

PROCEDURAL JUSTICE-INFORMED  
ALTERNATIVES TO CONTEMPT

PROJECT BRIEF  
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## Incorporating Strategies Informed by Procedural Justice into Child Support Services:

### TRAINING APPROACHES APPLIED IN THE PROCEDURAL JUSTICE-INFORMED ALTERNATIVES TO CONTEMPT (PJAC) DEMONSTRATION

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#### OVERVIEW

The Procedural Justice-Informed Alternatives to Contempt (PJAC) demonstration project integrates procedural justice principles into child support enforcement business practices in six child support agencies across the United States. Procedural justice is the idea of fairness in processes that resolve disputes and result in decisions. Research has shown that if people perceive a process to be fair, they will be more likely to comply with the outcome of that process whether or not the outcome was favorable to them.<sup>1</sup>

PJAC's target population is noncustodial parents who are not compliant with their child support obligations, but who have been determined to be able to pay their child support. The goal of PJAC is to improve consistent payment among noncustodial parents who are at the point of being referred to the legal system for civil contempt of court for failure to comply with their child support orders. PJAC aims to accomplish its goal by addressing parents' barriers to providing reliable payments and by promoting positive engagement with the child support program and the other parent.

This demonstration was developed by the federal Office of Child Support Enforcement (OCSE), which

is within the Administration for Children and Families in the Department of Health and Human Services. MDRC is leading a random assignment study of the model's effectiveness in collaboration with research partners at MEF Associates and the Center for Court Innovation. Oversight of the evaluation is provided by the Georgia Division of Child Support Services. For an overview of the PJAC demonstration, see *A New Response to Child Support Non-compliance: Introducing the Procedural Justice-Informed Alternatives to Contempt Project*.<sup>2</sup>


This brief is the first in a series developed primarily for child support practitioners and administrators that shares lessons from the PJAC model's implementation. It describes the specialized training provided to child support staff members at the six participating agencies.

#### INTRODUCTION

During PJAC's initial planning year, participating child support agencies selected staff members to serve as case managers. The majority of these new PJAC case managers previously held positions as child support enforcement workers in their agencies, though some were newly hired for the project. Most did not have formal training in the strategies that are central to providing PJAC services, and thus

<sup>1</sup>Swaner et al. (2018).

<sup>2</sup>Mage, Baird, and Miller (2019).



required instruction in a range of topics. It was also important to train leaders at each agency in these strategies, so that they could better support case managers in their work. Training began in early 2017, before case managers began their work with PJAC enrollees, and will continue for the duration of the project. This brief addresses the question, “What training was provided to child support case managers as they set out to incorporate strategies informed by procedural justice into their work with parents?”

## CONTENT AREAS

OCSE provided the same training to PJAC case managers at all six agencies to impart a consistent education in the principles underlying PJAC activities. This standard training focused on four content areas: procedural justice concepts and applications, responses to domestic violence, dispute resolution, and trauma-informed practices. These four areas were selected because they represent challenges common in child support enforcement; the idea was that case managers would learn to address them using principles of procedural justice, enhancing their ability to deliver the PJAC model. Some agencies have conducted complementary training to reinforce the standard training content or to increase case managers’ capabilities in additional areas such as customer service, financial management, and countering implicit bias (that is, unconscious attitudes toward groups of people).

### Procedural Justice Concepts and Applications

Training in procedural justice concepts provides PJAC case managers with a framework to guide their interactions with parents. The training centers on the five central elements of procedural justice and identifies concrete applications of these elements in the PJAC service model. As applied to the child support context, the elements are:

- ▶ **Respect:** Parents should believe they were treated with dignity and respect and their concerns were taken seriously.
- ▶ **Understanding:** Parents should understand the child support processes and have their

questions answered.

- ▶ **Voice:** Parents should have a chance to be heard by sharing their side of the story and expressing their concerns.
- ▶ **Neutrality:** Parents should perceive the decision-making process to be impartial.
- ▶ **Helpfulness:** Parents should feel that the child support agency was helpful and interested in addressing their situations.

The training focuses on overcoming the challenges to delivering services that are informed by procedural justice to all customers and reworking aspects of child support practices to orient them more toward procedural justice. For example, in one training activity, case managers practiced customizing their outreach to parents by reviewing excerpts of case histories and identifying parents’ previous concerns. The case managers then role-played ways to address those concerns in their initial interactions with the parents. This activity highlights ways to apply the procedural justice elements of respect and voice. By offering to address parents’ concerns, case managers demonstrate that they take the concerns seriously and are listening to them. Training and role-playing prepare PJAC case managers to use procedural justice principles in all their interactions with parents.

### Responses to Domestic Violence

Domestic-violence-response training gives case managers an understanding of how family-violence dynamics can manifest in child support or court settings. The training digs deep into best practices for working with survivors and abusers. It teaches case managers to create a safe environment where parents may feel comfortable disclosing their concerns. Case managers learn how to navigate domestic-violence dynamics to negotiate between parents safely.

In one intense activity, case managers listened to an actual 911 call reporting domestic violence and were asked to take on the viewpoint of the abusive parent, the other parent, or either of their two children, and to identify possible short- and long-term effects on that person. Case managers were then asked to con-

↑ sider techniques they could use to engage parents in these circumstances. One strategy was to begin conversations with abusive parents by discussing their relationships with their children, to focus them on their positive feelings as parents before discussing child support payments. In the PJAC demonstration, domestic-violence-response training is meant to strengthen case managers' ability to address child support compliance while minimizing the risks of further harm.

*I was not aware of the numerous challenges faced by survivors of domestic violence, especially those presented by the child support system. The [domestic violence training] changes the way I think about processes, cases, and how we interact with clients.*

– Staff member in Virginia

### Dispute Resolution

Dispute-resolution training prepares case managers to communicate effectively and use negotiation skills to address the concerns of both parents. Case managers learn strategies to listen actively to both parents, to identify the issues underlying emotional or negative statements, and to help parents resolve disputes. In one activity, case managers practiced opening up communication between parents by reframing a negative statement such as “She’s a fraud and is trying to trick me again” into a neutral statement such as “It sounds as if you are concerned about being treated fairly.” In the PJAC service model, these skills and concepts are applied throughout interactions with parents, particularly during case conferences, in which case managers often meet with both parents and negotiate action plans for bringing cases back into compliance.

### Trauma-Informed Practices

The training in trauma-informed practices identifies how past or present trauma might inhibit parents’ overall ability to manage their daily lives, specifically as it pertains to their capacity to participate in the child support process. The training defines trauma, identifies its possible manifestations in parents, and encourages case managers to show compassion for behavior that could be perceived as resistant. In one discussion, case managers named

possible manifestations of trauma such as being overwhelmed, being unable to plan ahead, or having strong reactions to seemingly minor irritants. Case managers using trauma-informed practices acknowledge how trauma may affect parents’ ability to absorb and process information. For example, when communicating with parents, case managers can apply strategies to explain child support procedures clearly and verify that parents understand the processes and decisions related to their cases, which in turn may empower parents to voice their concerns and questions.

*Thanks to the trauma-informed care training, I now understand that when a client does not follow through on a promise they made or is nonresponsive, it is often not a deliberate act to avoid me or our agency. I seem to have more patience now that I know it can take many attempts to reach someone and to instill trust in our program.*

– Staff member in Franklin County, Ohio

## TRAINING APPROACHES

Training in the four content areas was delivered in various formats, as presented in Figure 1. Both case managers and PJAC leaders learned important skills from the foundational training, which was complemented by learning-community calls (cross-agency webinars) and in-depth case analyses. All of these approaches feature a combination of presentations, discussions, and practice activities. Training sessions are designed to encourage active learning, provide opportunities for comments and suggestions, and reinforce previously learned concepts and skills.

## CONCLUSION

Case managers receive continuing training and support as they employ strategies informed by procedural justice throughout their work on the PJAC project. The follow-up training provides an important opportunity for staff members to assess their use of procedural justice strategies and to adapt their approaches as they encounter new situations, gain experience, and learn what is most effective in their work with parents.

**Figure 1: Training Approaches**



## REFERENCES

Mage, Caroline, Peter Baird, and Cynthia Miller. 2019. *A New Response to Child Support Noncompliance: Introducing the Procedural Justice-Informed Alternatives to Contempt Project*. New York: MDRC.

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