



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



FATHERHOOD.GOV
National Responsible Fatherhood Clearinghouse

NRFC State Profiles: West Virginia 2009

Strategies Intended to Promote Parenting and Responsible Fatherhood

State-Funded Direct Service Parenting/Responsible Fatherhood Programs

There is currently no formal fatherhood initiative in West Virginia. However, fathers who are eligible for state welfare benefits do have access to parenting classes and other activities aimed at supporting their parenting skills.ⁱ In addition, the Kanawha Institute for Social Research & Action, Inc. (KISRA) offers a federally-funded fatherhood program to West Virginians. KISRA's program is designed to help fathers achieve economic self-sufficiency and connect with their children by providing life skills and occupational training and support services. Specifically, the program helps fathers with job readiness and placement, life and money management, and computer skills. In addition, it utilizes the 24/7 Dad curriculum to teach fathers about parenting skills and child development.ⁱⁱ

State-Funded Programs to Prevent Unwanted or Early Fatherhood

The West Virginia Bureau for Public Health, Office of Maternal, Child and Family Health, Family Planning Program operates the West Virginia Family Planning Program, which is funded by federal Title X grants. The program works with local health departments, health care centers, hospitals, colleges and universities, and private practice facilities to provide family planning services to low-income men and women. One goal of the program is to reduce the occurrence of unintended pregnancies through educational and medical services and the provision of free contraceptives.ⁱⁱⁱ In addition, the state's Adolescent Pregnancy Prevention Initiative (APPI) offers a range of services aimed at preventing teen pregnancy. These services include educational presentations in classrooms and community groups, public awareness campaigns, abstinence training, and access to contraceptive services. Services specifically geared at adolescent males are included in this initiative.^{iv}

The Family and Medical Leave Act

West Virginia follows the provisions of the federal Family and Medical Leave Act (FMLA), which 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.^v The federal FMLA also allows eligible family members to take up to 26 weeks of leave annually to care for a military service member who has been injured in the line of duty.^{vi} West Virginia has no state provisions for paid leave.

Domestic Violence Services

Domestic violence programs in West Virginia are licensed and overseen by the Family Protection Services Board, whose mission is to ensure that domestic violence services provide quality victim care and receive adequate funding. The Board also established state standards and granted licensure to batterer intervention programs that serve to hold perpetrators of domestic violence accountable and to provide services to help them change their behavior.^{vii} In addition, the West Virginia Coalition Against Domestic Violence (WVCADV) works to eliminate domestic violence in West Virginia. It has developed a network of resources and local domestic violence programs and provides batterer intervention and prevention programs throughout the state.^{viii}

Take Time to Be a Dad Today

Child Custody Policy

When married couples with children separate voluntarily, both parents have the right to petition the courts to gain custody of the children. Custody decisions are made in the best interest of the child, with efforts made to maintain frequent and continuing contact between children and both parents. When parents are able to agree on custody arrangements, they have the option of presenting the court with a parenting agreement, which the court will approve if it deems the plan to be in the child's best interest. When parents disagree about custody, the court will make the decision. Courts can decide to award sole custody to one parent or joint custody to both parents.^{ix}

Paternity Establishment

In West Virginia, unmarried parents must establish paternity before child support can be obtained. The state Bureau of Child Support Enforcement (BCSE) helps parents establish paternity, which can be accomplished in two ways. First, both parents can voluntarily sign a Declaration of Paternity Affidavit naming the child's father. The document can be obtained from hospitals, birthing centers, the Office of Vital Statistics, the BCSE office, or from local Department of Health and Human Resources offices. Second, paternity can be established through a court order. Alleged fathers have the option of requesting blood tests of the child and mother, in addition to submitting to blood tests themselves.^x

Child Support Assistance

The Bureau of Child Support Enforcement (BCSE) oversees all matters related to child support in the state. The services offered by the BCSE include paternity establishment, support order establishment, location of noncustodial parents, support payment enforcement, interception of earnings and income tax refunds, and court services related to child support. The BCSE is required by law to enforce support payments for all single parents with children under the age of 18 who receive public assistance, unless there is reason to believe that doing so would cause harm to the child or custodial parent.^{xi}

West Virginia has an Amnesty Program to help noncustodial parents who have a large amount of child support debt meet their back-payment obligations. The program allows for the forgiveness of interest that has accumulated on child support arrears. To take part in the Amnesty Program, both the custodial and noncustodial parent must agree to a percentage (either partial or full) of interest that will be waived. In exchange for waiving the interest on back payments, the noncustodial parent must agree to pay off the remaining debt within two years of forming the agreement, along with continuing to fulfill all current payments. If the noncustodial parent fails to pay off the debt within two years, the interest on the amounts in arrears will be reinstated. Case workers are assigned to parents who wish to take part in the Amnesty Program, and all plans must be approved by the courts.^{xii}

Child Support Enforcement

In West Virginia, all child support orders provide for mandatory income withholding, so support payments are automatically deducted from the noncustodial parent's paycheck. In the event that support payments are still not made, the BCSE may take court action to obtain payments, or may intercept the noncompliant parent's income or tax refunds.^{xiii}

Strategies Intended to Promote Healthy Marriage

State-Funded Marriage Preparation Activities

The West Virginia Department of Health and Human Resources and the West Virginia University Extension Service currently fund the Healthy Families-Healthy Children Initiative, which aim to support families by encouraging marriage and positive family skills. The Initiative provides relationship skills training and marriage education to married and unmarried couples, along with education designed to engage absent fathers. The Initiative currently supports programs in 14 counties in West Virginia.^{xiv}

Other Marriage Initiatives

There are no other current marriage initiatives under way in West Virginia.^{xv} However, the state welfare plan offers a marriage bonus that provides an additional \$100 in monthly benefits to parents who marry.^{xvi}

Strategies Intended to Enhance Fathers' Economic Stability

Temporary Assistance for Needy Families Benefits

West Virginia's state welfare program, West Virginia Works (WV WORKS), aims to help families achieve financial self-sufficiency and to enhance the well-being of children. West Virginia offers welfare benefits to two-parent families, as well as to single-parent families. In order to receive cash assistance, WV WORKS recipients must participate in a mandatory orientation session, develop a personal responsibility plan, and participate in work activities. These activities may be fulfilled through community service or volunteer work, life-skills classes, parenting classes, job-readiness training, substance use or mental health treatment, dependent care, or educational activities. Cash benefits are subject to a lifetime limit of 60 months.^{xvii}

Services Geared Toward Low-Income Noncustodial Fathers

The WV WORKS policy includes provisions specifying that the state will work with noncustodial nonsupporting parents by offering them opportunities to participate in community work activities, parenting classes, and training classes, with the intention of helping them to fulfill their child support requirements and parental obligations.^{xviii}

Job Training and Employment Services

Employment services are available to low-income fathers who participate in the WV WORKS program and to noncustodial fathers who are unable to meet their child support payments. The state contracts with a number of organizations to provide job readiness and job-search assistance, skills training, educational opportunities, and subsidized employment opportunities. The WV WORKS program also provides pre-employment dental and vision services; life- skills training; assistance with transportation, relocation, and licensure costs; and various other supports to promote employment. Post-employment support services are also available to former welfare recipients who are working but whose income remains below 150 percent of the federal poverty line; such families can receive services for up to two six-month periods.^{xix}

Incarceration and Reentry

Services and Programs for Incarcerated Fathers

Information about programs in West Virginia that serve incarcerated fathers is not currently available. However, many of the state's jails and prisons provide inmates with services such as counseling services.^{xx}

Resources

- **West Virginia Department of Health and Human Resources.** This Web site provides an overview of state services and policies for families, including information about the state welfare plan, child protective services, and child care; available at <http://www.wvdhhr.org/>.
- **West Virginia Bureau of Child Support Enforcement.** This Web site provides information about state policies and services related to establishing, obtaining, and making child support payments; available at <http://www.wvdhhr.org/bcse/>.

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