



U.S. Department of Health
and Human Services
Administration for Children
and Families
Office of Family Assistance



NRFC State Profiles: Vermont 2009

Strategies Intended to Promote Parenting and Responsible Fatherhood

State-Funded Direct Service Parenting/Responsible Fatherhood Programs

Vermont does not currently use state funds to provide services aimed at promoting responsible fatherhood and parenting. However, the federal government funds regional activities directed at this goal. For example, the Visiting Nurse Association (VNA) of Chittenden & Grand Isle Counties currently collaborates with other agencies in Vermont to offer the FACT program, which provides fathers with home visits, support groups, parent education classes, and other fatherhood activities. In addition, the program provides training on fatherhood issues to professionals and disseminates information to the wider community.ⁱ

State-Funded Programs to Prevent Unwanted or Early Fatherhood

Vermont targets its effort to reduce out-of-wedlock pregnancy at the adolescent population, with the goal of increasing the percentage of teens who either abstain from sexual intercourse or use condoms from 85 percent to 95 percent. To this end, the state offers a number of services and educational experiences aimed at helping adolescents make responsible decisions about health and sexuality. Comprehensive health and sexuality education programs are offered to students in Vermont's elementary and middle schools. Adolescent pregnancy prevention programs offered in schools focus on abstinence, the possible outcomes of early sexual behavior, contraceptive use, adolescent pregnancy and parenting, childbirth, adoption, and abortion.ⁱⁱ

The Family and Medical Leave Act

Vermont's Family and Medical Leave Act (FMLA) allows both fathers and mothers time off after the birth or adoption of a child, or during an illness, without fear of losing their jobs. Parents are entitled to up to 12 weeks of unpaid leave over a one-year period to care for a new child, an ill family member, or to recover from their own illness. The FMLA protects fathers and mothers who have worked with the same organization for at least one year and have worked at least 1,250 hours within the past year. Whereas the federal FMLA extends leave benefits to employees who work for companies with 50 or more employees, Vermont has extended the policy to cover workers employed with companies that have at least 15 employees.ⁱⁱⁱ

Domestic Violence Services

Vermont has implemented *Statewide Standards for Domestic Abuse Intervention*, which set statewide expectations for programs that serve male domestic batterers, with the goal of protecting the safety of women and children. The state has also formed the Vermont Network Against Domestic Violence and Sexual Assault (the "Network"), a coalition of the 16 domestic and sexual violence programs operating in the state. Men who have been identified as domestic batterers are eligible to receive intervention services if they agree to abide by rules set forth in the state standards. Batterer intervention programs offered through the Network are designed to educate men about the causes and consequences of domestic abuse, to motivate them to confront excuses for their behavior and take responsibility for their abuse, and to give them tools and strategies to help them change their behavior. Program participants meet in groups at least once a week for 26 weeks. Attendance is mandatory and batterers must pay a fee of \$10 to \$40 for services. In cases of severe battering, men may be mandated by the courts to participate in the Intensive Domestic Abuse Program, which requires a minimum of 169 group meetings that occur several times a week, followed by a period of court supervision. Finally, the Network also provides: 1) shelter, advocacy, and support services to victims of domestic violence and their children; 2) assistance to the criminal justice system to help it improve and coordinate its

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response to domestic violence; 3) training for health, social services, and legal providers serving batterers and victims; and 4) widespread public education.^{iv}

Child Custody Policy

In the event that parents are unable to reach an adequate joint agreement on parental rights and responsibilities, courts decide these matters according to the child's best interest. Courts may order parents to share custody of children; however, if parents are unable to agree on the terms of joint custody, the courts will award primary or sole custody to one parent. Parents may first be ordered to undergo mediation. The court's final decision about parental rights and responsibilities is based on the following factors: 1) the child's relationship with each parent; 2) each parent's ability to provide material resources to the child; 3) the parents' abilities to meet the child's developmental needs; 4) the quality of the child's adjustment to his or her current living situation; 5) each parent's ability to support the other parent's relationship with the child; 6) the quality of the child's relationship with the parent who has been the primary caregiver; 7) the child's relationship with other significant people; 8) each parent's ability to communicate and cooperate with the other parent; and 9) evidence of abuse. A parent's gender or financial resources cannot be used to determine rights and responsibilities.^v

Paternity Establishment

Paternity establishment in Vermont gives children the right to financial and emotional support, information about a father's medical history, and survivor's benefits, such as inheritance, Social Security, pension, life insurance, and veterans' benefits. In Vermont, a man is presumed to be the legal father of a child if the birth occurs within a marital union. If parents are unmarried at the time of a child's birth, legal paternity must be established by the courts even if the parents live together or the father's name is on the child's birth certificate. If both parents agree about the identity of the child's father, they may establish parentage by jointly signing a Voluntary Acknowledgement of Paternity form, available at hospitals, birthing centers, state courts, or from the Office of Child Support (OCS). If paternity is disputed by either parent, the court may order genetic tests, which the parents must pay for unless the mother and child are receiving assistance from OCS or the Department of Prevention, Assistance, Transition, and Health Access, in which cases the state will cover the cost. Paternity may be established even in the event that one parent fails to appear at the court hearing. Parental rights and responsibilities (e.g., custody and visitation) and child support are established at the time of the paternity hearing. Paternity can be established any time before the child's 21st birthday.^{vi}

Child Support Assistance

Vermont's Office of Child Support (OCS) is the agency responsible for providing child support services, including collection and distribution of payments, location of noncustodial parents and determination of their assets, determination of parents' financial abilities, and enforcement of support orders. All parents are eligible to receive OCS services; those who receive public assistance automatically get such services, and other parents are eligible after completing an application form. Vermont's child custody policy states that children shall be supported in the same manner as they would have been if the parents lived together. Thus, the combined gross income of both parents is used to determine the level of support payments. All child support awards are determined through a court hearing. Parents can reach a joint agreement on support orders that must be approved by the court. If they are unable to do so, a family court judge or magistrate will establish a support order according to state guidelines. In Vermont, child support payments are automatically deducted from parents' paychecks and sent to OCS to be forwarded to the parent receiving support, unless the parents agree that such mandatory withholding is unnecessary. Decisions regarding medical and health support are made at the time that child support is established.^{vii}

Child Support Enforcement

Child support enforcement in Vermont is conducted through OCS, which offers free assistance to parents seeking unpaid support payments. OCS may seize a nonpaying parent's wages or

income tax refunds, place a lien on property, report nonpayment to credit reporting agencies, seize lottery winnings, or suspend or revoke professional, drivers', and recreational licenses. When arrears reach \$2,500, the state may ask the federal government to deny the parent a passport. In some cases, parents may be required to undergo questioning at a court hearing regarding the nonpayment. If nonpaying parents are unemployed at the time of a hearing, they may be ordered to seek employment. If parents fail to search for a job or if the court determines that they deliberately refused to pay support, parents may be found guilty of contempt. If the court determines that a parent is in contempt, a 10 percent penalty is applied to unpaid support, the parent may be jailed until repayment is made, and the parent may be required to pay for legal fees related to the case.^{viii}

Strategies Intended to Promote Healthy Marriage

State-Funded Marriage Preparation Activities

Vermont does not use state funds to support marriage preparation activities.

Other Marriage Initiatives

Recently enacted federal legislation allocates substantial new funding for healthy marriage efforts. One such effort under way in Vermont is the Refugee Healthy Marriage Initiative, a federal program funded by the Office of Refugee Resettlement. The initiative seeks to strengthen marriage among refugee couples through education, training, resource development, and local capacity building. The program serves both married and romantically involved refugee couples and utilizes an adapted version of the widely recognized Relationship Enhancement® program.^{ix}

Strategies Intended to Enhance Fathers' Economic Stability

Temporary Assistance for Needy Families Benefits

Vermont offers welfare benefits to two-parent families as well as to single-parent families. Recipients must participate in the state's Reach Up program, which sets minimum work or school/training requirements. Reach Up participants are assigned a case manager and receive services such as emergency cash assistance, job-search and training resources, transportation and child care assistance, and health insurance. Work requirements may be lifted for parents raising very young children, parents with health problems, or if child care and transportation are not available. Income disregards are offered for money received from work and child support.^x

Services Geared Toward Low-Income Noncustodial Fathers

Vermont does not currently offer services geared toward low-income, noncustodial fathers. However, noncustodial fathers with incomes below 125 percent of the federal poverty line are eligible to receive work-related services offered through the Office of Economic Opportunities. These services seek to promote the economic self-sufficiency of all Vermont residents by increasing their employability through activities such as resource identification and management, education and training opportunities, and advocacy.^{xi}

Job Training and Employment Services

Job training and employment services are available to low-income fathers who live with their children and who receive welfare benefits through the Reach Up program.^{xii} In addition, open enrollment in the state's Making It Work (MIW) program is offered to all Reach Up participants. MIW is an eight-week competency-based program aimed at enhancing participants' employability and financial stability.^{xiii} These services are in addition to those offered through the state's Office of Economic Opportunities and those offered through the Vermont Department of Labor to help Vermonters achieve employment and economic self-sufficiency.^{xiv}

Incarceration and Reentry

Services and Programs for Incarcerated Fathers

Vermont does not offer services specifically targeted at incarcerated fathers. However, fathers may participate in a number of programs that are available to all inmates. These programs focus on developing work and self-sufficiency skills and improving life and social skills to enable inmates to reintegrate into the community. The programs also focus on treating substance abuse, helping inmates reduce violent tendencies through cognitive behavior therapies, and helping inmates understand and modify behaviors related to domestic violence and sexual abuse.^{xv}

Resources

- **Vermont Department for Children and Families.** This Web site provides an overview of state services and policies for families, including information about domestic abuse, welfare, protective services, child support, and child care; available at <http://www.dcf.state.vt.us>
- **State of Vermont Judiciary Branch.** This Web site provides information about state policies on domestic relationships, including information about child custody and child support; available at <http://www.vermontjudiciary.org>

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