



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



NRFC State Profiles: South Dakota 2010

Strategies Intended to Promote Parenting and Responsible Fatherhood

State-Funded Direct Service Parenting/Responsible Fatherhood Programs

The U.S. Department of Health and Human Services has recently provided funding for responsible fatherhood programs in South Dakota as well as across the country. For example, Cangleska, Inc. received funding to work with members of the Oglala Sioux tribe. This project will work to increase fathers' ability to be respectful fathers and partners; increase participants' knowledge of Native American culture; ease the re-entry process for incarcerated fathers; and promote images of responsible fathers and husbands. The program will also work with fathers to increase anger management skills and economic stability.ⁱ

State-Funded Programs to Prevent Unwanted or Early Fatherhood

Through its Abstinence Education Program, South Dakota provides funding to programs that offer abstinence education, mentoring, and other services to prevent youth and young adults from engaging in sexual behavior. Funds are provided to organizations working with individuals between the ages of 12 and 29.ⁱⁱ Family planning services, including contraception and physical examinations, are available to all South Dakota residents.ⁱⁱⁱ

The Family and Medical Leave Act

South Dakota is subject to the federal Family and Medical Leave Act of 1993 (FMLA), which requires employers with 50 or more employees to offer up to 12 weeks of unpaid leave to parents upon the birth or adoption of a child, to recover from an illness, or to care for an ill family member. The FMLA protects the jobs of parents who have worked with the same organization for at least one year and have worked at least 1,250 hours within the past year. In addition to abiding by the federal FMLA, South Dakota offers state employees up to four months of unpaid, job-protected parental leave during any 12 month period.^{iv}

Domestic Violence Services

The South Dakota Department of Social Services operates the state's Domestic Abuse Program. This program provides funding for domestic violence shelters that offer emergency housing, crisis hotlines, transportation, food, clothing, counseling, and other support services.^v

Child Custody Policy

In South Dakota, child custody decisions, both in cases of divorce and in cases of unmarried parents, are made based upon the best interests of the child, including the child's own preference.^{vi} In most cases, parents in custody or visitation disputes are required to participate in mediation in order to help formulate and implement parenting plans.^{vii}

Paternity Establishment

Establishing paternity for a child born outside of marriage provides the child with certain rights, such as Social Security benefits, life insurance benefits, veterans' benefits, and inheritance rights; provides the child with a sense of identity; and allows for the establishment of child support orders.^{viii} In South Dakota, paternity can be established voluntarily if both parents complete a Paternity Affidavit Form or if both parents petition the court system to name the man as the child's legal father. If paternity is contested, parents can submit to genetic testing to determine if a man is the father of the child in question.^{ix}

Take Time to Be a Dad Today

Child Support Assistance

The South Dakota Division of Child Support, part of the South Dakota Department of Social Services, is responsible for child support collection and enforcement in the state. The Division of Child Support helps locate noncustodial parents, establish paternity, establish and modify child support and medical support orders, enforce orders, and collect and distribute support payments.^x

Child Support Enforcement

To induce child support payment, the Division of Child Support may take a number of steps. For example, the Division may issue delinquency notices, institute contempt of court proceedings, attach liens on personal property, intercept federal tax refunds, or withhold unemployment or other benefits.^{xi} When a noncustodial parent owes at least \$1,000 in past-due child support, the Division of Child Support can restrict the renewal of a parent's driver's, professional, hunting, or fishing license. If the parent fails to comply with a court-ordered repayment plan, that parent's driver's license can be revoked.^{xii} When the parent's debt reaches \$5,000, the Division can notify the federal government so that the parent's passport may be denied, restricted, or revoked.^{xiii}

Strategies Intended to Promote Healthy Marriage

State-Funded Marriage Preparation Activities

Currently, there are no state-funded marriage preparation activities in South Dakota.

Other Marriage Initiatives

As part of its healthy marriage initiative, the U.S. Department of Health and Human Services recently provided funding to the Northern Hills Pregnancy Care Centers. This organization will offer marriage preparation to engaged and married couples, relationship skills training to unmarried expectant parents, mentoring programs, and educational programs for high school students.^{xiv}

Strategies Intended to Enhance Fathers' Economic Stability

Temporary Assistance for Needy Families Benefits

South Dakota offers cash benefits to state residents through the Temporary Assistance for Needy Families (TANF) program. In South Dakota, there is a lifetime limit of 60 months on receipt of TANF benefits.^{xv} Two-parent families are not eligible to receive TANF benefits on the same basis as one-parent families; instead, two-parent families face stricter work requirements.^{xvi}

Those receiving TANF benefits must participate in work activities for a minimum of 30 hours per week; however, this requirement is reduced to 20 hours per week if a recipient has a child under the age of six. Activities that can fulfill this work requirement include employment, on-the-job training, try-out (temporary) employment, a combined work and education activity (post-secondary education related to employment), vocational training, job search, high school completion, or community service.^{xvii} Former TANF recipients receive follow-along job retention and other support services in order to keep these individuals from needing to reapply for benefits.^{xviii}

Services Geared Toward Low-Income Noncustodial Fathers

Fathers who are serving time in state correctional facilities may participate in programs designed to improve their parenting and relationship skills.^{xix} Employment services are also available to those fathers who want to increase their economic stability through the South Dakota Department of Labor, which offers job search assistance, education and training opportunities, and other services to help individuals gain employment.^{xx}

Job Training and Employment Services

The South Dakota Department of Labor offers a variety of services to job seekers, including job search, training referrals, skills assessments, and job training opportunities.^{xxi} Career Learning

Centers, which are funded by the South Dakota Department of Labor and SD Career Centers, work with unemployed individuals to assess interests and abilities; complete an employability plan; teach job retention skills; and gain information on budgeting, substance abuse, hygiene, and self esteem in order to prepare individuals to enter the workforce.^{xxii}

Incarceration and Reentry

Services and Programs for Incarcerated Fathers

Lutheran Social Services of South Dakota recently received funding from the U.S. Department of Health and Human Services to offer a fatherhood program to incarcerated fathers in South Dakota. This fatherhood program will use the Prevention and Relationship Enhancement (PREP) curriculum with fathers and their partners in order to encourage responsible fatherhood and healthy relationships.^{xxiii}

Resources

- **South Dakota Department of Social Services, Division of Child Support.** This Web site provides information about the state's child support program, including services available and enforcement methods; available at <http://dss.sd.gov/childsupport/>

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