

## **Notice of Family Maintenance Consultation**

Government has committed to consulting on family maintenance for those who are receiving income or disability assistance.

Family maintenance is a very important means of support for families when a family is no longer together. Income and disability assistance are taxpayer funded and meant to be resources of last resort. Individuals and families seeking income or disability assistance are expected to pursue all other resources first—this includes family maintenance payments from their child's parent and/or former partners who are legally obligated and financially able to contribute. Government is working to balance the interests of families and taxpayers and to ensure it has the right policies in place.

We are requesting that stakeholders provide the Ministry of Social Development and Social Innovation (SDSI) with feedback regarding how it administers income and disability assistance for families receiving family maintenance payments.

Government is committed to supporting families and individuals who receive income or disability assistance to maximize their access to family maintenance. This is how government's current policies and programs work:

- When a family comes onto assistance they are provided with legal and staff resources to secure a family maintenance order or agreement from their child's parent and/or former partner.
- Government requires the family on assistance to give (assign) their family maintenance legal rights to government so that government can secure and enforce these orders or agreements on the family's behalf.
- If a family is fleeing from abuse from a former partner or the child's parent government protects the family's safety by ensuring that no action is taken to secure or enforce an order or agreement for family maintenance.
- Once an order or agreement is secured, the family is moved into government's family maintenance enforcement support and services system to ensure as best as possible the former partner or the child's parent pays support.
- Once government receives funds from the former partner or the child's parent it transfers these family maintenance funds directly into the families' bank accounts.
- Families are then required to declare this as income to SDSI. SDSI then takes this into account in calculating the amount of income or disability assistance families are entitled to receive.

The following questions have been developed so that government can be as well informed as possible about how it can best administer family maintenance related services and policies for income and disability assistance clients. Stakeholders are also free to provide additional feedback that they may feel would be helpful to government in developing its income and disability assistance policies and programs for families that receive family maintenance payments.

Stakeholders can provide feedback to SDSI by:

- Email:  
[sdsifedback@gov.bc.ca](mailto:sdsifedback@gov.bc.ca)

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- Regular mail:  
Family Maintenance Consultation  
PO BOX 9929  
STN PROV GOVT  
Victoria BC V8W 9R2
  
- Phone:  
In Victoria: 250 387-6121  
In Vancouver: 604 660-2421  
Elsewhere in BC: 1 800 663-7867  
Outside BC: 604 660-2421
  
- Telephone Device for the Deaf (TDD)  
Vancouver: 604-775-0303  
Elsewhere in B.C.:1-800-661-8773

**Submissions will be accepted until 4:30 pm, February 28, 2015.**

**Can you please provide feedback to SDSI on the following:**

1. **Government has received considerable feedback on how it treats family maintenance income. This feedback has focused on the portion of family maintenance that is child support. Currently, this income is not exempt. This means that a family must declare how much income it receives from family maintenance to SDSI and then SDSI determines if this is less than the amount of income or assistance that the family would otherwise be entitled to. If it is less, then SDSI tops this income up to the maximum amount of income or disability assistance the family is entitled to. Government has been asked to exempt all or some of the child support payment portion of family maintenance.**

**Currently about 3,400 families of the 20,300 families with children on income and disability assistance are receiving child support payments, ranging from \$50 to over \$700 per family per month and averaging about \$326 per month. If SDSI were to exempt all of this from income and disability assistance then these 3,400 families would receive \$13.4M more a year in income and disability assistance. The full exemption would mean that, in addition to continuing to receive their child support payment, each of these 3,400 families would receive the maximum amount of monthly income or disability assistance rate for their family unit.**

**The following chart outlines the breakdown of child support received by income and disability assistance category based on the latest data:**

<b>Income/Disability Assistance Category</b>	<b>Families</b>	<b>Children</b>	<b>Annual Child Support</b>
Expected to Work Clients	1,059	1,800	\$4.07M
No Employment Obligations Clients*	984	1,870	\$3.77M
Persons with Disabilities	1,352	2,096	\$5.56M
<b>Total</b>	<b>3,395</b>	<b>5,766</b>	<b>\$13.40M</b>

\*Includes single parent families with a child under 3 or with special needs, or families with an adult with a moderate disability.  
Annual child support amounts in millions of dollars.

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*Do you think that government should consider the child support received by a family as non-exempt income when it sets the amount of income or disability assistance the family receives?*

- *Should government exempt child support for all clients regardless of their status:*
  - o *Should 'Expected to Work' clients (clients who are employable and have work search obligations) have their child support exempted?*
  - o *Should clients who have 'No Employment Obligations' (clients who are excused from work search obligations - single parents with children under 3 or have a child with special needs and families where a parent has a moderate disability) have their child support exempted?*
  - o *Should 'Persons with Disabilities' clients (families where a parent has a severe disability) have their child support exempted?*
  
- *Should government consider exempting a portion of this child support?*
  
- *Should government consider exempting all of this child support?*

*Can you think of any other considerations that government should keep in mind in how it treats child support received by families on income and disability assistance?*

**2. Currently government pays the legal costs for income assistance clients to get a family maintenance order or agreement and moves clients into government's enforcement supports and services to have a former partner or parent of the child comply with that order. It also has a requirement that income assistance recipients give (legally assign) their rights to family maintenance to government.**

*Do you think that income assistance families should be required to have government collect family maintenance on their behalf?*

*Do you think that government should continue to have families give (legally assign) their family maintenance rights to government when they come on income assistance?*

*Do you think government should pay for the legal costs for income assistance families receiving family maintenance to obtain a family maintenance order or agreement?*

**3. Currently the amount of income assistance families receive can vary considerably each month when a former partner or parent of the child does not pay family maintenance consistently and this can be difficult for families managing their day-to-day finances.**

*Do you have any suggestions how this could be improved?*

**4. Currently 3,400 of the 20,300 families with children on income assistance receive child support.**

*Do you have any suggestions about how government can incent more parents to provide more child support when a family separates and the parent with the children needs income or disability assistance?*