

# Just Needing a Second Chance: South Carolina Center for Fathers and Families' Alternative to Incarceration Program

By Shannon Willis Scruggs and Patricia Littlejohn

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"Howard" felt like the walls were closing in around him. He knew he was getting ready to face time behind bars. He also knew that the jail sentence would not put him any closer to being able to pay child support, but what else was he to do? Thankfully, the judge had another idea. She ordered Howard to the South Carolina Center for Fathers and Families' Alternative to Incarceration (ATI) program. As he was led to another room in the court house to meet with fatherhood staff, he felt a slight sense of hope.

Howard is one of many men who have come before a judge for not being able to pay or falling behind in child support. The stereotypical name of "dead beat dad" is often used but, in many cases, that nomenclature does not accurately describe a father like Howard. A 2006 study done by Duke University and the University of Wisconsin revealed that fathers could not meet the financial needs of their children due to incarceration, unemployment and a lack of resources. The study found that fathers supported their children **if they had the means to do so**. That is where the South Carolina Center for Fathers and Families (the Center) steps in – changing the lives of men and their children. The Center has been one of the South Carolina Bar Foundation's **Administration of Justice** grantees since 2007.

## It Makes More than Cents

The Center is responsible for the oversight and administration of six fatherhood programs in eleven locations in South Carolina. ATI is just one component of these fatherhood programs that provide a different strategy for non-violent, low-income fathers who are behind in paying child support. Fathers are either court ordered into the program or may enter voluntarily. In either situation, once enrolled, the father has a much better chance of meeting his financial obligations to his children. And, even more, graduating fathers end up reconnecting with their children. The successful ATI program must have excellent relationships with the Family Court, Child Support Enforcement and the Department of Social Services. The Center has worked tirelessly to educate judges and others in the child services system on the societal benefits of having a father in the program versus being sent to jail. When fathers are actively enrolled in the program versus being incarcerated for an average of six months, there are measurable savings and financial benefits to the families of these non-violent offenders and society in general. Over the past 12 months, 684 non-custodial parents were enrolled in the ATI program. Of the 684, only 133 (19%) dropped out or were terminated for non-compliance with the program.

In addition to the cost savings cited in figure 1, a father who is enrolled in the Center's ATI programs earns a livable wage so that they can pay child support.

FIGURE 1

**Cost to operate ATI component in 11 locations:** \$ 928,509  
**Estimated cost to have incarcerated participants\*:** \$4,408,000  
**Net cost savings:** \$3,479,491

## CHILD SUPPORT GENERATED

**Paid in on-going child support while in the program:**

\$704,000

**Earned gross wages while in the program:** \$2,301,282

**Total benefit to families and the economy:** \$3,005,282

\*The South Carolina Department of Corrections reported an increase in costs to \$8000 per inmate from a 6-month detention

## High Expectations

Enrolling in an ATI program is no "get out of jail free" card. The expectations placed on fathers who participate are not insignificant. Fathers must work. If they are under-employed or unemployed, part of their time in the program is spent readying themselves for the work force. Preparation can include anything from completing GED requirements, getting fathers ready for WorkKeys testing – a job skills assessment system – and taking part in skills training courses. To assist the fathers through this process, each fatherhood program has an on-site job recruiter. The recruiter's role is critical as he or she serves as the liaison between the fatherhood program, local companies that are willing to hire fatherhood program participants as well as all of the entities that are providing training and support to the fathers.

In addition to getting and maintaining a job, fatherhood program participants must take part in weekly group meetings. These meetings provide dads with practical advice on responsible fatherhood and a plethora of issues such as effective communication, understanding child support and legal system and parenting. Such services would not be a part of a father's life if he was behind bars.

For Howard, working with his job recruiter was a game changer. He began to see and feel differently. With the support of the recruiter, Howard was able to earn livable wage employment in the field of construction. Not only did Howard's job help him meet his child support obligations, but he was also able to start attending college evening classes. He later went on to receive HVAC certification and has since secured employment in that field. Howard also made great strides with his daughter, spending more time with her and reconnecting as a family. As of July 2011, Howard had reduced his child support debt to zero and is currently showing a surplus.

## TRENDS AND TECHNOLOGY

### Using Technology to Augment Services

One characteristic of any successful organization is its ability to modify and adapt. The Center does an exceptional job understanding the barriers fathers face and how those barriers can evolve over time. For example, an initial issue for staff was in determining how to quickly assess the eligibility of fathers who were court ordered into the program. It was essential that staff be able to respond quickly to Family Court judges who wanted to order men into the program. To address this, the Center determined that taking laptop computers into the court room would allow for "on-site" assessment such as criminal background checks and other possible pending charges. The use of the laptops also increased the credibility of the fatherhood ATI option throughout the Family Court system as the Center was able to standardize procedures across each of the fatherhood sites. In addition, the Center determined that the laptops would benefit the presentations made when meeting with community and employment partners.

### Boot Camp

One issue exacerbated by today's tough economic climate was that more fathers were entering an ATI program unemployed. They were not able to compete for jobs in the flooded job market. In general, the fathers in the program did not have the skills or experience to compete with other more qualified job seekers. In response, the Center began to work with fatherhood program directors to enhance the job readiness component of the ATI program. The Center hosted a full day meeting to strengthen the employment component so that it met the demands of employers. Center staff assessed the current curriculum, community resources, local employment needs and the capacity of fathers. The outcome of the meeting was the development of an Employment Boot Camp. The Boot Camp is an intensive one-week focus on job readiness and how fathers can access Workforce Investment Act services. The Center staff researched other effective job program curricula in order to develop the most effective job readiness program content to serve the fatherhood program population with multiple barriers to employment. The final model offers a consistent approach to preparing unemployed participants to deal with the world of work. They must complete the Boot Camp in order to access employment opportunities identified by the job recruiters.

### Technology and Teammates

As the economy continued to decline, the Center began to see that even more fathers were having trouble meeting child support obligations and needed to seek modifications. However, the opportunity for a father to receive a modification through Child Support Enforcement or the Court was further complicated due to the backlog of cases. To address this issue, the Center's goal was to ensure that child support orders were set consistent with the non-custodial parent's ability to pay. Realistic orders based on the father's ability to pay would increase the likelihood that fathers would be able to make payments. The Center applied for funding from the Office of Child Support Enforcement to develop collaborative strategies so low-income non-custodial and custodial parents affected by child support obligations have an increased access to child support modification in a reasonable timeframe. The cadre of partners included the South Carolina Department of Social Services Child Support Enforcement Division (CSED), South Carolina Legal Services, South Carolina Court Administration, the South Carolina Access to Justice Commission and the South Carolina Bar Foundation. As a team, the Center worked to develop an accessible avenue to child support modification via the pro se process. As of this writing, the partners are now working to automate the pro se forms through HotDocs and A2J™ guided interview software. It is anticipated that, in early 2013, the Center's work with child support modification through the pro se process will be underway.

### A GOOD INVESTMENT IN DADS

The ATI effort funded in part by the Foundation has served as a model in the importance of investing in such programs for non-violent, low-income fathers. The investment of IOLTA support gives fathers the opportunity to have a second chance with their kids by putting child support dollars in the hands of the neediest citizens of South Carolina.

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Dean Wilcox (left) and Foundation Director Shannon Willis Scruggs (right) present Katharine Swinson (center) with a plaque honoring her as the Goldberg Scholar.

### Katharine Swinson Named Goldberg Scholar

Katharine Swinson of Great Falls, Va., has been named the I.M. Goldberg Scholar. Swinson earned her BA in elementary education from the University of South Carolina and her Juris Doctor from the USC School of Law. She hopes to practice family law post-graduation. The Goldberg Scholarship was created by the SC Bar Foundation in honor of I.M. Goldberg, a well-known family law practitioner in Charleston. The scholarship fund provides a \$500 award to a deserving University of South Carolina law student each year.

The Foundation is grateful to Sheran Rittenberg and Hellman & Yates, PA for recent contributions made to the Goldberg Fund. Please watch for future information showcasing I.M. Goldberg and his outstanding legal career.