

TANF and Child Support Cooperation

Have the Rules Changed?

July 30, 2025

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sponsor

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Our Presenters

- Michele Cristello, Deputy Commissioner and IV-D Director, Child Support Services Division of Massachusetts Department of Revenue
- Megan Nicholls, Associate Commissioner of Family and Economic Assistance at the Massachusetts Department of Transitional Assistance (DTA)
- Brett Johnson, District Manager, Natrona County (WY) Child Support
- Jim Fleming, Director, North Dakota Department of Health and Human Services, Child Support Section and Interim Director of Vocational Rehabilitation Section
- Moderator – Elizabeth Atwell, Director, NTT Data



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Agenda

- Overview, Joint Letter Regarding Cooperation and Good Cause Policies
- Massachusetts Program
- Wyoming Program
- North Dakota Program
- Q&A



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Joint Letter Regarding Cooperation and Good Cause Policies

The federal Office of Child Support Services (OCSS) and the Office of Family Assistance (OFA) issued a joint letter that encourages states to review their requirements “through a lens centered on the child’s safety and well-being.”

OCSS and OFA encourage state TANF and child support programs to review good cause and cooperation policies and utilize existing flexibilities within the federal requirements to be more responsive to the needs of families on TANF and strengthen access to child support.



[OFA – OCSS Joint Letter on Child Support Cooperation Requirements | The Administration for Children and Families](#)

Joint Letter Regarding Cooperation and Good Cause Policies

Caretaker relatives

- States can define “appropriate individuals” and may set standards for cooperation that differ for parents and non-parents.

Intact families and missing parents

- Recommendation to not refer cases where intact families are separated or one parent is missing due to such circumstances out of the family’s control (i.e. political unrest).

Good faith

- Urges states to look at specific circumstances in each case for an individual’s “good faith” effort to cooperate rather than “one size fits all”

Joint Letter Regarding Cooperation and Good Cause Policies

Good cause & other exceptions to cooperation

- Encourages states to consider additional recurring circumstances that might warrant an exception to cooperation

Best interest of the child

- Incorporate a flexible “best interests of the child” standard in the definition of good cause to allow for consideration of individual circumstances

Family violence option under Title IV-A

- Encourage agencies to undertake additional efforts to connect survivors to assistance and reduce barriers

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Massachusetts

Department of Transitional Assistance (DTA)

Department of Revenue Child Support Services (CSS)

Child Support Cooperation for Relative Caregivers

Expanding the Definition of Good Cause



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Child Support Requirements

- It is a federal requirement that states attempt to secure child support and establish paternity for all children who receive TANF (TAFDC in Mass.) with exceptions for good cause
- Prior to 1996 good cause reasons were defined at the federal level
- In 1996 states were given the authority to define good cause themselves, with the only restriction being that these must be based on the best interests of the child.
- Dear Colleague letter (1.6.25) clarifies states may set different standards for parents and non-parents

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Relative Caregivers

- Relative caregivers often take over care of children during times of crisis with very little notice, often through probate court or with Department of Children and Families (DCF) involvement.
- These placements keep children with family and out of the foster care system when their biological parents are not able to care for them due to struggles with substance misuse, mental health issues, and other challenges.



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Relative Caregivers

- The monthly cash supplement TAFDC provides for relative caregivers is especially important when the relative caregiver is living on a low or fixed income and had not been expecting to be raising a child.
- Historically, in order to receive the TAFDC benefit, relative caregivers were required to cooperate in pursuing child support on their own family member.
- While pursuing child support can be a difficult thing for anyone to do, it often hits these caregivers the hardest, with DTA's current exceptions for good cause not fully acknowledging their unique concerns.

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Expanded Good Cause for Relative Caregivers

- Massachusetts now provides an exception to cooperation for relative caregivers when it is not in the best interest of the child
- For ease of implementation, it is presented as a good cause reason
- Any relative caregiver who is not concerned about establishing a support order can still do so.
- No verification is necessary for this good cause reason



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Expanded Good Cause for Relative Caregivers

- DTA collaborated with CSS on the changes in the good cause policy.
- Referrals to the child support program from the TANF agency are automated, so CSS clarified system actions under the new policy and the steps CSS would take on any affected cases.



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Intact Families and Missing Parents

- Some families, who are eligible for TANF benefits, have come to Massachusetts because of political unrest or violence in their home country. Some of these families are intact but have been separated, with one parent being unable to join the family.
- TANF benefits are critical for these families to ensure they have the means necessary to get their family situated and stable.
- The policies of DTA and CSS as it relates to these otherwise intact families is that these families would not be referred to CSS and do not fall under cooperation requirements.



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Wyoming Program



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Quick Story

- What do you do when a customer discloses serious family violence?



Some quick facts

- Family violence is much more prevalent than most know
- It's likely that 40% or more of your caseload has a history domestic violence
- The level of violence and power/control issues can be shocking
 - Years of serious physical and/or mental abuse
 - Strangulation
 - Threats to take/hurt children

What did Wyoming Do?

- Redesigned everything about how we deal with family violence
- Encourage disclosure; screen; respond proactively
- Train all employees
- New screening questions on application for services
- New screening tool
- New FVI requirements/Process
- **New Good Cause requirements/Process**

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Link to Wyoming DV Policies

- <https://sites.google.com/a/wyo.gov/child-support-program-policy-manual/20-family-violence>



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Remember these survivors aren't asking for our help.

- They're often being forced back into bad situations that took them years to get out of.
- Average survivor leaves and comes back 6 times before they leave for good



The Bad Old Days

- The “Final Rule” for Good Cause was released on Jan 16, 1978
- Long before we really understood the dynamics of family violence
- The main thrust of child support was recouping money from the government
- Required documentary evidence of abuse for Good Cause
- Those regulations were repealed in 1997, but most states kept the same requirements (many to this day)

The bad old days con't.

- Fed regulations allow TANF or CS agency to determine good cause
- Most states still have TANF determinining good cause
 - The rates of request for good cause are low, and the rate of approval much lower
- WCSP took over these determinations on May 1, 2022

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You're likely using the old Rules

- If your policies talk about rape and incest and police reports, you're likely under the 1978 law (and you're not alone)



How Good Cause used to work

- Good Cause was a tiny bit of 45 minute benefits signup
- Survivor was told to “prove” she had good cause with documents
- Send proof to the State office within 20 days or your claim is denied

How Good Cause used to work

- Acceptable Proof:
 - Law enforcement records
 - Medical records
 - Court records
 - Child Protective Services records
 - Psychological records
 - Sworn statements from people other than the applicant

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From Wyoming Policy Manual:

Acceptable Evidence in Determining Good Cause:

Wyoming CSP does not require a customer to provide official documents such as sworn statements from witnesses, court orders or police records to support a claim of Good Cause...

[M]any victims, for a variety of good reasons, have never told, let alone sought help from, friends or family, or systems like police, courts or medical facilities.



How Good Cause works now

- CS application has questions regarding power and control/DV
- Caseworker conducts intake using screening tool
 - Screening tool guides worker through what we need, and what and what the survivor might need

The screening tool becomes the documentary evidence

- Customer has a conversation with caseworker, and the caseworker completes the screening tool
- Customer does not have to “write out” anything about the other party
- If there are official documents we feel we need, we get them from the customer if it’s easy for the customer, otherwise, we obtain them

If there is no documentary evidence, the customer signs an Affidavit in Support of Good Cause Request

- Customer signs the Affidavit that says they believe pursuing child support will put them or their children at risk of physical or emotional harm
- Again, no need to write a statement

How it works now

- The Caseworker gives the application and screening tool and any documentary evidence to the District Manager
- District Manager reviews and sends to State office with a recommendation on whether to grant Good Cause
- Determination is made and communicated to the customer within 5 days

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Difference in a Nutshell

- We are going to believe our customers
- We are going to err on the side of safety



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Important Lessons for changing policies:

- Remember that you and the other champions will soon be gone
- Spell out why you're making things easier/Taking your customer's word for it
- Make policies and procedures as simple as humanly possible
- Consider having IV-D determine good cause instead of IV-A
 - IV-A workers don't really understand the child support system
 - They have much more limited contact for much shorter periods with customers



What do Survivors need?

- Champions
 - People who will make the system safer for them to get the help they need
- They need you!!!
 - Talk about how DV is handled in your office
 - Make changes
 - Doesn't have to be all or nothing
 - Dream big, start small

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North Dakota Program



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North Dakota

Department of Health and Human Services (HHS)

Child Support Section

Economic Assistance Policy Section

Modernizing the Current and Former Assistance Caseload

**Selective Referrals, Avoiding Costs by
Supporting Families**



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Selective Referrals

- Best interests of the child
 - Caretaker relatives
 - Other referrals that do not support TANF goals
- Market availability of Paternity, Child Support, and Medical Support services on a VOLUNTARY basis
- Use existing referral functionality rather than requiring an application for child support services



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Avoiding Costs by Supporting Families

- Use TANF funds to promote family support
 - Parental employment services (PRIDE)
- Remove budget dependence on retained collections
- Disburse ALL child support collections to recipient families
 - Retain state assignments to preserve ability to compromise arrears
 - Utilize Deficit Reduction Act to change conditional assigned arrears to unassigned arrears
 - Disburse 100% of assigned arrears collections to families
 - Disburse 100% of assigned current support collections to families, including waiver or reimbursement to OCSS



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Q&A



Thank You!

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