Child Support Report

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COMMISSIONER'S VOICE



WICE BLOG

Improving compliance through respect and procedural fairness

As I travel and talk with caseworkers around the country, I hear your commitment and passion for our program mission, and see your hard work day in and day out to collect child support for children. The child support program has the reputation for being one of the best run programs in government. What we are all after is compliance with support obligations. When support payments come in regularly, custodial parents can budget for the

money so there isn't a household crisis every month.

What does the research say about improving compliance with support orders? Dozens and dozens of studies, some involving child support, all find the same thing: that the parties are more willing to comply with an order when they feel that they have been dealt with fairly. The research says that when litigants perceive that they are being treated fairly, they are more likely to comply with an order, even if they don't like the order. Procedural fairness is an evidence-based and cost-effective way to improve compliance.

Researchers have identified and tested 5 specific elements of perceived fairness. They are:

- Voice you feel that you have an opportunity to participate, tell your story, show your papers, and influence the outcome.
- Respect you feel like people treat you with dignity and give credence to your side of the story.
- Lack of bias you feel like you are being treated even-handedly and do not get different treatment based on your race, or gender or economic status.
- Understanding you feel like people understand your circumstances, what you are dealing with, and when you are trying.
- Helpfulness you feel like people care about you and want to help you as much as they can.

We have two bedrock values in our program. One is that parents have the fundamental responsibility to support their children. The other is that the government has a fundamental responsibility to provide due process and procedural fairness to litigants, particularly unrepresented litigants.

We accomplish our mission through parents. We know what works. We can increase trust and compliance if we can improve the perception of procedural fairness and deliver real due process — an opportunity to be heard, an order based on evidence, and realistic demands to comply. We can help parents address any barriers to employment and nonpayment. We can offer meaningful customer service that shows both parents that we care about them as people, understand their circumstances, and will do our best to get results.

Vicki Turetsky

Coming in August

Next month's *Child Support Report* features articles on upgrading technology and effectively using data to improve child support outcomes.

Inside this issue

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OCSE has launched a new fact sheet series on its Employment Demonstrations grants. Read the first in the series.

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homepage

CHILD SUPPORT ANNIVERSARY

Life in the pre-OCSEan age

David Johnson, OCSE

elics from the past thrill me. Some wish to see Our world 100 years from now, but I long to travel backwards in time. This yearning comes from my belief that to be informed about where we stand today and to find our best path forward, we need context and must come to grips with our history.

So what was our child support world like just before the dawn of OCSE? State divorce laws and domestic relations courts addressed the needs of dependent children for decades, but child support order consistency and predictability varied greatly. Collection success was spotty at best. Some parents could only pursue court enforcement if they were able to hire a private attorney.

A faded paper relic dated March 13, 1972, sits on my desk. The report, written by the U.S. Comptroller General and entitled Collection of Child Support Under the Program of Aid to Families With Dependent Children (AFDC), reminds me there was a child support world, formative though it was, before OCSE. In it, we see the murky building blocks of a national child support program. It shows us that innovation and experimentation, which are our friends today, were percolating at state and local levels before catching the eye of the federal government more than 40 years ago.

During the 1960s, the number of single mothers raising children rose dramatically and governments were left to carry "a financial burden which should be borne by the parent," according to the authors. Readers can easily spot themes of cost avoidance and a family's need for financial stability throughout the report. It notes that in 1971, 70 percent of the 2.7 million families receiving AFDC program assistance did not have fathers living in the home.

At the time, Department of Health, Education, and Welfare regulations required each state to have a program to accomplish two things. It had to establish paternity as well as secure financial support for AFDC children that only had one parent living in the home. The report highlighted inconsistent and lack-luster results. The authors examined emerging practices and results in Arkansas, Iowa, Pennsylvania, and Washington State.

Some of the paper's recommendations included:

- Establishing a separate unit, operated on a statewide basis, to collect support;
- Encouraging parents to pay voluntarily, using legal action only as a last resort;
- Ensuring state laws make strong statements for parental financial responsibility; and,
- Using data and statistical reports to improve program performance.

We see bits and pieces of their conclusions and recommendations in our program today.

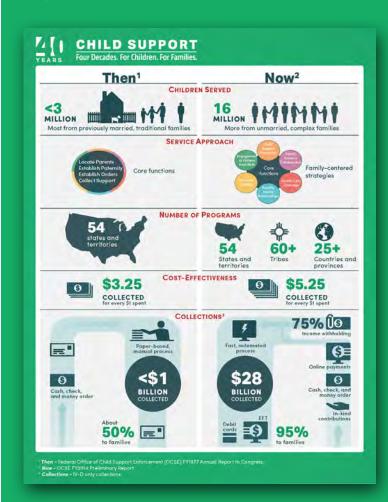
We've seen lots of changes since the birth of OCSE in 1975, but the challenges we face today are similar. Many parents are willing but simply unable to pay because they cannot find stable employment, have a history of incarceration, or have a temporary disability, for example. Through a unique partnership of federal, tribal, state, and local governments, we are working together to find creative solutions that turn non-paying cases into paying ones.

Today we have many strong, effective tools at our disposal that we must use judiciously. We also recognize the need to augment our toolbox with thoughtful, integrated support services aimed at the needs of the families we serve. Our challenge is selecting the right tool — whether that is a traditional collection tool or a newer family-centered support service — and shaping its use for the particular family standing in front of us.

Perhaps I do have an urge to look into the future to see who's reading our 2015 Report to Congress 40 years from now, and what they think of it.

40th Anniversary Infographic

In FY2014, the child support program collected 28 times as much support and served 5 times as many children as the program did in its first year (40th anniversary infographic).



SPOTLIGHT — JUDICIAL PARTNERSHIPS

Increasing support payments through court partnerships

Liberty Aldrich, Director, Domestic Violence and Family Court Programs, Center for Court Innovation

veryone wins when noncustodial parents find Eemployment, pay their child support, and develop parenting skills. The Center for Court Innovation piloted New York State's first problem-solving, court-based child support program in 2008 with the Onondaga County Family Court and expanded the model to Kings County (Brooklyn) in 2010. Both programs link noncustodial parents with needed employment and social services to increase child support payments and maintain healthy parent-child relationships.

Onondaga County

A Parent Support Program employment services coordinator works at the Family Court to provide a range of services: resume preparation, soft skills development, career exploration, job leads, and interview readiness. The county Department of Social Services funds the program. It receives referrals from the family court judges and support magistrates when noncustodial parents identify that they have trouble paying child support or arrears because they are unemployed or underemployed. The employment services coordinator monitors client activity and reports on client accountability, successful job placements, and support payments. Clients graduate from the program when they meet three criteria: working steadily for six consecutive months, making regular support and/or arrears payments, and having no future court appearances scheduled for the related support case.

A Child Support Unit staff member will share space with the Parent Support Program one morning per week. This person will assist clients who need individual case information and can help with modifications or driver's license reinstatement. The program serves between 150 and 165 clients per year and has documented impressive results. For example, 65 percent of the participants who found employment while they were in the program began making consistent child support payments.

Kings County

The Kings County program has an on-site resource coordinator who conducts an extensive intake interview with eligible participants, makes recommendations for programs that will address identified issues, and follows up to make sure they attend. The coordinator also attends biweekly court hearings to report on the clients' progress. More than 120 participants have graduated from the program by completing six months of consistent payments. As of June 2015, the program has collected over \$1.7 million in child support from participants over the program's history.

Additionally, research on the Kings County program shows that:

- In June of 2014, program graduates paid, on average, nearly 110 percent of their support obligation due for that month. Income withholding became the most common method of payment for these noncustodial parents at almost 50 percent.
- The growth rate in arrears among graduates was 10 percentage points lower than for non-graduates.
- Compliance reviews provide clients the opportunity to reverse the arrears that they carry and to become employed.

Program success

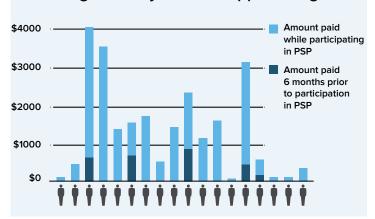
Both programs operate on principles of increasing procedural fairness. Our statistics have shown that giving noncustodial parents an opportunity to gain employment, understand the consequences of their decisions, and voice their concerns increases their compliance with court rulings. One participant's graduation remarks make this clear:

"The Child Support Monitoring Program was very helpful in demystifying all aspects of the system, and providing invaluable information about how to best maneuver through it... The program supplied not only detailed, step by step procedural information about the family court, child support and other related systems but something even more important: the opportunity to interact with other men (and women) in the same situation; to share stories and backgrounds and understand exactly how they got to this point; and most importantly, how to understand and deal with what is a very difficult situation possibly affecting every aspect of their lives."

We look forward to working with other jurisdictions to share best practices and increase child support payments while restoring trust in our systems. For more information, listen to this podcast highlighting a graduation ceremony and visit our Parent Support Programs webpage.

For information, contact Liberty Aldrich at info@ courtinnovation.org.

Sample payment history for 18 clients of the Onondaga County Parent Support Program





Tbegan my career with the Rhode Island OCSS in 1988 **L** as a child support prosecutor. Back then, we represented custodial parents and focused on enforcement. That changed in 1995 when RI amended state law to reflect that we represent the state's interests, which almost always align with the child's interests. Since the transformation also affected the Family Court, our offices worked together to implement the new procedures and programs.

Our successful collaboration results from the strong working relationships we have developed, particularly with a few family court magistrates. Without the collaboration and consent of Chief Judge Haiganush Bedrosian, none of the following agency pilots, initiatives, or programs could have succeeded.

Incarcerated noncustodial parents. We began working closely with the Department of Corrections in 2005 to help inmates file pro se motions to modify their child support orders. OCSS has filed motions on behalf of inmates at their request since 2013. By holding video hearings at the Department of Corrections, we have greatly simplified the process, ensured public safety, and saved the costs of transporting inmates to other locations. During the proceedings, the court reviews inmate assets, income and resources, sentence length, and other relevant factors when determining if the order should be suspended.

Job training and development. Approximately 20 years ago, OCSS began collaborating with communitybased organizations that received grant funding to provide job training and placement to noncustodial parents. When the funding ended, OCSS collaborated exclusively with the state's Department of Labor and Training (DLT) and asked the Family Court to order noncustodial parents to participate in the job training programs. The court often continued contempt hearings to give the noncustodial parent the opportunity to be involved in the DLT process. If the noncustodial parent failed to participate, legal counsel could request moving forward on the contempt

motion. The Family Court also refers the noncustodial parent to job training if that parent sought an order modification or OCSS did so on the parent's behalf. The recession has hampered the program's success in recent years because RI has consistently had one of the highest unemployment rates in the country. While this has dampened referrals, OCSS is working with the Family Court and DLT to revitalize the program by adding a case management component to the process.

EZ Serve. In 2012, OCSS proposed a pilot program called EZ Serve. It is a cost-saving initiative that allows OCSS to mail motions or pleadings to litigants and invite them to appear in court voluntarily rather than being officially served. If they appear, OCSS moves forward with the hearing. If one or both parents fail to appear, constables serve them with a new hearing date. The pilot proved to be cost effective, so the court institutionalized it by Court Rule for all child support cases starting in 2014.

Abbreviated income and expense sheet. In 2013, the Family Court adopted a short version of its standard 11-page income and expense sheet for OCSS to use in most cases. General divorce cases usually require more detailed income, asset and expense information than child support cases. This form is an official court form for all child support agency cases unless circumstances warrant the 11-page form.

E-filing. A recent RI Supreme Court Rule requires electronic document filing in all courts, including Family Court. E-filing replaces an application OCSS created that produced all the documents that needed to be filed with the court as well as a calendaring system for child support hearings. The child support agency now e-files in all domestic cases and will be required to do so for the entire child support caseload in 2016. The Family Court recognizes that, between the very high OCSS caseload and the labor-intensive nature of the electronic filing system, OCSS does not have the resources to meet this workflow demand. Fortunately, the court is working with OCSS to meet the requirement by asking the company that developed the program to research an automated process for filing. We truly appreciate the effort.

These projects and endeavors would not have succeeded without the cooperation of the RI Family Court or the support of Chief Judge Bedrosian. We are extremely grateful for this, and look forward to continued collaboration.



PROMISING PRACTICES

Addressing low-income fathers' needs: In their own voices

The Administration for Children and Families has provided \$75 million to organizations across the country to help low-income fathers become better parents and providers for their children. The number of organizations providing services to these fathers is large, but the amount of research on fatherhood is small. Because ACF does not have a good base of evidence to understand what types of programs work best, staff from the Office of Planning, Research, and Evaluation (OPRE) are overseeing a study of four organizations that have received funding from Responsible Fatherhood (RF) demonstration grants. The Parent and Children Together (PACT) Evaluation aims to "expand knowledge of what works in fatherhood programming and provide a detailed portrait of the fathers who enroll in RF programs."

The June *Child Support Report* featured the story Addressing low-income fathers' legal needs that focused on quantitative findings such as who the program participants were, how they were recruited, and how the programs worked with child support offices to help men reduce their child support debts.

> The new report, In Their Own Voices: The Hopes and Struggles of Responsible

> > Fatherhood Program Participants in the Parents and Children Together Evaluation,

"focuses on the views and

experiences of fathers who voluntarily enroll and participate in RF programs." Researchers interviewed nearly 90 men participating in one of the four programs in the study. The report paints a portrait of the men by using quotes that describe their lives, feelings, and experiences. Researchers found several key themes from the interviews.

- The men often described childhoods marked by poverty and family instability, including absent fathers, exposure to substance abuse, conflict, and neglect.
- As fathers, these men desired to "be there" for their children and to help them avoid the same mistakes they had made.
- Fathers voluntarily enrolled in the RF programs primarily to become better fathers and to find steady employment.
- According to the fathers, the most common barrier to their involvement with their children was the ongoing contentious relationships with the mothers of their children.

As they sought to become more involved and supportive fathers, these men often faced formidable, interrelated life challenges.

The men spoke candidly about their child support challenges and gave researchers a detailed look into lives, upbringing, personal challenges, and relationships with their children and the mothers of their children. The study offers findings that can help responsible fatherhood programs as well as suggests strategies to shape policy and program design. Details are in the full report.

For information on this report and other studies, visit the OPRE website.

New security rules

The IRS is making extensive changes to its background investigation requirements. These changes will affect employees and contractors who have access to or use federal tax information. The IRS indicates that the changes will be out soon in its revised Publication 1075. OCSE has more information in Dear Colleague Letter 15-10, IRS Background Investigation Requirements.



ACF recently published Building financial capability: A planning guide for integrated services to help community-based organizations provide more financial planning services to their clients. The interactive guide is available through the Office of Community Services website. It offers specific recommendations for organizations that want to help custodial and noncustodial parents develop budgets.

Parents and Children Together

Arizona child support improves customer services

Julie Minnick, Janet Sell and Debra Tanner, Office of the Attorney General, Arizona **Division of Child Support Services**

In 2012, Arizona passed groundbreaking legislation to encourage divorced parents to participate in the lives of their children. The legislation made significant changes including replacing the terms "custody" and "visitation" with "legal decision-making" and "parenting time." Legal decision-making means that one parent has the legal right and responsibility to make all non-emergency legal decisions for a child. These include education, health care, religious training, and personal care decisions. The new law says Arizona parents must also have a written parenting time plan to ensure a child has "substantial, frequent, meaningful and continuing contact with each parent" unless the court believes the child would be in danger.

A written parenting plan guides co-parenting and adds some predictability because the parents and their children know when they will spend time together. Parenting time is also more fair for the absent parent because child support and parenting time are being addressed at the same time.

The Customer Engagement Initiative recognizes that children's lives are better when they have the engagement of both parents in their lives. Those same parents are more likely to pay child support when they have positive relationships with their children.

Parents often face barriers when they try to establish court approved parenting agreements. Many parents cannot afford to pay expensive filing fees or hire legal counsel. Many do not know how the legal system works or how to correctly prepare their own legal documents. Others are afraid they will make the other parent angry by filing a court action.

The Arizona Division of Child Support Services established a multi-disciplinary task force of county court representatives and community partners to explore how our program could make the processes easier. We asked them to find creative solutions and service opportunities without additional funding. The March-April edition of the Child Support Report highlighted our General Education Development (GED) Back-To-School Incentive Program. Here are some of the task force's ideas under our Customer **Engagement Initiative:**

Parenting time flyer — when parents receive their initial court documents to establish paternity and child support orders, they also get a parenting plan flyer.

- Mediation referral at the conclusion of their initial child support order hearing, Maricopa County refers parents to mediation for help establishing a written parenting plan. Under this pilot program, eligible parents do not have to file court documents or pay any fees.
- Parenting classes Maricopa County uses <u>Access</u> and Visitation Grant funds to sponsor free 10-week parenting classes on building stronger relationships with children and protecting children from parental conflict.
- Informal referrals some Arizona counties developed a process to actively encourage parties to pursue a parenting plan.
- Brochures the task force has created brochures to promote parenting plans.
- Parenting plan webpage the Division of Child Support Services is creating a webpage devoted to providing resources and information about parenting plans.

The task force members come from various backgrounds — government agencies, conciliation court personnel, clerk of court management, early intervention program managers, attorneys, domestic violence liaison, homeless shelter program manager, and child support professionals — who all recognize the need for parenting plans to strengthen families and promote parental access. Task force members are sharing information about their programs and available resources to collaboratively provide much-needed services to Arizona families.

For more information about the Arizona Division of Child Support Services parenting time task force, contact Diana Alvarez or Melissa Eklofe-Thompson, Outreach and Community Initiatives, at (602) 771-6278.



COLLECTIONS SUCCESS

Federal Offset Program

The Federal Offset Program collected over \$1.9 billion during 2014 through the combined efforts of state and tribal child support agencies, our federal partners, and OCSE. The program, which includes the Federal Tax Refund Offset and the Administrative Offset programs, is a successful remedy for collecting past-due support from noncustodial parents. Since its inception in 1982, the offset program has collected more than \$38 billion in past-due support.

Federal Offset Program collections for the 2014 calendar year

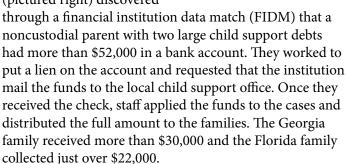
Federal Tax Refund Offset Program \$1.9 billion \$8.9 million **Administrative Offset Program** \$1.91 billion **Net Federal Offset Program Collections**

Visit the <u>Overview of the Federal Offset Program</u> for more information.

Georgia gives two families great news

¬wo families received **▲** the child support they deserved recently thanks to staff at the Emanuel County office of the Georgia Division of Child Support Services.

Tamica Worthen Henry and manager Connie Brewer (pictured right) discovered



For more information about the federal FIDM program, visit OCSE's Financial Institutions webpage.

Financial Institution Data Match

In 1998, Congress made it easier for multistate financial institutions to match records by working with the federal Office of Child Support Enforcement. Accounts of non-payers can be seized or frozen to help satisfy a child support debt. (From the OCSE Child Support Handbook: Answers to your questions.)

Arrears collection will help fund a child's education

Lori A. Cruz, Director, Dept. of Child Support Services, San Joaquin County, CA

Names in story were changed to protect identities

uick thinking staff members in San Joaquin County, CA, recently collected \$130,000 in arrears from an estate settlement to satisfy a case that was decades old.

Pete and Mary separated in the mid-1990s when Jane was a toddler. Pete never paid support. The Department of Child Support Services closed the case in 2002 when Pete started receiving Social Security benefits.

Mary asked to have the case re-opened in 2011 when she learned Pete's late grandmother left a share of her primary residence to Pete. It had an estimated value of \$125,000.

The legal staff established that the father had assets but they had trouble finding information. Finally, they learned the estate court was holding a hearing the following day to open an estate. Paralegal Jackie Hernandez recalls, "I knew that if we didn't get a Notice of Lien filed immediately, we might lose our window of opportunity to make the collection for the family." Hernandez prepared and submitted the necessary paperwork immediately.

Hernandez and her coworker, Paralegal William Cossette, pursued the lien for years through several courts. In late April 2015, the probate court awarded Mary over \$130,000 from the settlement of the lien.

Mary expressed her sincere thanks for the tireless efforts of the San Joaquin County child support office. Jane could now realize her dream of becoming a veterinarian.





TRIBAL MATTERS

Commissioner honored at national tribal conference

Paige Hausburg, OCSE

ore than 300 people attended the National Tribal Child Support Association (NTCSA) annual training conference in June hosted by the Oneida Tribe of Indians in Wisconsin. Oneida Tribal Chairwoman Cristina Danforth opened the conference with assistance from Oneida Veterans of Foreign Wars Post 7784 and the Menominee Youth Hoop Dancers. OCSE staff presented more than 10 workshops.

During the conference each year, the association presents awards for excellence in various categories, including professionalism, partnership, and outstanding tribal leadership. This year, the NTCSA President, Oneida Child Support Director Lisa Schwartz, honored OCSE Commissioner Vicki Turetsky with the association's President's Award. The award recognizes the efforts of an individual who has put forth extra effort in tribal child support enforcement.

Schwartz commended the commissioner on her support of the tribal community. During the ceremony, Schwartz recounted how she recently spent a full day walking the marble halls of Capitol Hill in high heels. Her last meeting was with the commissioner, and by the end of the day her feet were so sore she could barely walk. The commissioner suggested that Schwartz remove her shoes, and when Schwartz hesitated, said, "Look, it's easy!" and kicked off her own shoes to make her guest comfortable.

Commissioner Turetsky was very touched by the award and has it hanging in a place of honor in her office.

"Taking care of our children is a cultural responsibility as ancient as each of our tribes." — Quote from President's Award plaque

ACF ran the following article last month in its <u>Family Room</u> Blog. The blog often features OCSE, so check it often.

Two perspectives on child support

Kim Danek, OCSE

Tntil I was 10 years old, my sisters and I had a great Midwestern family life — a dad with a full-time job, a mom who made extra money cutting and styling our relatives' hair in the kitchen, and a beagle named Scooby. When I was in 4th grade, my parents divorced. The custody battle was long and nasty, which was hard on everyone. As was the practice in the 1970s, my mother eventually got custody of my sisters and me. The court ordered dad, who was a truck driver, to pay \$45 a week in child support.

The divorce was very hard on dad. He got to see us every Sunday. When we moved 75 miles away, the visitation schedule was changed so that he took us to his house every third weekend from Friday night to Sunday afternoon. After a few years of this, dad started drinking, became an alcoholic, and lost his job at the trucking company. He then fell behind on child support payments. He sobered up for a while and got a job as an independent trucker. One January day, he slipped off his icy rig and broke his arm. The company fired him because he could not work. He started drinking again.

Dad spent time in jail for drunk driving and never held another trucking job. With only a high school education, no other real skills, no drivers license, and a criminal record, his elderly, widowed cousin, Mary, gave him the only work he could find. He maintained her yard and took care of her house because she lived alone. Mary paid him in cash — "off the books" — so to speak. It wasn't enough to allow him to pay child support, and without a drivers license, he couldn't see us.



Because mom didn't earn much on a hair dresser's salary, we qualified for government food stamps, which is now called the Supplemental Nutrition Assistance Program (SNAP). She hated having to use them to pay for groceries, but we didn't have a choice. Being the oldest of the three children, not having child support also meant that I couldn't go to college after high school. I chose to go into the military so that I could save the money to pay for college myself. Without me at home, mom had more money to support her and my younger sisters. Dad died in 2001. Mom told me years later that he still owed her \$30,000 in back child support.

There were almost no programs to help our family back then. Today, as I work in the federal Office of Child Support **Enforcement**, I see nonprofit organizations and government agencies that are actively trying to help parents in a variety of ways, particularly ones like my dad who have lost jobs and fallen behind in their child support. There are also programs to help parents understand how critical their roles are as moms and dads, and why participating in their children's lives is so important.

I am incredibly proud of OCSE's recent March-April Child Support Report newsletter about incarceration and reentry issues in child support. The edition showcased states that are helping parents earn diplomas or general education equivalent certificates, and teaching them new skills so they can find jobs to make a decent living and pay child support regularly. Other states help parents during and after incarceration by teaching them how to be better parents and find good jobs after release.

Thanks to these types of assistance, many of these noncustodial parents are becoming part of their children's lives again. Programs like these might have helped my dad.

Studies show that children with two involved parents have better chances at healthy, productive lives. Many child support workers, including those of us at the federal level, are working together to find ways to take care of the children by assisting the parents who just need a helping hand. It's one of the many positive changes to the child support program since my childhood and I'm proud to be a part of it.



Members of the Washington, D.C., OCSE office gathered recently for a 40th Anniversary photo op. This is only a small portion of the staff! OCSE has nearly 150 federal employees and just over 150 contractors. About half of the federal workers and contractors work in the nation's capital. The rest are in 10 audit offices and 10 regional offices across the United States, as well as 3 federal systems support offices.

Child Support Report

Child Support Report is published monthly by the Office of Child Support Enforcement. We welcome articles and high-quality digital photos to consider for publication. We reserve the right to edit for style, content and length, or not accept an article. OCSE does not endorse the practices or individuals in this newsletter. You may reprint an article in its entirety (or contact the author or editor for permission to excerpt); please identify Child Support Report as the source.

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