

HB

128

jm DATE: 2/28/94

FURTHER: Judiciary
Finance

DATE TURNED INTO OFFICE: 3-21-94

HESS Committee considered CS SSB 128(FIN)

"An Act relating to paternity determinations and acknowledgements."

and recommends:

- replace with _____ CS _____
- or adopt previous _____ CS _____
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

- do pass
- do not pass
- no recommendation
- individual recommendations

\$ fiscal note forthcoming from HSS - State Health Services #961

NEW FISCAL NOTES

| Department | Date | Zero | Fiscal |
|------------|------|------|--------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

PREVIOUS FISCAL NOTES

| Department | Date | Zero | Fiscal |
|--------------------|------|------|--------|
| HSS - Art Hk | 1-31 | ✓ | |
| HSS - State Health | | | ✓ |
| | | | |
| | | | |
| | | | |
| | | | |

Appropriation No Fiscal Note

DO PASS:

J. Eilers
Brew A. Lewan

OTHER RECOMMENDATIONS:

J. Duncan
Judy Sals
No Kee

Beth Mason

Vice Chair: No Kee

ALASKA STATE LEGISLATURE

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MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

SPONSOR STATEMENT

CSSSHB 128 (FIN) - "RELATING TO PATERNITY DETERMINATIONS AND ACKNOWLEDGEMENTS"

Non-support of children has become a national epidemic with one-fourth of children in the United States now living with a single parent and an estimated 60 percent spending at least part of their childhood in a single-parent home. In almost half of these cases, the absent parent does not pay child support. Many of these children are born out-of-wedlock and paternity is established in only 30 percent of such cases. That interprets into 70 percent of out-of-wedlock births where there is no proof of paternity and no means to collect child support.

CSSSHB 128 (FIN) adds language to A.S. 18.50 and requires the state registrar to prepare a paternity acknowledgment form to be used at the time of birth. The form, signed by both parents, will list the father's full name and social security number, and requires the signature of a notary public. The bill also lays out specific responsibilities of hospitals or midwives (should the birth occurs outside the hospital setting) to get the proper information on the form and to distribute appropriate paternity materials from the Department of Health and Social Services. In addition, the State of Alaska is required to give full faith and credit to a determination of paternity made by another state, regardless of the method in which paternity was established. Another component of CSSHB 128 (FIN) provides for procedures to allow a default order to be entered in contested paternity cases upon showing that process was served on the defendant in accordance with state law.

This legislation is an attempt to get acknowledgment at the time when a father is particularly willing to develop a relationship with the child, which benefits both parties. The child will have the security of knowing who his/her father is and could gain access to support from Social Security, survivor and veteran benefits and worker's



Sponsor Statement
CSSSHB 128 (FIN)

compensation. The child would also be entitled to the father's inheritance, health insurance and have access to the family medical history. The father, in turn, maintains the legal right to have access to his child even though he is not married to the mother.

As of December 1992, there were 36,396 cases pending in the Alaska Child Support Enforcement Division and 7,199 of those cases are directly related to paternity verification. Establishing paternity early on will better enable the state to collect child support in the future and could subsequently reduce the number of families needing public assistance.

CSSSHB 128 (FIN) is a step towards giving children in this state a better start in life and the support they deserve from both parents.

FISCAL NOTE

CSSSHB 128 (FIN)

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. _____

Revision Date: 3/22/94 Dept. Affected: Health and Social Services
 Title: An act relating to early acknowledgement of paternity BRU: State Health Services
 Component: Bureau of Vital Statistics
 Sponsor: B. Davis, Toohcy
 Requestor: Senate HES COMPONENT SERIAL NO. #961

Expenditures/Revenues:

(Thousands of Dollars)

| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
|------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| PERSONAL SERVICES | 33.2 | 34.0 | 34.9 | 35.8 | 36.6 | 37.6 |
| TRAVEL | | | | | | |
| CONTRACTUAL | 4.9 | 4.9 | 4.9 | 4.9 | 4.9 | 4.9 |
| SUPPLIES | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 | 0.1 |
| EQUIPMENT | 5.1 | 0.5 | 0.5 | 0.5 | 0.5 | 0.5 |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 43.3 | 39.5 | 40.4 | 41.3 | 42.1 | 43.1 |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

| | | | | | | |
|----------------------------|--|--|--|--|--|--|
| CHANGES IN REVENUES | | | | | | |
|----------------------------|--|--|--|--|--|--|

FUND SOURCE

(Thousands of Dollars)

| | | | | | | |
|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | | | | | | |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| 1007 Interagency Receipts | 43.3 | 39.5 | 40.4 | 41.3 | 42.1 | 43.1 |
| TOTAL | 43.3 | 39.5 | 40.4 | 41.3 | 42.1 | 43.1 |

POSITIONS:

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 1 | 1 | 1 | 1 | 1 | 1 |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY94) cost \$ NONE

ANALYSIS: (Attach a separate page if necessary)

Twelve thousand babies are born each year in this state. Four thousand of these births are to unwed mothers. The Bureau of Vital Statistics will be working with Child Support Enforcement to identify paternity for child support payments. This will require the printing and distribution of 5,000 pamphlets/year and the processing of 250 affidavits/month.

The cost incurred for the implementation of this bill would be the costs associated with a new position for review, research, correction, data entry and filing of the affidavits of paternity, updating and issuing substitute certificates, sealing and storing of original certificates in all related case documents. The salary of this position has a 2-1/2% inflation factor built in.

Prepared by: Peter M. Nakamura, MD, MPH *PMA*
 Division: Public Health

Phone: (907) 465-3090
 Date: 03/22/94

Approved by Commissioner: Margaret R. Lowe
 Agency: *PR* Department of Health & Social Services

Date: 3-22-94

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Revision Date: 3/22/94

BILL NO. _____

ANALYSIS (cont.):

In order for this position to function, it will need funding in the contractual line for phone bills and postage, in the supply line for normal office supplies, and in the equipment line for a desk, chair and computer with related software. In subsequent years, the equipment line would need to have funds for upgrades to the computer software and replacement costs for hardware.

In addition contractual costs would be incurred for the costs associated with the printing and distribution of the 5,000 pamphlets.

| | |
|----------|-----|
| Printing | 3.0 |
| Mailing | 1.5 |

Funding for the position and associated costs of the position itself will be through an RSA with the Department of Revenue Division of Child Support Enforcement.

| | | | | | |
|---|------------------------|--|-----------------------|------------------|------------------------|
| Position Title Document Processor II | | | No. of Positions 1 | Range/Step 8A | Bargaining Unit GGU |
| Time Status PFT | Staff Months 12 | | Location Juneau | | Election District |
| TYPE of EXPENDITURE | | | AMOUNT | | |
| Salary | | | 22.0 | | |
| Benefits | | | 11.2 | | |
| Premium Pay | | | | | |
| Other | | | | | |
| Total Personal Services | | | 33.2 | | |
| Travel | | | | | |
| Contractual | | | 0.4 | | |
| Commodities | | | 0.1 | | |
| Equipment | | | 5.1 | | |
| Other | | | | | |
| Total Cost | | | 38.8 | | |
| FUNDING SOURCE for TOTAL COST | | | | | |
| 1002 | Federal Receipts | | | | |
| 1003 | GF Match | | | | |
| 1004 | General Fund | | | | |
| 1005 | GF/Program Receipts | | | | |
| 1006 | GF/Mental Health Trust | | | | |
| 1007 | I/A Receipts | | 38.8 | | |
| 1061 | CIP Receipts | | | | |
| Other | | | | | |
| Justification | | | | | |
| This position will review, research and correct, data enter and file the affidavits of paternity, update and issue substitute birth certificates, seal and store original certificates in all related case documents. | | | | | |
| This position in order to function will need to have contractual costs for postage and phone bills, office supplies, and a desk, chair and computer equipment plus software. | | | | | |

**REQUEST for
NEW POSITION**

AGENCY: Health and Social Services

BRU: State Health Services

COMPONENT: Bureau of Vital Statistics #961

FY95

Page 1 of 1

Revised Date:

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SS HB 128 (HES)

Revision Date: 1/28/94 Dept. Affected: Health and Social Services
 Title: An act relating to early acknowledgement of paternity BRU: State Health Services
 Component: Bureau of Vital Statistics
 Sponsor: B. Davis, Toohcy
 Requestor: House Finance COMPONENT SERIAL NO. #961

| Expenditures/Revenues: | (Thousands of Dollars) | | | | | |
|------------------------|------------------------|------------|------------|------------|------------|------------|
| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 |

| | | | | | | |
|----------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|----------------------|--|--|--|--|--|--|

| | | | | | | |
|---------------------|--|--|--|--|--|--|
| CHANGES IN REVENUES | | | | | | |
|---------------------|--|--|--|--|--|--|

| FUND SOURCE | (Thousands of Dollars) | | | | | |
|--------------------------|------------------------|------------|------------|------------|------------|------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 |
| 1005 GF/Program Receipts | | | | | | |
| 1006 GF/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 | 4.5 |

| POSITIONS: | | | | | | |
|------------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

Estimate of current year (FY94) cost \$ NONE

ANALYSIS: (Attach a separate page if necessary)

Twelve thousand babies are born each year in this state. Four thousand of these births are to unwed mothers. This requires the printing and distribution of 5,000 pamphlets/year.

The cost incurred for the implementation of this bill would be the costs associated with the printing and distribution of the 5,000 pamphlets.

| | |
|----------|-----|
| Printing | 3.0 |
| Mailing | 1.5 |

Prepared by: Peter M. Nakamura, MD, MPH Phone: (907) 465-3090
 Division: Public Health Date: 01/28/94

Margaret R. Lowe

Approved by Commissioner: Margaret R. Lowe, M.Ed., Ed.S. Date: 1-31-94
 Agency: Department of Health & Social Services

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CS SS HB 128 (HES)

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: "An Act relating to early acknowledgment of paternity for an unwed mother" BRU: Assistance Payments
 Sponsor: B. Davis Component: AFDC
 Requestor: _____ COMPONENT SERIAL NO. 0220

Expenditures/Revenues: (Thousands of Dollars)

| OPERATING | FY95 | FY96 | FY97 | FY98 | FY99 | FY00 |
|---------------------|------|------|------|------|------|------|
| PERSONAL SERVICES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TRAVEL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CONTRACTUAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| SUPPLIES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| EQUIPMENT | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| LAND & STRUCTURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| GRANTS, CLAIMS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| MISCELLANEOUS | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| CAPITAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| REVENUE FUND SOURCE | 0 | 0 | 0 | 0 | 0 | 0 |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1003 GF Match | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1004 GF | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1005 GF/Program Receipts | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 1006 GF/MHTIA | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Other | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

POSITIONS:

| | | | | | | |
|-----------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

Estimate of current year (FY94) impact: NONE

ANALYSIS: (Attach a separate page if necessary)

Paternity establishment is a significant issue in the AFDC program because fathers cannot be held financially responsible for children born to unwed mothers unless paternity has been established under state law.

CSSS S3190 establishes new statutory requirements for acknowledgement of paternity. The new requirements are substantially the same as existing requirements and are not projected to have a significant impact on public assistance program costs.

Prepared by: Jan L. Hansen, Director
 Division: Division of Public Assistance
 Approved by Commissioner: Margaret R. Lowe, M.Ed., Ed.S.
 Agency: Department of Health & Social Services

Phone: 465-2680
 Date: 1/26/94
 Date: 1-31-94

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DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY

STATE OF ALASKA

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Mail Stop 3101

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Juneau, Alaska 99801-2105

MEMORANDUM

February 21, 1994

SUBJECT: Sectional Summary of CSSSHB 128(FIN) (An Act relating to paternity determinations and acknowledgements.)

TO: Representative Bettye Davis

FROM: Terri Lauterbach
Legislative Counsel *TML*

You have requested a sectional summary of the above-described bill.

Please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, let me know.

Section 1. Directs the state registrar to prepare a form that can be used by a man to acknowledge that he is father of a child named in the form. When properly witnessed, this acknowledgement is presumptive evidence of the man's paternity.

Sec. 2. Sets out the conditions under which a default judgment must be entered against the defendant in a contested paternity action.

Sec. 3. Requires hospitals and other health care providers to advise unmarried women, and their male partners if possible, concerning the rights and responsibilities of parents. Also requires them to give the woman, and the man if possible, the paternity acknowledgement form developed under section 1 of this Act.

Sec. 4. Directs the child support enforcement agency to seek default judgments in paternity actions that meet the criteria of section 2 of this Act.

TML:pl
94-144.plm

Conservatives' ^{ADN} new 'index' finds ^{3/16/93} society slipping

By PETER A. BROWN
Scripps Howard News Service

WASHINGTON — Conservatives have come up with a way to quantify the decline in cultural values they have long sought to make a political issue.

William Bennett, a Cabinet member in the Reagan and Bush administrations, Monday announced an "Index of Leading Cultural Indicators" which he said shows that "over the last three decades we have experienced substantial social regression."

The index measures, among other things, welfare caseloads, out-of-wedlock births, crime rates, divorce rates, single-parent families and Scholastic Aptitude Test scores.

Employees of three conservative groups — Bennett's Empower America, The Heritage Foundation and the Free Congress Foundation — analyzed the data and compared the changes on a per-capita basis.

They found, for instance, that out-of-wedlock births were 5.3 percent of the nation's total in 1960 but 28 percent in 1990 — a more than 500 percent increase, when the population grew only 41 percent during the same period.

They found that single-parent families were 9.1 percent of all families with children in 1960, but 28.6 percent in 1991. And the percent of children

who receive Aid to Families with Dependent Children, the major welfare program, jumped from 3.5 percent in 1960 to 12.9 percent in 1991.

Bennett said that despite revisions in the SAT grading system, scores still have dropped about 8 percent since 1960. He said SAT scores dropped at the same time that government spending on education — adjusted for inflation — more than doubled.

Bennett offered a series of ideas to reverse the trends: using the Internal Revenue Service to collect child support from "dead-beat dads"; having hospitals establish paternity at the time of birth; tripling the personal income tax exemption for children; rescinding no-fault divorce laws for parents with children; and much tougher sentences for criminals.

Bennett said that he did not think the large increases in government spending during the 1960-90 period had caused the societal decline spotlighted by his index.

But he said he felt that the government programs may have created harmful incentives by shifting the emphasis from family and private solutions to problems.

"The thesis is: Government can't do it all and in fact, government can't do very much" about these problems, he said.



Child Support Report

Office of Child Support Enforcement

Vol. XIII, No. 10, November-December 1991

Paternity Establishment at Birth:

Capturing the Happy Hour

The chances of establishing paternity are greater at the time of a child's birth than at any other time says Jane Clements, Policy Section Chief of Virginia's IV-D office. This propitious moment for obtaining voluntary paternity acknowledgements has been referred to as "the happy hour," the moment when the father is bursting with pride and is most willing to accept his paternity and its obligations.

Capturing a child's legal paternity at this opportune time seems to many to be common sense. Enforcement personnel have long known that, as the child grows and the parents' relationship weakens or deteriorates, the chances of establishing legal paternity progressively worsen. From a programmatic perspective, and in the wider social sense, high numbers of nonmarital births mean growing welfare dependency and growing IV-D caseloads. The backdrop to this picture is often a costly and time-consuming paternity establishment process through overburdened courts.

Benefits of Paternity

Apart from the possibility of the father's immediate care and support of the baby, legal paternity confers a multitude of other rights and benefits which new parents may not know. With paternity established:

- The child has a right to the father's name and such support that is based on his work history, such as Social Security and other survivor's benefits, veteran's benefits, and workman's compensation.
- The child can receive any inheritance, life and health insurance, and a right to access family health information.



Tim Hershberger, 1-day old Patrick John Hershberger, and Brenda Blackall. Photo: Butterworth Hospital, Grand Rapids, Michigan 1991.

- The father now has a legal right, though not married to the mother, to establish and maintain a relationship with his child.
- In the developing bonds of care and support, the child stands to gain a whole family, reaching to both the mother's and father's sides.

(continued on page 2)



U.S. Department of
Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement

Inside...

| | |
|-------------------------------------|---|
| Colorado Planning | 4 |
| Tax Offset Gains..... | 5 |
| Medical Support in California | 6 |

From the Deputy Director

Allie Page Matthews

Allie Page Matthews

It's about the treatment of people—it always is. Whether it's in the highest negotiations for world peace or in simply asking for a glass of water in a restaurant, how you treat people tells a great deal about you.

A long time ago when I worked in the office of then-Congressman George Bush, I was struck with the simple kindheartedness that prevailed in that office.

I felt a part of a team. I was included because the idea was the thing that brought you to the table, not rank or position. There were no territorial battles, we were all treated equally, and our business was about solving problems.

And I could get help if I needed it from the people around me. There was none of this "Use them up and toss them away" attitude that seems to be prevalent today in a lot of places.

Every management book in the world will now tell you that the way I was treated is plain good management, but to me it's more a matter of how you live your life. Do you display kindness or rudeness? Do you offer help or criticism? Do you bring hope or despair?

I pray child support offices all over this country will choose to treat people at every level as I was treated in the Bush office. I want us to be what government should be. ■

Paternalty At Birth

(continued from page 1)

The Programs

Mindful of these considerations, several states have passed legislation and instituted programs for establishing paternity in the hospital at the time of the child's birth. Child support enforcement programs in Virginia, Washington, and Michigan, for example, have voluntary consent processes in which the father and mother can acknowledge and sign a document that legally establishes paternity.

*The programs
include carefully
informed consent...*

Washington State, Kent County (Grand Rapids), Michigan, and Virginia have had hospital-based paternity efforts for about a year. Washington, the first state to establish such a program, currently has 80 participating hospitals and expects 7,000 sworn paternity affidavits to be signed by the end of 1991. Averaging 88 affidavits per hospital, this represents 80 percent of the fathers who were given the

opportunity to acknowledge paternity when their babies were born.

Kent County (Grand Rapids), Michigan, has one large participating hospital and expects to have 791 affidavits signed by the end of a 14-month period. This represents 52 percent of fathers given the chance to establish their paternity in the hospital. Virginia has five hospitals participating in its paternity establishment program and is expecting to add four more, moving toward a statewide program in its 35-40 birthing hospitals. According to Jane Clements, one invaluable ingredient has been the endorsement of the Virginia Hospital Association, which has promoted the program in its newsletter.

How They Work

The three state programs share several similar practices. In Washington State, hospital personnel, e.g., the doctor, midwife, social worker, or an administrative employee, "provide the opportunity" to the father and mother to acknowledge paternity, and medical records personnel obtain the acknowledgments as part of the birth registration process. In Virginia, a social worker presents the

Special Issue for Front Line Workers

January's *Child Support Report* will be a special issue for frontline workers. To ensure that they see it, please circulate your copies as widely as you can and let us know if you need more for distribution to local offices.

We would also be glad to add to our regular mailing list any local CSE offices that do not now receive *CSR*. Please let us know on 202-401-9383. ■



opportunity and the hospital's medical records clerk who prepares the birth certificate, obtains the paternity acknowledgments. In Grand Rapids, the medical records clerk performs both functions, with some of the groundwork laid by a social worker.

All three programs provide training to hospital personnel involved in paternity establishment—medical records clerks, vital statistics registrars, and supervisors. Also, the usual practice is for state CSE programs to pay the hospital a nominal fee of \$10 to \$20 per acknowledgment, which is eligible for federal financial participation. Clements points out that the fee can in no way compensate for the time the hospital spends with the patients, basically donated time.

Questions of Law

The programs include carefully informed consent, providing the mother and father with information which explains the benefits of paternity establishment and the availability of support enforcement services. Kent County has a resource person available at the agency for the hospital to refer any additional questions to, particularly of a legal nature.

How is legal paternity formalized? In Virginia and Washington, paternity is finally established when the hospital-notarized affidavits or declarations of paternity are filed with the state vital records departments. In Washington, the father has several opportunities to later contest the acknowledgment or the support order that results. In Grand Rapids, paternity is legally established when the affidavits are filed with the court.

Community Outreach

Kent County has done a lot of outreach with pregnant, unmarried women, so they and the fathers will be prepared when they enter the hospital. It distributes brochures to doctors' offices, health clinics, hospital-run prenatal clinics, and schools with unwed mothers. The



Brochure from Kent County Michigan

hope is that if unmarried fathers have information and have had time to discuss and think about the benefits of paternity to their child, they may be more receptive to acknowledging it when they come to the hospital. In Virginia, posters placed in the hospitals encourage

employees to obtain training in the hope that they can help "market" the program.

Cost Savings

In operational terms, the cost savings to state IV-D program can be substantial. Virginia estimates that in-hospital paternity establishment saves about \$440 per case over the cost of getting paternity processed through the courts. In one year, the Virginia CSE program has realized an estimated savings of \$126,700 for 288 hospital-established paternities.

The true benefits of "happy hour" paternity establishment are, of course, for the children. Says Nancy Sterk, District Manager with the Office of Child Support in Kent County, Michigan, "The children can leave the hospital with two legal parents instead of one, starting life on a positive basis." And, with paternity established at birth, and a support order entered soon after, the mother has earlier access to child support enforcement services, if and when she and her child need them.

For further information about these in-hospital paternity establishment programs, contact: **Kent County, Michigan:** Nancy Sterk, 616-247-6230; **Virginia:** Jane Clements, 804-662-7469; and **Washington:** John Hoover, 206-586-3555. ■



The Washington Post

AN INDEPENDENT NEWSPAPER

Who Pays for Children?

THE NON-SUPPORT of children has become a national epidemic. A fourth of U.S. children now live with a single parent, and an estimated 60 percent will spend at least part of their childhood in a single-parent home. In nearly half such cases the absent parent, generally the father, won't pay support. More than 40 percent of women raising children on their own have never been awarded child support, and only about a quarter get the full amounts to which they are entitled.

This splitting apart of the family as a financial unit is a major reason why a fifth of the children in the country are poor today, and an eighth are on welfare. The recurrent question is how, besides making welfare payments, the government should respond. Part of the cautious traditional response has been that this is a state and local issue from which Big Brother should keep its distance. A striking proposal now in play on Capitol Hill would abandon that tradition on grounds that only the national government has the resources to combat what has become a national emergency. The problem is such that normal political lines have been blurred. In the House, where the idea has got to the point of hearings, the principal sponsors are the unlikely pair of liberal Thomas Downey and conservative Henry Hyde.

The proposal is to federalize the patchy child support system—the collection, disbursement and periodic adjustment of child support awards—and to make failure to pay on the part of an able parent a federal crime. Awards would still be made in state courts, but increasingly according to federal standards—and state welfare agencies would be given powerful financial incentives to see that the number of such awards increased. The Internal Revenue Service would then become the enforcer of every child support

award in the country, collecting the money just as it does taxes, through withholding, with similar penalties for evasion. Unemployed fathers who had no income would be enrolled at federal expense in a job preparation program and might eventually be given public-sector jobs from which support would be subtracted.

The likely increase in support would reduce welfare costs. The government would reduce them further by guaranteeing every cooperating single parent in the country a minimum level of child support, if for lack of income or other reason the payment from the other parent fell short, the federal government would make up the difference. The result would be a partial federalization of the welfare system as well and a greater payoff for welfare mothers who went to work. They would still lose the welfare part of their benefits as they began to earn, but not the child support part. The lower welfare costs would also provide some fiscal relief for the states.

At the federal level, the system would be costly—the amount depending on the guarantees—and it's not going anywhere this year. Messrs. Downey and Hyde didn't even introduce it as a bill, but as a concept; that's what the Downey Ways and Means subcommittee is holding hearings on. But it's a provocative idea. The government undertakes to shift more resources to children, poor ones especially, but only after making their parents also take more responsibility for them. There's something in that for everyone. A shift of power over domestic relations to the federal level may yet unnerve some people—making non-support of children a federal crime in the same way non-payment of taxes is. You have to ask yourself, which is the greater offense—and who pays when the parents don't?

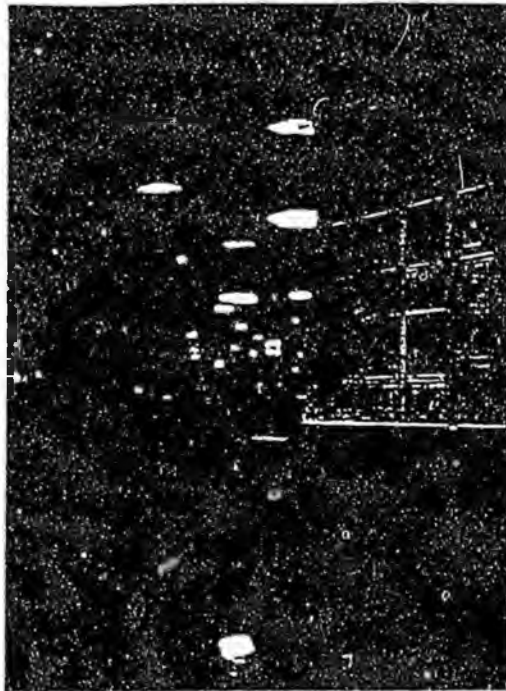
Deadbeat Dads

BY STEVEN WALDMAN

John Lock goes to court in Chicago next week to explain why he owes back child support, but his ex-wife Esther isn't expecting much. They have, after all, been through more than 100 court hearings about child support and their divorce over the past 19 years. And, according to the state of Illinois, he still owes more than \$160,000 for his four children. She's feeling needy now because she lost her job as a social worker 17 months ago, but she remembers more desperate times, like February 1977. "Our electricity was being turned off," she recalls. "We were lighting the house with candles. We were on what we called the 'white diet'—a lot of rice and cereal. No medical coverage, no dental." Her ex-husband, then a dentist, was living in the affluent suburb of Highland Park with his new family. "I knew he didn't want the kids so I figured I'd use it as a scare tactic," says Esther. She gave their two teenage sons overnight packs and dropped them off in front of their father's house in subzero weather. He called the police. "He told the Highland Park police that there were two boys outside trespassing," she says. "I'm not proud of it, but I was desperate."

John Lock admits he called the police but says he had to because one of his sons was on the verge of "kicking the door down." He concedes he didn't pay the \$1,100 monthly child support for nine years, and admits he fled to Costa Rica for three years because he was "physically, emotionally, financially devastated." But he says he had paid regularly prior to 1977, owes "significantly less" than the state claims and thinks that his ex-wife and the state of Illinois are obsessed with trying to put him in jail. He no longer practices dentistry and works part time delivering flowers in Ida, Mich. "The kids were my world," he wrote in a recent letter to NEWSWEEK. "I did my best to give them a nice life." In an interview, he added, "This has gone on to a point where there's no hope." His oldest son, Byron, now 32, agrees. He says he still can't comprehend his father's behavior. "We were his children," he says. "Why would he want to hurt us? That's what was so confusing about the whole deal—why would a father turn his back on a child?"

In battles like these, nobody ever comes out a winner. Fierce struggles over child support pit parent against parent and inevitably spray the children with emotional shrapnel. Increasingly, the private family traumas are spilling into public view. Posters of most-wanted deadbeat dads began peppering subways and bulletin boards in Massachusetts this month, and police quickly arrested the fathers. They also hauled in Frederick Grimaldi, who



IRA WYMAN FOR NEWSWEEK

Chocking out delinquent dads in Saugus, Mass. (above), Rose Brown and son Tony in Louisville, Ky. (right), and a Baltimore city sheriff arrests a man for nonpayment of support

owes \$22,144 and was working in Florida as, of all things, a deputy sheriff, according to Massachusetts officials. Grimaldi has pleaded not guilty to charges of criminal nonpayment, and his lawyer says he owes just \$19,000, some of which accumulated while Grimaldi was unemployed. Next month an association of state child-support enforcement agencies will release its second annual national Wanted list, which will include a Louisiana attorney who owes \$123,000 and a Tennessee man who

owes his quadriplegic daughter \$21,500. These small steps reflect a growing awareness on the part of public officials of just how potent an issue this has become. Consultants for former Louisiana governor Buddy Roemer were surprised to discover that in focus groups during the 1991 campaign, middle-class voters spontaneously mentioned child support as one of their most important concerns. Bill Clinton, in campaign speeches, regularly urges tougher enforcement.

It's easy to understand why: of the 5 million women who are supposed to receive child support, only half reported receiving full payment, according to a 1990 U.S. Census Bureau study. One quarter of the women got partial payment, and one quarter got nothing. An additional 2.7 million women said they wanted support but were never able to obtain an award. Deadbeatness cuts across income groups: college graduates are about as likely to have a negligent ex-spouse or ex-boyfriend as high-school grads. It even spans gender lines. Fifteen percent of custodial parents are now men, and mothers in those cases have an equally dismal record of supporting their children. The consequences of nonpayment are staggering. On average, the family income of the mother retaining custody drops 23 percent after divorce or separation—a disparity that could be wiped out for many families if full child-support payments were made. Families headed by a mother alone are six times as likely to be poor as those with two parents.

These dreary statistics have recently led social-policy thinkers of many ideological stripes to the same conclusion: child support is key both to fighting poverty and to sustaining middle-class fam-

SEEKING NEW SOLUTIONS



RICH FRISHMAN

As Leslie Fernen and Jeffrey Smith took turns holding their newborn baby boy last week at Swedish Hospital Medical Center in Seattle, staffer Dorothy Mitchell handed them a brochure. Because they are not married, Mitchell explained, Smith would have to sign a paternity statement if he wanted his name on the birth certificate. This enables the state to "go after you if you were to break up," she added—"but we don't even want to think about that now."

The proud parents may not want to think about it, but the state of Washington sure does. About one in every four children is born outside a marriage, and enforcing child support is most difficult in cases where paternity has not been established. So Washington decided to get men on the hook while they're most proud of fatherhood. In about 40 percent of out-of-wedlock births the father is now acknowledging paternity at the hospital. Smith was one who gladly signed.

Washington's program is one of many innovative approaches states have devised to beef up collections. Taken as a whole, the record of the government's network of locally run, federally financed agencies is pathetic. But prodded by major laws passed by Congress in 1984 and 1988, the agencies have pursued several avenues of reform:

Hit 'Em Where They Work. Government officials thought they had the magic bullet in the mid-1980s: take the child support directly out of the father's paycheck. But this approach loses track of people like

Kent Patterson of Seattle, who switched construction jobs 24 times in 11 months. In 1990, Washington state began requiring many employers to give the names and social-security numbers of all hires to the child-support agency so it could track them. By 1994 all states are also supposed to garnish paychecks automatically, without waiting for the father to become delinquent.

Putting Blood in the Stone. You can lead a deadbeat to court, but you can't make him pay if he doesn't have any money. So several states have begun requiring fathers to join job-search programs. A Grand Rapids, Mich., program found jobs for 432 of 1,077 employees during an eight-month period—and their child-support payments jumped by more than 300 percent.

Private Eyes. Agency workers juggling 1,000 cases can often spend only a few minutes on each case. So some states, and increasing numbers of desperate mothers, are turning to private collection services for help. They are often quite effective, but firms can take a big cut of whatever they collect, while the government collects it all (in theory) for free. Parents can increase their odds by consulting groups like the Association for Children for Enforcement of Support (1-800-537-7072) and the National Child Support Advocacy Coalition (P.O. Box 420, Hendersonville, Tenn. 37077). Noncustodial parents can try the National Council for Children's Rights (202-547-NCCR).

The Big Fix. Some child-support experts believe the state-by-state enforcement system is too bureaucratic to ever work well. One proposed solution: turn it over to the IRS. Some advocates go further with a proposal called child-support assurance. The government steps up enforcement, but if the father doesn't pay fully, the state fills the gap. States could then eliminate one of the counterproductive parts of the current law: when poor men do pay support, the state keeps most of it to help finance its welfare operation. Like many of these reforms, the goal here is somewhat unusual for the government: forcing parents, instead of the state, to take care of kids.

S. W. with LORRAINE IANNELLO

in the beginning he was just hurt because I hit him," Willie says. "He didn't want to go back into it and bring back up that hurt." Despite his long absence, Itchner carried his kids' pictures in a wallet for more than a decade and on a few occasions drove by house or to a nearby park and watched them from a distance. His daughter Jewel, who has for several years kept Itchner's set of medals in a box by her night stand, recently started a correspondence with him. During a recent interview he pulled out photographs of the girls at the ages of 4 and 2. "You look at the pictures," Itchner says. His eyes well up. "And you look at the pictures of them at 13 and 15." How much have gone through? How much have I missed? How much have I missed from not being with me? All three of us have lost out on a deal, and now we're trying to get it back."

In truth, some men never really develop any relationship with their children, so not paying child support doesn't arouse guilty feelings. Roger Hollenbeck of Des Plaines, Ill., describes the relationship as a brief fling (she says they were together seven months) and was furious to learn she was pregnant because she had told him that a medical condition made that impossible. He left town a few months later and over the next 10 years missed \$21,000 in payments. Hollenbeck's explanation for why he didn't pay: he didn't realize he owed any child support. (This seems unlikely, since the IRS in 1985 intercepted his tax refund for nonpayment of child support.) Under threat of a jail sentence, Hollenbeck recently paid \$10,000 of back support and spoke with his son. "Do you hate my mother?" the boy asked, according to Hollenbeck. "I said, 'No. We were friends, and I moved away'."



But asked later what kind of relationship he expects he will have with his son, Hollenbeck says, "absolutely nothing. I know that sounds cold to say, but facts are facts." Some fathers make so little money that their child-support payments feel like an enormous burden. Since payments are usually based on a percentage of parental income, however, even wealthy fathers can feel the pinch.

Washington, D.C., lawyer Grier Raclin currently pays \$4,150 per month to his ex-wife Victoria Reggie, a well-paid Washington lawyer who about to marry Sen. Edward M. Kennedy. Despite their lucrative jobs, the parents regularly bickered over child support, according to correspondence filed in court. Raclin tried to get reimbursed for camping gear he had bought for a trip with his son. "I absolutely refuse," Reggie replied in October 1990. "I have already paid \$1 for Cub Scouts—an activity for which you said you would be responsible—and I will not pay for the gear you decided you need to take Curran camping. . . . If you try to deduct anything from t



DAVID WALE

The father of Eric and Allsa Marcelles Melrose Park, Ill., is thousands of dollars behind in support. says his wife kept him away from the kids.

mother can turn to the local government for free—and enter a surreal world where social workers juggle 1,000 cases at a time, a prosecutor might handle 100 cases a week and fathers evade pursuit for years by merely moving a few miles away across state lines. "There's a fiction that we're working everybody's cases," says Darryll Grubbs, until recently a top official of the Texas child-support-enforcement division. "Good Lord. We're not coming close." Jim Harrelston, until last November an investigator in Ft. Worth, Texas, was supposed to look through his 2,800 cases and chase the most delinquent parents. In fact, he usually ended up responding to whichever irate mother called the most, and he got 30 to 40 calls a day. The squeaky-wheel system pays little attention to which mother is neediest, and the caseload can push overwhelmed employees to the edge. "There's nothing I can do!" one fuming caseworker yelled at a parent on the phone in Prince Georges County, Md. "I can't make him a good person!"

Among the many difficulties caseworkers face, one is frighteningly basic: figuring out who the father is. A startling 27 percent of all American children are born out of wedlock; two thirds of all black kids are. Identifying the father is much easier now than 10 years ago because blood tests show, with 98 or 99 percent certainty, whether a man fathered a child. Yet the system solves fewer than half its paternity cases. Many welfare mothers



don't cooperate, fearing they'll lose benefits if the father is found, but even when they do identify the man, states must find him and get him into court, a process that can take years. Sometimes the results are ghoulish: a Maryland judge decided that a man who had fathered a child through a sexual assault should legally be considered the father, paying child support—and getting visitation rights.

Knowing who the father is doesn't mean knowing where he is, how much he earns or how to collect from him. Roughly one third of all child-support cases involve parents living in different states—and women in such cases were twice as likely to get nothing as those with the father nearby, according to a 1990 General Accounting Office study.

The system is routinely maddening for women, but can sometimes be merciless to men, too. Fathers who want to have visitation orders enforced or who've hit hard times and want to have their support payments reduced will have to hire their own lawyers, even if they have no money; most states represent mothers for free in collection cases, fathers not at all. One Las Vegas man ended up paying for a judicial mistake for a decade. He had been dating a woman in Derry, N.H., for just about two months when she announced she was pregnant. He married her, but a year later, he says, he came home to discover she had cleaned out the house and left. Bitter and suspicious about the experience, he asked the court for a blood test to see if he was actually the father of the baby girl, but

the court denied the request out of fear that doing so would taint the child with the "implication of illegitimacy." He paid \$100 a month in child support sporadically, falling about \$5,500 behind at one point. He saw the girl a total of four or five weeks over the next 10 years and shifted between feeling defiant and guilty. "I never treated her like a real father treats a real daughter," he says. "You see dads all bright and aglow; I never had that. I kept thinking I was a bad dad." Finally, at the prompting of his new wife, he tricked his daughter into taking a blood test while she was visiting him in Las Vegas—and the test showed he was not her father.

Despite the many examples of governmental foul-ups, the system works much better than it did 10 years ago. Although the average support award is just \$57.59 per week, most courts have increased payment levels because Congress in 1984 required states to write specific child-support guidelines. As the issue has become politically hot, it has even seeped into electoral politics, in sometimes troubling ways. A fathers'-rights group in Las Vegas is running a slate of candidates in the elections for family-court judges, backing only those who, the group thinks, will lean more toward fathers in custody and support cases.

Reforming child-support policy may prevent a few families from entering into the war zone inhabited by people like John Chappell of Port St. Lucie, Fla., and his ex-wife Linda Place of Springfield, Va. She says he owes his three children more than \$20,000 in child support and reimbursement of medical expenses. Eleven-year-old Matthew spends weeks at a time in a hospital with a serious immune disorder; Place has so far been unable to afford specialized treatment at Duke University. Chappell used to earn \$26,000 a year as a medical-bill collector, but he was, until last Friday, unemployed. Place believes he was intentionally not working to avoid paying the \$540 a month and medical expenses. "There's

nothing *wrong* with him that he could not maintain a job," says Place, who works 32 hours a week as a nurse and often sleeps in a cot by Matthew's bed. "He's removed himself from the situation so it's not real anymore. He doesn't go to the hospital every day and see Matthew with IVs and needles."

Chappell complains bitterly that his ex-wife is pursuing him out of "raw hate" and turning the children against him. He says his new job in a convenience store will enable him to pay more. "To me, this is a battle between her and me—not the kids," he says. He's right that the parents are the combatants, but he shouldn't delude himself about the names of the casualties. Matthew is growing up thinking that his debilitating illness might be better treated if only his father would pay more in child support. Chappell's oldest son, Chris, speaks in more emotional terms. "Not getting stuff hurts," says 14-year-old Chris, "but thinking that Dad doesn't care enough to support you—that really hurts. I don't think I'm ever going to forgive him. It's just too hard." Chris visited his father in Florida just last summer, and Chappell brought him on a special afternoon outing—to court. There, Chris got to watch the judge chastise his father for failure to pay child support, put him in handcuffs and lead him off to jail. ■

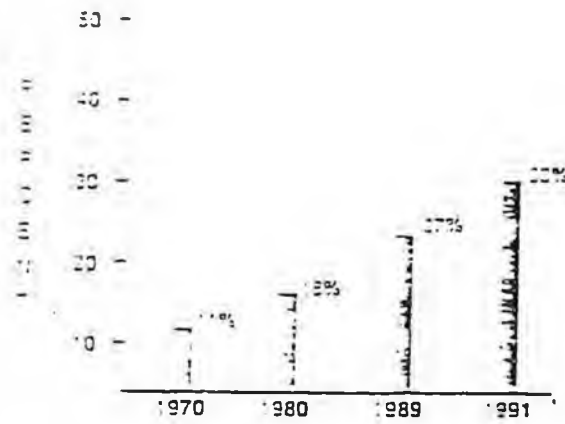
Carolyn and Jewel Itzchner have kept the service medals of their father, Drew (right), even though they haven't seen him for 12 years



WILSON—NEWSWEEK (TOP); SLOAN—NEWSWEEK

Overhead #1

Percent of out of wedlock births in America*

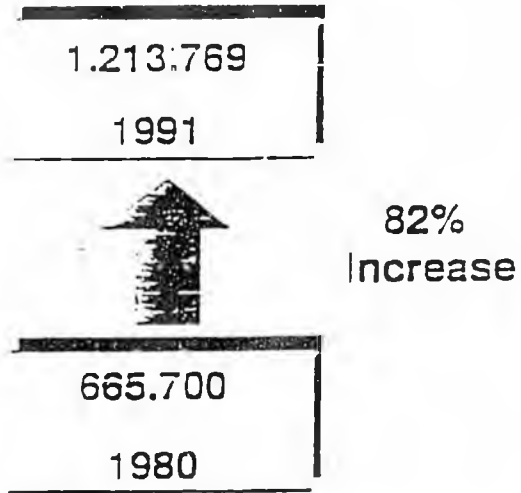


* Data from National Center for Health Statistics

- According to data from the National Center for Health Statistics, about 29.5% of births in the United States were to unmarried mothers in 1991 (the latest data we have).
- This is a substantial increase from a rate of 11% just twenty years ago.

Overhead #2

Number of Births To Unmarried Women



- In 1991, there were well over a million births to unmarried women.
- This represents an 82% increase over the number in 1980.

Social and Economic Impact of Out of Wedlock Births

- Every hour 56 children are born to teenaged mothers:
- Approximately 1 out of every 4 children are born out of wedlock:
- 56% of women receiving AFDC have never been married:
- The poverty rate for all women with children from absent parents is 32%.

- The high level of out-of-wedlock births has social and economic consequences.
- Many of the mothers are teenagers. Every hour 56 children are born to teenage mothers.
- Many of the mothers and children may end up on public assistance. 56% of women receiving AFDC have never been married.
- Many of these families live in poverty. The poverty rate for all women with children from absent parents is 32%.