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The District of Columbia Should Take Needed Steps to Improve the Child Support Program for Families in Poverty

Testimony of Diana Azevedo-McCaffrey, Senior Policy Analyst on Housing and Income Security Team, Before the Council of the District of Columbia Committee on the Judiciary and Public Safety in Support of the Child Support Improvement Amendment Act of 2026

Thank you for the invitation to testify today. I am Diana Azevedo-McCaffrey, Senior Policy Analyst on the Housing and Income Security team at the Center on Budget and Policy Priorities, a nonpartisan research and policy institute in Washington, D.C. I lead the Center's work on the intersection of child support policy and the Temporary Assistance for Needy Families program (TANF). We work on advancing policy changes throughout the country that improve the federal child support program for families in or close to poverty. I lead a coalition of state advocates working to advance these policy changes, and I provide technical assistance to advocates and other stakeholders in their efforts. Along with Vicki Turetsky, former Commissioner of the Office of Child Support Services during the Obama Administration, I have researched and co-authored several reports on TANF cost recovery in the child support program.

Although child support income can be especially important for families in poverty, some of the program's federal policies can harm families in crisis who turn to TANF to meet their basic needs. TANF cost recovery policies — both the cooperation requirement, which mandates participation in the child support program, and the assignment requirement, which authorizes a state to retain support payments as reimbursement for assistance, can undermine the goals of connecting families with needed support and enabling parents to have autonomy over what's best for their families.

States have options to improve the child support program to better support the needs of families who participate in the TANF program. A little over half of states and the District of Columbia currently pass through some amount of monthly support payments and/or past-due (arrears) payments to current and former TANF families. A group of states including Colorado, Michigan, and Washington have either implemented a full pass-through of monthly support to TANF families or have enacted legislation to do so with a delayed implementation date.

The gold standard is to pass through all child support and disregard those payments in determining TANF eligibility and benefit amounts. In 2024, Illinois became the first state to implement policy that passes through and disregards all monthly and arrears payments to current and former TANF families, and in 2025, Maryland became the second state to enact legislation that will pass through and disregard all support using a phased-in approach.

The District of Columbia currently passes through $200 of monthly child support payments to families receiving TANF and disregards payments passed through when determining eligibility for TANF and the recipient's amount of monthly benefits. The Child Support Improvement Amendment Act of 2026 would move the District toward passing through and disregarding all support by first expanding the $200 pass-through of current obligations to include passing through up to $200 of arrears to families currently receiving TANF, effective as soon as funds for the programming changes are appropriated. The Act's full pass-through of support to all families, which includes all monthly support payments and arrears to current and former TANF families, would be implemented at the same time as the District's planned computer systems upgrade.

In some states, the greatest challenge in implementing family distribution and pass-through options is computer systems reprogramming, especially when computer systems are outdated and difficult to adjust for changes in policies. For that reason, it can be advantageous to adopt family distribution options at the time of systems replacement or other systems enhancement projects. By enacting and planning for the full pass-through now, the District can avoid additional capital costs to make systems changes after the upgrade is complete, which could take several years. Waiting to reprogram the computers later would result in a delay in implementing important policy changes that help families in poverty afford basic needs that their children need now – like safe housing, diapers, and healthy food.

Further, states that move to pay all child support to current and former TANF families can reduce costs due to simplified program administration, reduced systems maintenance costs, and greater cooperation by parents (which reduces the cost of collecting support).[1] According to one estimate, moving to 100 percent family distribution could simplify computer systems enough to save as much as 6 to 8 percent of all child support program expenditures, but states must make the upfront investment in systems changes.[2]

In addition to increasing the pass-through, several changes not currently in the draft legislation would move the District's child support program toward being more supportive of parents and children in poverty. These include:

- Enacting Deficit Reduction Act (DRA) distribution, also called family-first distribution, so that families who received TANF in the past, rather than the state, have first priority for child support collected by the IRS from the tax refunds of noncustodial parents.[3] Although implementing a full pass-through would yield similar benefits for families, implementing DRA distribution would help streamline the coding of the new computer system and make its ongoing administration easier and more cost-effective.

- When an incarcerated noncustodial parent does not have sufficient resources to make child support payments, automatically suspend orders from accruing debt during any period of 15 days or more incarceration or detention and for 180 days after release.[4] This helps prevent the accrual of debilitating debt that undermines the ability of noncustodial parents to support their children financially or otherwise following reentry.
- Requiring agency confirmation that a parent's income is above 250 percent of the federal poverty level before suspending a license due to accrual of past-due child support. Enacting an income threshold for driver's license suspensions helps prevent this enforcement measure from undermining the ability of low-income noncustodial parents to support their children, financially or otherwise. Without a license, parents cannot legally drive to work or they risk legal repercussions for driving without a license.
- Expanding exemptions from the child support cooperation requirement in TANF for families who decide participating in the child support program is not in their best interest.

In my testimony, I outline key arguments for why these changes are important steps toward improving the child support program for families with low incomes.

Paying Child Support Collections to Families Increases Family Income and Improves Financial Stability

Studies show that pass-through policies increase families' overall income, helping them meet children's basic needs that are often only met with cash.[5] A consistent stream of child support income also can promote financial stability and cushion families from the impact of unexpected expenditures or income losses.[6]

Households impacted by policies that withhold child support to reimburse TANF cash assistance typically have very low incomes, and they are overwhelmingly led by women – disproportionately women of color.[7] The families who turn to TANF during times of need are already struggling to make ends meet and would greatly benefit from receiving their child support payments. Studies show that child support is a valuable source of income, particularly for families in poverty. Among custodial families with incomes below the federal poverty level, child support represents an average of 41 percent of their income when received. That share is even larger for custodial families living below 50 percent of the federal poverty level, with child support making up 65 percent of their income when received.[8]

TANF benefits alone are not enough for most families to meet their needs. By enacting the Child Support Improvement Amendment Act, the District can make key policy changes that would help parents afford necessities for their children's health and well-being.

Noncustodial Parents Pay More in Child Support When Their Payments Are Passed Through

Research shows that noncustodial parents are more likely to both pay child support and make higher payments when their payments are passed through to their children. Noncustodial parents also establish parentage, the legal prerequisite to a child support order, more readily when they know that the support they pay will benefit their children.[9] And they are more willing to pay through the formal child support program, which ensures that their payments are credited against their support obligation and can improve payment regularity for families.[10]

A study from the University of Wisconsin compared families in an experimental group that received a pass-through and disregard of *all* current monthly child support payments with families in a control group that received a partial pass-through and disregard of current support (the greater of $50 or 41 percent). The study found that by the third year of the experiment, noncustodial parents with a support order in the experimental group were 10 percent more likely to pay any child support than those in the control group. In addition, noncustodial parents with a support order in the experimental group paid 24 percent more in child support.[11]

Similarly, an Urban Institute study under the District's previous $150 pass-through and disregard policy, found that noncustodial parents here in Washington, D.C. with a support order were 3 percentage points more likely to pay any child support, and paid 11 percent more support in TANF cases by the third year, than when only $50 was passed through.[12] And Colorado, in the first year after implementing its policy to pass through and disregard all current monthly support, found that total current collections for TANF families rose 76 percent based on an analysis of its administrative data.[13]

Furthermore, parental involvement and payment of child support tend to go hand in hand, with studies finding that payment of child support is associated with noncustodial parental contact.[14] In addition, receiving regular child support payments can improve and help stabilize co-parenting relationships, helping to keep the door open for children to maintain relationships with their noncustodial parents as well as paternal grandparents and relatives.[15]

Directing Child Support to Families Reduces Risk of Child Protective Services Involvement

Families experiencing poverty are far more likely to be reported to child protective services than families with more resources.[16] Economic hardship may interfere with parents' ability to provide their children with basic necessities like food, shelter, medical care, and supervision — factors that can contribute to a child welfare agency's determination that a child is being neglected. Unemployment, housing instability, and eviction have all been associated with increased risk of families' involvement in the child welfare system.

Policies that increase family income, including passing through more child support payments to families, can reduce the risk of child protective services involvement.[17] To study whether increased child support income passed through to families reduced reports of child maltreatment or neglect to the child welfare system, researchers in Wisconsin used administrative data collected for families that had participated in a pass-through demonstration. Families randomly assigned to the experimental group received a full pass-through of current support, while families in the control group received a partial pass-through. The study produced consistent evidence that increasing the child support income that passes through to families can reduce reports of maltreatment or neglect, estimating that mothers who received a full pass-through were about 10 percent less likely to receive a "screened-in report" (a report to child protective services alleging child neglect or maltreatment that met state criteria for further assessment) than mothers who received a partial pass-through.[18]

To Support Role of Low-income Noncustodial Parents in Their Children's Lives, Limit Suspending Driver's Licenses for Past-Due Child Support

If noncustodial parents do not pay child support through the formal system (which is more likely if child support payments do not benefit their children but are instead kept by the state), they can be subject to debt collection efforts by the child support program. Because noncustodial parents are less likely to comply with support orders if their children do not benefit from their payments, cost recovery can lead to more debt for noncustodial parents.

Child support debt can trigger a range of child support enforcement measures, including tax and government payment offsets, property liens, credit bureau reporting, and driver's license suspension.[19] When a noncustodial parent's driver's license is suspended, they cannot legally drive to work, or they risk legal repercussions when driving without a license. Unmanageable child support debt and certain enforcement measures that threaten noncustodial parents' financial security, in turn, can further undermine noncustodial parents' ability to work and contribute to their children, financially or otherwise.

To support noncustodial parents facing financial hardship, the District can adopt policies that redirect child support payments to their children and limit harsh enforcement measures that add to their financial precarity. Enacting an income threshold for suspending driver's licenses would be a step in the right direction to support noncustodial parents' role in their children's lives.

Freezing Orders During Incarceration Would Help Noncustodial Parents Support Children Following Reentry

Most noncustodial parents who fail to pay child support have incomes below poverty and struggle to meet their own basic needs for shelter, food, transportation, and health care. According to a University of Maryland study, noncustodial parents in the state who made no child support payments earned an average of $7,350 in 2018, compared to $44,000 for noncustodial parents who paid all of their child support.[20]

A University of Wisconsin study found that 90 percent of noncustodial parents in the state who made no child support payments, and 60 percent making partial payments, were either incarcerated or lacked stable employment.[21] Black noncustodial parents in particular face racial barriers to finding and maintaining stable, full-time employment at a living wage, including overrepresentation in low-paid jobs due to occupational segregation and racial discrimination in the job market.[22] They also face racial disparities in the criminal legal system, including higher rates of arrest and incarceration.[23]

Large child support debts can accumulate during periods of incarceration. Research shows that on average, incarcerated parents entering state prison owe about $10,000 in child support arrears and leave with double that amount, about $20,000.[24] This debt adds to the barriers formerly incarcerated parents face and can interfere with their ability to find housing and the employment needed to be able to make child support payments.

A number of states have changed their laws to allow for reduced or suspended child support orders during incarceration.[25] By preventing the accumulation of child support during incarceration, the District could help formerly incarcerated parents support their children and be present in their lives.

States Should Trust Parents to Decide Whether Participating in the Child Support Program Is in Their Best Interest

Under federal law, states have flexibility to exempt families receiving TANF from participating in the child support program when doing so is not in their best interest.[26] All custodial parents should have access to child support services regardless of income, but whether to participate should be their decision. From already having co-parenting arrangements to experiences of domestic violence, families may have a variety of unique circumstances that inform their decision whether to seek child support.

Mandatory participation in the child support program can harm family dynamics by disrupting existing co-parenting arrangements and increasing conflict between parents and other family members.[27] These policies ignore the fact that many parents who live apart have already established co-parenting relationships involving a combination of informal financial support (cash support paid directly to the custodial family and not credited against a legal obligation), in-kind support (non-monetary support contributed to the custodial family), cost-sharing arrangements, and shared caregiving responsibilities.[28] In fact, many custodial parents decide against obtaining a child support order because they have existing arrangements with the noncustodial parent.[29] Requiring families receiving TANF to participate in the child support program even if they do not think it is in their best interest can discourage parents from participating in TANF and may contribute to parents' distrust of the child support program.

Conclusion

Child support services are critical for families who seek them. Child support agencies ensure that child support is collected efficiently, so that families can count on receiving support when it is collected. But at the same time, some child support policies harm families who turn to TANF during times of need, and the program should instead center families' needs and circumstances. TANF cost recovery policies — both the cooperation requirement, which mandates participation in the child support program, and the assignment requirement, which authorizes a state to retain support payments as reimbursement for assistance — can undermine the goals of providing needed support to families and respecting parents' decisions about what is best for their families. In addition, harsh enforcement measures can add to noncustodial parents' financial precarity and in turn, make it harder for them to support their children and be present in their lives.

By enacting the Child Support Improvement Amendment Act of 2026, the District of Columbia would make its child support program more family-centered by reforming policies to meet the needs of some of the lowest-income families in the District.

Thank you, again, for the opportunity to provide testimony, and I would be happy to respond to any questions.

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[3] The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) created a special rule for collections that the Internal Revenue Service deducts, or offsets, from tax refunds owed to noncustodial parents. Under this rule, those payments are applied to arrears only, not to current support. The DRA gives states the option to eliminate this special rule, which enables them to distribute collections made through federal tax offsets like

collections from any other source. Under the DRA, tax offsets and other collections are distributed first to current support and then to arrears. While a family receives TANF, current support is assigned to the state. In addition, arrears assigned to the state are paid off before arrears owed to the family. After a family leaves TANF, family arrears are paid off before state debt. Because amounts distributed to families are not assigned, states do not owe a federal share on them. States may adopt the DRA option by electing "DRA distribution" (rather than "PRWORA distribution") in their child support state plan.

[4] A final rule issued by the Obama Administration in 2016 provides that state guidelines under 45 CFR 302.56(c)(3) may not treat incarceration as "voluntary unemployment" in establishing or modifying child support orders. The new rule prohibits states from legally barring modification of support obligations during incarceration, U.S. Department of Health & Human Services, Administration for Children & Families, Office of Child Support Enforcement, Division of Policy and Training, "Modification for Incarcerated Parents," December 2016, https://acf.gov/sites/default/files/documents/ocse/fem_final_rule_incarceration.pdf.

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Vicki Turetsky and Maureen Waller, “Piling on Debt: The Intersections Between Child Support Arrears and Legal Financial Obligations,” UCLA Criminal Justice Law Review, Vol. 4, No. 1, 2020, https://escholarship.org/uc/item/7vd043jw. Black and Hispanic custodial and noncustodial parents are overrepresented in the child support program. Although there is ample evidence that child support enforcement policies and practices exacerbate existing income disparities among noncustodial parents with low incomes, there is limited research examining whether child support policies generate specific racial and ethnic disparities that are

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[26] 42 USC §654(29)

[27] Elizabeth Clary *et al.*, "Providing Financial Support for Children: Views and Experiences of Low-Income Fathers in the PACT Evaluation," Office of Policy Research and Evaluation (OPRE), 2017, https://www.mathematica.org/publications/providing-financial-support-for-children-views-and-experiences-of-low-income-fathers; Frank F. Furstenburg, Kay E. Sherwood, and Mercer L. Sullivan, "Caring and Paying: What Fathers and Mothers Say About Child Support," MDRC, 1992, https://www.mdrc.org/sites/default/files/full_53.pdf.

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