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Massachusetts Should Take Needed Steps to Improve the Child Support Program for Families in Poverty

Testimony of Diana Azevedo-McCaffrey, Policy Analyst on Housing and Income Security Team, Before the Massachusetts Joint Committee on Children, Families, and Persons with Disabilities in Support of H.201/S.110

Thank you for the invitation to testify today. I am Diana Azevedo-McCaffrey, 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). Our main area of focus is promoting policy changes throughout the country that improve the federal child support program for families in or close to poverty, including directing more child support to families currently receiving TANF and who formerly received TANF. I lead a coalition of state advocates across the country working to improve the child support program for families in poverty, and I provide technical assistance to advocates and other stakeholders on their efforts. Along with Vicki Turetsky, former Commissioner of the Office of Child Support Services (OCSS) during the Obama Administration, I have researched and co-authored several reports on this issue.

A little over half of states and the District of Columbia currently pass through some amount of monthly support payments and/or 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. However, the gold standard is to pass through all child support and disregard those payments in determining TANF eligibility and benefit amounts. Last year, 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 this past session Maryland became the second state to enact legislation that will pass through and disregard all support using a phased-in approach.

By enacting H.201/S.110, Massachusetts can move toward passing through all support by first increasing the amount of monthly child support passed through from \$50 to \$100 for families with one child and \$200 for families with two or more children, and implementing a full pass-through of current support and arrears to TANF families with a delayed effective date of July 1, 2027.

In addition to increasing the pass-through, H.201/S.110 will expand good cause to exempt more families from the child support cooperation requirement in TANF who decide participating in the child support program is not in their best interest.

In my testimony, I'll outline key arguments for why increasing the pass-through and expanding good cause for non-cooperation in the child support program are two 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 — like housing costs, diapers, clothing, and school supplies.¹ A consistent stream of child support income also can promote financial stability and cushion families from the impact of unexpected expenditures or income losses.²

Families 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.³ 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 income source, particularly for families in poverty. Among custodial families with incomes below the federal poverty level, child support represents, on average, 41 percent of their income when received. That share is even larger for custodial families

¹ Letitia Logan Passarella and Lauren A. Hall, "Child Support Pass-Through: Early Outcomes in Maryland," School of Social Work, University of Maryland, October 2021, <https://www.ssw.umaryland.edu/media/ssw/fwrtg/child-support-research/cs-initiatives/Child-Support-Pass-Through-Early-Outcomes.pdf>; Kye Lippold, Austin Nichols, and Elaine Sorensen, "Evaluation of the \$150 Child Support Pass-Through and Disregard Policy in the District of Columbia," Urban Institute, March 29, 2013, <https://www.urban.org/research/publication/evaluation-150-child-support-pass-through-and-disregard-policy-district-columbia>; Laura Wheaton and Sorensen, "The Potential Impact of Increasing Child Support Payments to TANF Families," Urban Institute, December 2007, <https://www.urban.org/sites/default/files/publication/33011/411595-The-Potential-Impact-of-Increasing-Child-Support-Payments-to-TANF-Families.PDF>; Maria Cancian, Daniel R. Meyer, and Jennifer Roff, "Testing New Ways to Increase the Economic Well-Being of Single-Parent Families: The Effects of Child Support Policies on Welfare Participants," Institute for Research on Poverty, University of Wisconsin-Madison, October 2007, <https://www.irp.wisc.edu/publications/dps/pdfs/dp133007.pdf>; Wheaton and Sorensen, "Benefits and Costs of Increased Child Support Distribution to Current and Former Welfare Recipients," Urban Institute, October 16, 2005, https://aspe.hhs.gov/sites/default/files/migrated_legacy_files/42146/report.pdf.

² Yoonsook Ha, Cancian, and Meyer, "The Regularity of Child Support and Its Contribution to the Regularity of Income," Social Service Review, Vol. 85, No. 3, September 2011, https://www.researchgate.net/publication/241138681_The_Regularity_of_Child_Support_and_Its_Contribution_to_the_Regularity_of_Income; Lisa A. Gennetian and Katherine Magnuson, "Three Reasons Why Providing Cash to Families is a Sound Policy Investment," CBPP, May 11, 2022, <https://www.cbpp.org/research/family-income-support/three-reasons-why-providing-cash-to-families-with-children-is-a>.

³ U.S. Office of Family Assistance (OFA), "Characteristics and Financial Circumstances of TANF Recipients Fiscal Year (FY) 2022," tables 1, 5, 6, 7, 17, 18, and 19, https://acf.gov/sites/default/files/documents/ofa/fy2022_characteristics.pdf.

living below 50 percent of the federal poverty level, with child support making up 65 percent of their income when received.⁴

TANF benefits alone are not enough for most families to meet their needs. For families receiving TANF, benefits leave a family of three at or below 60 percent of the poverty line in every state. And in Massachusetts, TANF benefits leave a family of three at only 38 percent of the poverty line.⁵ By passing child support payments through to families and excluding those payments when determining families' TANF eligibility and benefits (also known, as noted above, as providing a "disregard"), states can help them better afford necessities and thrive.

Non-Custodial Parents Pay More in Child Support When Their Payments Are Passed Through

Research shows that non-custodial parents are more likely to both pay child support and make higher payments when their payments are passed through to their children. Non-custodial 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.⁶ 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.⁷

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, non-custodial 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, non-custodial parents with a support order in the experimental group paid 24 percent more in child support.⁸

Similarly, an Urban Institute study found that non-custodial parents in Washington, D.C. with a support order were 3 percentage points more likely to pay any child support, and paid 11 percent

⁴ Sorensen, "The Child Support Program is a Good Investment," U.S. Office of Child Support Services (OCSS), December 2016, https://www.acf.hhs.gov/sites/default/files/documents/ocse/sbtn_csp_is_a_good_investment.pdf.

⁵ Diana Azevedo-McCaffrey and Tonanzi Aguas, "Continued Increases in TANF Benefit Levels Are Critical to Helping Families Meet Their Needs and Thrive," CBPP, updated May 29, 2024, <https://www.cbpp.org/research/income-security/continued-increases-in-tanf-benefit-levels-are-critical-to-helping>.

⁶ Cancian, Meyer, and Roff, *op. cit.*; Meyer and Cancian, "W-2 Child Support Demonstration Evaluation, Phase 1: Final Report, Volume I: Effects of the Experiment," Institute for Research on Poverty, University of Wisconsin-Madison, April 2001, <https://www.irp.wisc.edu/wp/wp-content/uploads/2022/10/csde-p1v1-full-report.pdf>.

⁷ Lisa Klein Vogel, "Barriers to Meeting Formal Child Support Obligations: Non-custodial Father Perspectives," Children and Youth Services Review, Vol. 110, No. 2, March 2020, https://www.researchgate.net/publication/338554399_Barriers_to_Meeting_Formal_Child_Support_Obligations_Non-custodial_Father_Perspectives; Samara Potter Gunter, "Effects of Child Support Pass-Through and Disregard Policies on In-Kind Child Support," Review of Economics of the Household, Vol. 11, January 18, 2012, <https://link.springer.com/article/10.1007/s11150-012-9140-2>.

⁸ Cancian, Meyer, and Emma Caspar, "Welfare and Child Support: Complements, Not Substitutes," Journal of Policy Analysis and Management, Vol. 27, No. 2, [https://users.ssc.wisc.edu/~gwallace/Papers/Cancian,%20Meyer,%20and%20Caspar%20\(2008\).pdf](https://users.ssc.wisc.edu/~gwallace/Papers/Cancian,%20Meyer,%20and%20Caspar%20(2008).pdf); Meyer and Cancian, *op. cit.*

more support in TANF cases by the third year, under a \$150 pass-through and disregard policy than under the previous \$50 pass-through policy.⁹ 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.¹⁰

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 non-custodial parental contact.¹¹ 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 non-custodial parents as well as paternal grandparents and relatives.¹²

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

Passing through more child support payments to families can reduce the risk of child protective services involvement. 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.¹³

Families experiencing poverty are far more likely to be reported to child protective services than families with more resources.¹⁴ Economic hardship may interfere with parents’ ability to provide their children with basic necessities like food, shelter, medical care, and supervision — factors that

⁹ Wheaton and Sorensen, *op. cit.*

¹⁰ Michael Martinez-Schiferi, Tom Zolot, and Larry Desbien, “Poster Paper: Effects of Child Support Pass through on Colorado Families in Need,” Colorado Department of Human Services, November 7, 2019, <https://appam.confex.com/appam/2019/webprogram/Paper30963.html>.

¹¹ Maureen R. Waller, Allison D. Emory, and Elise Paul, “Money, Time, or Something Else? Measuring Non-custodial Fathers’ Informal and In-Kind Contributions,” *Journal of Family Issues*, Vol. 39, No. 13, July 4, 2018, DOI: 10.1177/1092513X18783801, <https://journals.sagepub.com/doi/10.1177/1092513X18783801>; Steven Garasky *et al.*, “Toward a Fuller Understanding of Nonresident Father Involvement: An Examination of Child Support, In-Kind Support, and Visitation,” *Population Research and Policy Review*, Vol. 29, No. 3, 2010, <https://doi.org/10.1007/s11113-009-9148-3>.

¹² Vogel, 2020; Sorensen, 2016; Jessica Pearson, “Establishing Parenting Time in Child Support Cases: New Opportunities and Challenges,” *Family Court Review*, Vol. 51, No. 2, April 2015, DOI: 10.1111/fcre.12147, <https://onlinelibrary.wiley.com/doi/abs/10.1111/fcre.12147>.

¹³ Cancian, Kristen Shook Slack, and Mi You Yang, “The Effect of Family Income on Risk of Child Maltreatment,” Institute for Research on Poverty, University of Wisconsin-Madison, August 2010, <https://www.irp.wisc.edu/resource/the-effect-of-family-income-on-risk-of-child-maltreatment/>.

¹⁴ Child Welfare Information Gateway, “Separating Poverty from Neglect in Child Welfare,” February 2023, <https://www.childwelfare.gov/resources/separating-poverty-neglect-child-welfare/>.

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.

Studies have linked anti-poverty measures that increase family income and help parents provide their children with basic necessities with fewer reports of child neglect to child protective services.¹⁵ Even relatively small infusions of cash can make a difference by helping families maintain housing and employment or meet other expenses of raising children.

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.¹⁶ By enacting H.201/S.110, Massachusetts would add three more good cause exceptions, including if cooperation in child support would risk harming relationships between the child and non-custodial parent or other relatives, lead to physical or emotional harm against the child or custodial parent, or is otherwise not in the child's best interest. Adding these exceptions would give parents more autonomy to decide whether participating in the child support program is the right decision for themselves and their children, rather than being coerced into the program regardless of their circumstances.

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.¹⁷ 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.¹⁸ In fact, many custodial parents decide against obtaining a child support order because they have existing arrangements with the non-custodial parent.¹⁹ Requiring families receiving TANF to participate in the child support program even if they do not think it is in their

¹⁵ Nicole L. Kovski *et al.*, "Association of State-Level Earned Income Tax Credits With Rates of Reported Child Maltreatment, 2004-2017," *Child Maltreatment*, Vol. 27, No. 3, January 19, 2021, <https://doi.org/10.1177/1077559520987302>; Henry T. Puls *et al.*, "State Spending on Public Benefit Programs and Child Maltreatment," *Pediatrics*, Vol. 148, No. 5, November 1, 2021, <https://doi.org/10.1542/peds.2021-050685>; Donna K. Ginther and Michelle Johnson-Motoyama, "Do State TANF Policies Affect Child Abuse and Neglect?" Iowa State University Department of Economics, October 27, 2017, https://www.econ.iastate.edu/files/events/files/gintherjohnsonmotoyama_appam.pdf.

¹⁶ 42 USC §654(29)

¹⁷ 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.

¹⁸ Dan Bloom and Kay Sherwood, "Matching Opportunities to Obligations: Lessons for Child Support Reform from the Parents' Fair Share Pilot Phase," MDRC, 1994, <https://files.eric.ed.gov/fulltext/ED373270.pdf>.

¹⁹ Grall, 2020. In the most recent sample of the Current Population Survey-Child Support Supplement (CPS-CSS) conducted by the U.S. Census Bureau, the top two reasons given by custodial parents are because they "did not feel the need to make it legal" (39 percent) and "the other parent provides what he or she can" (38 percent).

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, 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.

Children and families benefit in multiple ways when they receive their child support payments. But child support loses its effectiveness when it is kept by governments rather than paid to families. This is an opportune time for Massachusetts and other states to act. There is broad consensus among parents, researchers, legislators on both sides of the aisle, policy analysts, advocates, and program administrators that child support should be paid to families in full, instead of being used to reimburse the government for cash assistance.²⁰

By enacting H.201/S.110, Massachusetts would shift its child support program toward supporting families by making two key policy changes that would give families more income to meet their basic needs and trust parents' decisions about what's best for their children.

²⁰ See, e.g., Cancian and Robert Doar, "Child Support Policy: Areas of Emerging Agreement and Ongoing Debate," McCourt School of Public Policy, Georgetown University and American Enterprise Institute, November 9, 2023, <https://www.aei.org/research-products/working-paper/child-support-policy-areas-of-emerging-agreement-and-ongoing-debate/>; Maretta McDonald *et al.*, "Factors That Impact the Child Support Program's Role in Reducing Child Poverty: Convening Summary," Assistant Secretary for Planning and Evaluation, U.S. Office of Human Services Policy, September 2024, <https://aspe.hhs.gov/sites/default/files/documents/d3636e92120856f652a0d796d29a886d/factors-impact-child-support-programs.pdf>.