

MEMORANDUM IN SUPPORT
S.7054/A.4027

The Schuyler Center for Analysis and Advocacy urges the legislature to pass S.7054/A.4027, to direct counties away from automatically referring parents of children who enter foster care to child support collections.

The Schuyler Center for Analysis and Advocacy is a 151-year-old statewide, nonprofit organization dedicated to policy analysis and advocacy in support of public systems that meet the needs of disenfranchised populations and people living in poverty.

Every year, hundreds and perhaps thousands of parents whose children have been involuntarily removed to foster care are required to repay the cost of their child's stay in care. These financial burdens place a heavy toll on families, especially those already experiencing financial hardship. Research shows that for every \$100 child welfare-involved parents pay toward foster care costs, their child's duration in care lengthens for [6.6 months](#). Poverty is a major driver of involvement in the child welfare system. The last thing parents earning low-incomes should experience after being separated from their child is another bill – especially one that research shows extends the length of time of separation.

The effects of being required to pay child support while being separated from their child are especially pronounced for Black families, who are also dramatically over-represented in New York's child welfare system. Black mothers who make \$100 monthly child support payments see their children remain in foster care an additional [four-and-a-half months](#).

The current policy has pernicious effects on families *and* is costly to states. Data analysis of all 50 states shows that states consistently spend more money trying to collect child support than they collect, typically at a 3:1 ratio. New York State collects approximately [\\$2.3 million a year](#) on "foster care child support" cases, likely spending \$6 million in child support administrative costs. Additionally, an estimate of costs to New York child welfare agencies from this practice is about \$56 million a year (based on the evidence that this practice tends to lengthen children's stay in foster care by 6.6 months).¹ New York City has stopped conducting this ineffective and counterproductive practice.

S.7054/A.4027 revises current law so the default position is to *not* collect child support and narrows the circumstances that would allow child welfare professionals to refer parents to child support collection for foster care maintenance repayment. It does so within the limitations of federal law, and aligns with recent [federal guidance](#) urging states to revise policy and practice. This bill would improve child safety, family reunification, and family economic security.

¹ \$14,000 cost per child per year in foster care divided by 2 (approximately 6 additional months in care) * 8,000 children (approximate number of children in care in New York outside of New York City).