) What was your main takeaway from participating in this program?
2. These next questions are about your family. What does it mean to be a dad?
  - a) What do you like most and least about being a father?
  - b) In a typical day, week, or month, how often do you see your child?
  - c) What is your relationship like with your child? How would you describe it?
  - d) What is the quality of your relationship

with the child's mother? What are some of the things you all do together?

- e) Do you know or see any good dads in your community or life? What do they do well that you like?
  - f) What thought or feeling comes to mind when you hear the word "father"?
3. How often do you see or talk to your own mother and father or your grandmother and grandfather? Tell me about your relationship with them.
  4. Have you ever gotten behind on payments or provided partial payments?
    - a) If so, will you tell me about the punitive measures that ensued?
    - b) Have your child support orders ever been adjusted or updated?
    - c) Will you describe your experience with the caseworker? How often do you interact with him or her?
    - d) How were your child support orders set? What was that process or experience like? (Note: This might differ per child.)
  5. Do you know many fathers with child support orders?
    - a) If so, tell me about how they talk about and think of their child support orders and how frequently they pay them.
  6. What barriers do you face to making complete child support payments each month (e.g., employment, social support, and policy issues)?
    - a) Will you tell me two stories illustrating the difficulty you may have had in making child support payments?
  7. What is your job like? Do you enjoy it?
    - a) Have you ever participated in job training programs or job fairs?
  8. Do you attend a religious service (e.g., church, synagogue, or mosque)? If so, how often: never,



- once or twice a year, once a quarter, once a month, every week?
9. Will you describe the organizations, networks, social groups, clubs, or events you participate in on a monthly basis, barring COVID cancellations and including online meetings (e.g., intramural sports leagues, community events or clubs, and weekly group plans like poker nights)?
  10. Are you a part of any leadership or job training programs such as First Things First?
  11. How often do you text, talk to, or see your coworkers outside of work?
    - a) If in school, how often do you text, talk, or see your peers outside of class?
    - a) What do you talk about? Do you ever talk about issues that come up with your children or their mothers?
  12. Next I have questions about the kinds of groups or activities you take part in. Many people have people in their life when things get tough and they are making hard decisions. Do you have people to talk to when things get tough?
    - a) Do social norms hold you accountable?
    - b) Who are the people around you (at school, work, etc.) who would encourage you to make good choices?
    - c) Who is a role model who encourages you to make good decisions for you and your family?
    - d) Who are the people around you who you can talk to when things get tough?
  13. If you could tell the magistrate something they do not understand about you, what would it be?
  14. We have covered a lot of ground. Is there anything you would like to tell me that we haven't covered about child support?
  15. If you had the power to change any one thing about the child support system to make it feel fairer to you, what would it be?

# Notes

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53. In line with evidence-based policymaking, it is essential that policymakers take into account the experiences, perspectives, and needs of the demographic the policy will affect. Failing to do so likely results in “ivory tower” policymaking, which either misses the actual problem or felt need of the demographic (in this case, NCFs with child support orders in Tennessee) or creates a policy that appears effective on paper but undermines the long-term success and good of the people it affects.