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ACLU OF RI POSITION: SUPPORT

TESTIMONY IN SUPPORT OF 25-H 5197, RELATING TO THE RHODE ISLAND WORKS PROGRAM May 22, 2025

The ACLU of Rhode Island writes in strong support of this legislation, which will remove the requirement that parents cooperate with child support enforcement as a condition of receiving assistance from the Child Care Assistance Program (CCAP). This is not a requirement of the federal Child Care and Development Fund but is imposed totally at the state's discretion. The vast majority of states have either never adopted this requirement or have repealed it. Currently, Rhode Island is one of only a handful of states that retains this requirement as a condition of initial eligibility.

The child support requirement disproportionately hurts single-parent families who don't have a partner with whom they can share childcare responsibilities. Children of single parents are those most in need of safe and nurturing places for their young children to be while they are at work.

Child support cooperation is an onerous process, requiring establishment of paternity, identifying and locating noncustodial parents and providing private and sensitive information. For parents who have experienced domestic violence, the process is extremely frightening. Even though there are processes designed to protect the parent and her children, the fear can keep some parents from seeking the childcare assistance they need.

Parents should be offered the opportunity to seek support from a non-custodial parent, but not be penalized for not taking advantage of the opportunity. There may be informal arrangements with the not-custodial parent that keeps them engaged with their children which a formal child support order would disrupt. The focus must be on the child and ready access to early learning opportunities.

It is notable that other early childhood programs, of which CCAP is an important part, do not require cooperation with child support enforcement as a condition of eligibility. These include Head Start, Early Head Start, pre-K, and Early Intervention among others. Some are income-based programs and others are not, but the underlying driver is the same: there should be no impediments to parents accessing high quality early learning programs for their children.

It is also worth noting that in 2008, Rhode Island enacted a misguided law, adopted purely for budget-saving reasons, requiring parents to cooperate in seeking child support orders for all children in their families, not just for the child for whom childcare was requested. This included children who did not share a non-custodial parent with the requesting child. Recognizing the damaging effects of this requirement, the General Assembly repealed it in 2019. It is time to take the next step and repeal the child support cooperation requirement entirely. Thank you for your consideration of our views.