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Parenting Time & Child Support

What is Parenting Time?

Parenting time is defined as the amount of time a child spends with each parent as specified in a parenting time plan or court order.

While child support and parenting time are legally separate rights, parents see them as intertwined. Research also indicates they are closely connected and that non-resident parents who spend more time with children are more likely to provide economic support.[i]

How are Parenting Time Plans Established?

- **Married parents:** Typically addressed during divorce proceedings
- **Unmarried parents:** Often lack a clear, consistent pathway for resolving parenting time concerns, relying instead on informal agreements or separate legal and administrative proceedings that can be costly and time-consuming. As family structures have evolved, the need for parenting time services has grown significantly, with approximately 40% of children in the United States born to unmarried parents as of 2022. [ii]

What Federal Support Exists for Parenting Time Services?

The federal **Access and Visitation (AV) Grant Program:**[iii]

- Supports services like mediation, supervised visitation, parent education and development of parenting plans.
- Provides **$10 million annually** to states.
- Funding level has remained unchanged since the program was established in 1997.

Can Child Support Funds Be Used for Parenting Time Services?

Generally, no.

- Parenting time activities are **not eligible** for IV-D child support federal matching funds.
- To use incentive funds for parenting time activities, states must obtain an exemption from the Office of Child Support Enforcement (OCSE).

Have There Been Efforts to Integrate Parenting Time and Child Support?

Yes. **Parenting Time Opportunities for Children (PTOC) Grant (2012):**[iv]

- Tested combining parenting time and child support order processes.
- Found parents value addressing both issues together.
- Demonstrated feasibility for integrated approaches.

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How are States Addressing Parenting Time?

States use a variety of approaches, including:

- Parenting time adjustments in support guidelines.
- Mediation and education programs.
- Parenting plan tools and calculators.
- Supervised visitation services.
- Legal helplines and online resources.
- Standard parenting time schedules.

Examples include programs in Oregon, Indiana, Florida, and Michigan.

Has There Been Federal Support for Parenting Time?

Yes. The Federal government and Congress have recognized the importance of parenting time in promoting positive outcomes for children and families.

- The ***Preventing Sex Trafficking and Strengthening Families Act of 2014***[v] identified parenting time as an important goal and encouraged its inclusion in child support orders, though implementation was limited because states were required to use existing funding.
- The ***2016 Child Support Program Modernization Rule***[vi] clarified that federal child support funds may be used for limited parenting time activities when incorporated into the child support process and agreed upon by both parents.
- The Senate-passed ***PARENTS Act of 2021***[vii] would allow states to use federal incentive funds to establish and implement uncontested parenting time agreements alongside child support orders.

What Policy Changes are Needed?

- Increase Access & Visitation funding (unchanged since 1997).
- Allow parenting time activities as **federally reimbursable costs**[viii]**.**
- Expand integrated approaches within child support systems.

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[i] Family Dispute Resolution: Process and Practice Jessica Pearson & Nancy Thoennes, 2024 (book chapter)

[ii] Osterman, M. J. K., Hamilton, B. E., Martin, J. A., Driscoll, A. K., & Valenzuela, C. P. (2024). Births: Final data for 2022. *National Vital Statistics Reports*, 73(2), 1–56

[iii] Title IV-D, Section 469B of the Social Security Act

[iv] Parenting Time Opportunities for Children Research Brief

[v] Prevent Sex Trafficking and Strengthening Families Act

[vi] Final Rule - 2016 Flexibility, Efficiency, & Modernization in Child Support Enforcement Programs

[vii] S. 503, the Parents Act of 2021 | Congress.gov | Library of Congress

[viii] Resolution-Establishing-Parenting-Time-Orders_December-2020.pdf (ncsea.org)