

COMMITTEE ON HEALTH, HOSPITALS AND
HUMAN SERVICES

03/10/2022-REPORTED OUT TO THE FLOOR

01/14/2022-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 34-0055

Thirty-Fourth Legislature of the Virgin Islands

April 30, 2021

An Act amending title 34 Virgin Islands Code by adding a chapter 4 to be known as “The Responsible Fatherhood Act of 2022”

PROPOSED BY: Senators Milton E. Potter and Marvin A. Blyden
Co-sponsor: Samuel Carrión

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** This act is known as and may be cited as “The Responsible Fatherhood
3 Act of 2022”.

4 **SECTION 2.** Title 34 Virgin Islands Code is amended by adding a chapter 4 that reads
5 as follows:

6 “Chapter 4. Responsible Fatherhood

7 **§ 71. Purpose**

8 The objective of this chapter is to promote the recognition of the importance of the
9 participation of both parents in the lives of their children. Social policy and practices have often
10 focused on the difficulties of raising a child in a single-parent family and have often created
11 barriers to the involvement of both parents in their child’s life. Accordingly, the purpose of

1 this chapter is to promote a social policy and practices that value the contribution that each
2 parent brings to the family unit. The emphasis will be on the population of children whose
3 families have received or are receiving public assistance, but the program will also include
4 other populations of children who will benefit.

5 **§ 72. Fatherhood initiative**

6 (a) To achieve the objectives of this chapter, there is established within the Paternity
7 and Child Support Division within the Virgin Islands Department of Justice the Council on
8 Responsible Fatherhood. The Paternity and Child Support Division shall include a line item in
9 its budget for the Council. The Division shall also provide administrative support to the
10 Council and designate a specific space for the Council.

11 (b) The Council has the following duties:

12 (1) To develop a comprehensive plan that promotes the positive involvement of
13 fathers in their children's lives;

14 (2) To evaluate territorial programs, government policies, and community
15 initiatives related to fatherhood and to make recommendations to the Governor of the
16 Virgin Islands and the Legislature of the Virgin Islands regarding those programs,
17 policies, and initiatives;

18 (3) To convene a territorial symposium to discuss and resolve issues related to
19 responsible fatherhood and the importance of the participation of both parents in their
20 children's lives;

21 (4) Subject to appropriation, to develop criteria for and to issue requests for
22 proposals for grants for responsible fatherhood projects and activities approved by the
23 Council;

1 (5) To receive grants, contributions, and other funds for projects and activities
2 related to responsible fatherhood; and

3 (6) To submit a report, after conferring with the Family Court judge in each
4 district on or before November 15 of each year, to the Governor and the Legislature,
5 recommending policy initiatives that will improve the lives of families in the Territory.
6 The report must be based on the fiscal calendar of the Government of the Virgin Islands.

7 (c) The goals of the Council are:

8 (1) To increase the awareness of the problems created when a child grows up
9 without the presence of a responsible father;

10 (2) To identify obstacles that impede or prevent the involvement of responsible
11 fathers in the lives of their children;

12 (3) To identify strategies that are successful in overcoming identified obstacles
13 and in encouraging responsible fatherhood;

14 (4) To facilitate the transition from current policies, perceptions, and practices
15 that adversely affect the participation of fathers in their children's lives to policies,
16 perceptions, and practices that promote the contributions of responsible fathers; and

17 (5) To promote positive interaction between fathers and their children.

18 (d) The Council shall undertake fatherhood initiatives that include, but are not limited
19 to:

20 (1) promoting public education concerning the financial and emotional
21 responsibilities of fatherhood;

22 (2) providing assistance to men in preparing for the legal, financial, and
23 emotional responsibilities of fatherhood;

- 1 (3) promoting the establishment of paternity upon the birth of a child;
- 2 (4) encouraging fathers in fostering an emotional connection to children and
3 providing financial support to children;
- 4 (5) establishing support mechanisms for fathers to assist in developing and
5 maintaining relationships with their children;
- 6 (6) identifying and promoting methods that reduce the negative outcomes
7 experienced by children affected by divorce, separation, and disputes concerning custody
8 and visitation; and
- 9 (7) integrating federal and local services available to families.

10 **§ 73. Membership of the Council**

11 The Council is composed of eleven members. The Director of the Paternity and Child
12 Support Division within the Department of Justice and the Commissioner of the Department of
13 Human Services or their designees shall serve as ex-officio members of the Council. The
14 Governor shall appoint the remaining nine members with the advice and consent of the
15 Legislature. Three members of the Council must be appointed for an initial term of four years.
16 Three members of the Council must be appointed for an initial term of three years; and the
17 remaining three members must be appointed for an initial term of two years. All appointments
18 thereafter are for a period of two years, except for an appointment to fill an unexpired term,
19 which must be for the remainder of the unexpired term. Members may serve beyond the
20 expiration of their terms until a successor has been appointed and confirmed by the Legislature.
21 Once a majority of the members has been selected and seated, the Council must choose a
22 chairperson. Members serve without compensation but may be reimbursed for their actual
23 expenses incurred while carrying out their duties as members of the Council. The Council shall

1 meet at least quarterly, and the Chairperson or the Commissioner of the Department of Human
2 Services may convene the Council at any time. A quorum consists of five members.

3 **§§ 74-79 [Reserved for Future Use]**

4 **§ 80. Responsible Fathers Fund**

5 (a) There is established a separate and distinct, non-lapsing fund in the Treasury of the
6 Virgin Islands to be known as the Responsible Fathers Fund. The money in the Fund may be
7 used exclusively to fund the activities of the Council and is administered by the Director of the
8 Division of Paternity and Child Support within the Virgin Islands Department of Justice.

9 (b) The Fund consists of monies appropriated by the Legislature, public and private
10 grants, gifts, donations, bequests, and devises of money made to the Fund or to the Council.

11 (c) The Commissioner of Finance shall disburse monies from the Fund upon the
12 authorization of the Director of the Division of Paternity and Child Support within the Virgin
13 Islands Department of Justice for projects and initiatives that meet the purposes and objectives
14 of this chapter.”

15 **BILL SUMMARY**

16 This bill provides for the creation of the Council on Responsible Fatherhood within the
17 Paternity and Child Support Division within the Department of Justice. The Council is
18 composed of eleven members and is charged with various responsibilities designed to increase
19 the involvement of fathers in the lives of their children and their families. The Responsible
20 Fathers’ Fund is also created to fund the operation and initiatives of the Council.

21 **BR21-0394/April 9, 2021/SLR**