

Welfare Reform and Family Conflict Among Low-Income, Never-Married Parents

**By Jacquelyn Boggess and Marguerite Roulet
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Introduction

U.S. welfare policy debates in recent years increasingly have focused on reinvigorating the institutions of marriage and the nuclear family. Although U.S. social welfare policy does not incorporate an integrated system of family support (DiNitto 1995:167; Stacey 1996:47), it assumes the central social importance of these institutions, and current reforms are oriented toward augmenting support for these seemingly traditional structures.

The Personal Responsibility and Work Reconciliation Act of 1996 (PRWORA) explicitly supports the institution of marriage (P.L. 104-193 Sec. 103 [a] 401 [2]) and incorporates specific reforms that encourage a familial structure modeled on marriage and the nuclear family. Thus, it strengthens the requirements for unmarried mothers seeking welfare assistance to identify their child(ren)'s father; it attempts to increase paternal financial involvement in raising children in the context of divorce or nonmarital births; and it redirects assistance away from single parents and children as a primary social unit through time limits on participation and the allowance of the family cap on benefits.

One apparent intent of these policies is to strengthen the role of familial bonds. However, in combination with the admitted purpose of promoting marriage, many of the policies raise serious questions, particularly with regard to low-income, never-married men and women and their children. Of primary concern is the fact that many of the new state laws introduce policy changes that implicitly and perhaps necessarily carry with them the potential for creating or exacerbating conflict between custodial and noncustodial parents who, for various reasons, do not approximate a nuclear family model. The Center on Fathers, Families, and Public Policy (CFFPP) believes that any policies that prioritize marriage and a nuclear family model can be counterproductive and potentially dangerous. Many aspects of current welfare policy introduce or exacerbate conflict between parents.

Family Structure, Parenting, and Conflict

In spite of the increase in rhetoric about the "decline" of American families in recent decades because of rising rates of divorce and ratios of nonmarital to overall births (Popenoe 1993; see Blankenhorn 1995 and Whitehead 1993), the research on changing family structure in the U.S. is not uniform. Many have argued that, although the number of single-parent households has increased over the past decades, there is no inherent danger of "fatherlessness" itself necessarily leading to social decline (as manifested by an increase in youth criminality and teen pregnancy and a decline in school achievement). These researchers argue rather that single-parent families face many challenges associated with their status, primary among which are stigma, poverty, and conflict.

CFFPP considers poverty to be the single most important issue of concern to low-income single-parent families and fears that the current rhetoric about "family values" will lead

to an increase in social stigma for nonmarital families. However, we are also concerned about family conflict, precisely because it has received little attention in the debates about welfare reform, even as policy moves in a direction that may increase its occurrence.

The detrimental effects of family conflict on children's well-being and on parent-child relations are well-documented. Both in the contexts of an existing marriage and divorce, the absence of serious conflict between parents (and other family members) has been found to be important to the maintenance of positive relations between parents and children and to children's well-being. Strikingly, it has been found, in assessing the relative impact of household structure versus family conflict on children's well-being, that a home environment with high levels of conflict is worse for children's social and personal adjustment than is divorce (Raschke and Raschke 1979; see Amato 1993, Emery 1988 and Enos & Handal 1986). It is notable also that the influence of family conflict is more pronounced on the relationship between fathers and children than between mothers and children and that it is particularly marked in the context of a divorce whereafter the father does not reside with his child(ren). Families in which parents have a positive postdivorce relationship exhibit better compliance with child support arrangements and more regular patterns of visitation between fathers and children (see Curtner-Smith 1995; Kurdek 1986; Seltzer & Meyer 1995; Wright & Price 1986).

Participants at a CFFPP colloquium in June 1997 centered on the issue of conflict and welfare reform discussed factors they commonly observe contributing to conflict among low-income, never-married parents. It became clear over the course of the conference that low-income, never-married families face a wider range of issues that can create conflict over time than do divorced families in general. These include issues having to do with the couple themselves (e.g., their ages, maturity, ability to plan for the future, the history of their relationship, their expectations of one another over time, commitments to subsequent partners, etc.), and with couple's other family relationships (e.g., their families' acceptance of their partner, their families' acceptance of the pregnancy and birth of their child, their families' capacities to support the couple, their families' efforts to assume control of the situation or challenge the couple's control, etc.). Participants also discussed couples' situations within their communities (e.g., the level of support for the couple in the community, the level of violence in the community, means of conflict resolution and forms of support networks within the community, etc.), and factors largely or entirely beyond the couple's control, such as the influence of drugs, the structure of the economy, and the effects of racism and sexism on people's lives.

Welfare Reform and Conflict

Several of the specific laws and the overall tenor and direction of welfare reform are likely to make things more difficult for low-income, never-married mothers and fathers. Colloquium participants identified the following as factors that could contribute to family conflict: the focus on and organization of state paternity establishment laws and child support enforcement laws, the focus on statutory rape, the limited availability of food stamps, the institution of a family cap on benefits after subsequent pregnancies, the ineligibility (in some states) of individuals convicted of certain felonies to provide

kinship care, and in general, the erosion of a safety net for families, which is likely to lead to increased foster or alternative care.

Although it is important to note that welfare reform promises some potential benefits and that states are accorded flexibility in how they structure their particular welfare programs, it is also important to recognize that many states have not availed themselves of the opportunity to create policy in a manner that accommodates low-income, never-married mothers and fathers.

Concerns about Welfare Reform and Policy Recommendations

In assessing the implications of welfare reform, CFFPP is particularly concerned about the impact of specific reforms and lack of attention to specific issues, which we fear may create or exacerbate family conflict. Below we identify these concerns and propose policies that we believe are necessary to address them.

ISSUE 1: Stronger, more absolute child support enforcement and paternity establishment laws and requirements, which will have irrevocable and indiscriminate impact on poor men and their families.

Recommendation: State child support enforcement systems should recognize the unique concerns of poor, never-married, noncustodial parents and alter the system in two ways: (1) create an office or department within the child support enforcement system specifically designed to acknowledge and address these concerns; and (2) develop outreach programs to form liaisons with community-based organizations that advocate for and provide information and services to low-income noncustodial parents and their families.

ISSUE 2: Reiterated and strengthened cooperation requirements, which allow states to impose harsher sanctions on custodial parents and their children.

Recommendation: States should incorporate into their cooperation statutes flexible guidelines for making cooperation and good cause determinations, and they should adopt the minimum allowable sanction (25% of benefits) for noncooperation.

ISSUE 3: Failure to appropriately address the fact that a significant number of the noncustodial parents of children in poverty are unemployed, poor themselves, and in need of social services such as employment training, medical care, and drug rehabilitation services.

Recommendation: States should use the flexibility inherent in the block grant system to allocate state dollars (and TANF dollars, where possible) to provide employment training, education, and other social services to noncustodial parents. Moreover, the welfare-to-work grants to which states are entitled under the 1997 Budget Reconciliation Act can be used for noncustodial parents. With some creative planning and careful

attention to the requirements of the welfare-to-work statute, states can provide employment and training services for custodial and noncustodial parents.

ISSUE 4: Elimination of the “pass through” (in the previous statutory amount of fifty dollars) of child support money paid by the noncustodial parent to the custodial parent.

Recommendation: States should craft child support policy and statutes that allow child support to be transferred to custodial parents and children in the full amount of the payment.

ISSUE 5: Absence of direction or support for low-income, never-married parents who need to find solutions to questions of visitation, custody, and access.

Recommendation: States should use state funds, in conjunction with the funds available to them from the Federal Administration for Children and Families under the PRWORA (sec.469[b]), to create, administer, and support programs that specifically address the unique issues of conflict faced by low-income, never-married parents in their attempts to determine access and visitation arrangements for their children. Moreover, whenever possible, states should provide parents who cooperate in the paternity establishment and child support enforcement process through state administrative processes, an opportunity to obtain a judicial decision about visitation and custody.

ISSUE 6: Inadequate acknowledgement of the impact of work requirements, cooperation requirements, and time limits on women and children who are victims of domestic violence.

Recommendation: States should adopt the Wellstone/Murray Family Violence option under the PRWORA. A State that has not chosen to operate under the Wellstone/Murray option should at least institute programs under the state’s child support and welfare system that screen TANF applicants for domestic violence, and provide support and services for those determined to be victims of abuse. States should support and establish programs that provide public education on the issue of domestic violence.

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