

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1485 SHESS SB 181 (#2)

1485

The agencies do not wink at nonpayment by the doctor; rather, the doctors who fail to pay are more likely, if jail is imminent, to have access to sufficient cash to appease the agency. Several aspects of the skewed population in the jails should give us pause. To the extent that we punish the unskilled worker in order to produce higher payments from thousands of higher-income fathers, we are repeating a familiar and dubious pattern in our society that finds its analogues in the use of jailing for street-corner gambling as well as in medical experimentation on prison inmates. To the extent that we punish the blue-collar workers because we are angry at them themselves, our anger is sometimes misplaced. While most of the men jailed could, in the literal sense, have paid more than they did, many see themselves, with some justification, as barely making do, scraping the sides of the bowl of thin gruel provided the least-skilled workers in our society. We blame such men and their supposedly footloose ways for the rise in the welfare rolls, just as some persons in the eighteenth century viewed those who did not pay their bills as a cause of the decay of civilized society. Jailing for nonsupport is a twentieth-century form of jailing for debt.⁵⁰

A third and more tangible reason for avoiding criminal sanctions for nonpayment of support is the conditions of our jails. America's county jails are among our most vicious institutions of incarceration.⁵¹ Often jammed with far more inmates than they were built to hold, they rely on forced inactivity and breed bodily and sexual assault. The character of our jails should be seen as particularly troublesome in this setting when we recall the high level of jailing in many of Michigan's counties. Judges sentence close to 4,000 Michigan men each year for nonsupport. In several counties their numbers outstrip by far the number of men sentenced to jail for drunken driving or larceny offenses. It is probable that each year at least 1,000 more Michigan men under support orders spend a day or so in jail under arrest without later being sentenced. While many sentenced men serve no more than a day or two, it is still alarming that we label as criminal one in ten or one in twelve of all divorced noncustodial

50. See P. ROCK, *MAKING MEN PAY* 307-16 (1973) (tracing the use of jailing for debt in 18th and 19th century England).

51. "Life in many institutions is at best barren and futile, at worst unspeakably brutal and degrading No part of corrections is weaker than the local facilities that handle persons awaiting trial and serving short sentences." PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, *THE CHALLENGE OF CRIME IN A FREE SOCIETY* 159, 178 (1967).

See also R. GOLDFARB, *JAILS: THE ULTIMATE GHETTO* (1975); Matlick, *The Contemporary Jails of the United States: An Unknown and Neglected Area of Jus-*

parents at some point during the life of their support orders.⁵² Studies in other settings have shown well the long-term scars that can develop from labeling people as criminal deviants.⁵³ If Michigan's aggressiveness were replicated in the rest of the country, as might conceivably occur under the new pressures for collection the federal government is applying in welfare cases, we could find courts sentencing 100,000 American parents for nonpayment of support each year.

Frequently men who have been jailed flee the county upon release.⁵⁴ We have little way of measuring how many other men, never jailed, leave because they fear that jail may befall them, although that group also appears to be substantial in number.⁵⁵ Since those who leave because of such fears may well be men with a strong desire not to pay, it is unclear how many of them would have continued a relationship with their children if they had remained in the county. Jailing may nonetheless damage the quality of the relationship between parent and child, even when the father does continue to visit and pays support regularly. What is the impact of an ever-present threat of jail on the relationship between a noncustodial par-

tice in HANDBOOK OF CRIMINOLOGY 777 (D. Glaser ed. 1974). County jails typically include a mix of persons under sentence for misdemeanors (such as drunkenness) and persons awaiting trial for serious felonies who cannot make bail.

52. In Genesee, approximately one of every seven men in the active caseload in 1970 had been sentenced to jail at least once. Table 2 in the text shows that in 28 Michigan counties 3046 men, or 1.05%, from a total caseload of about 290,000 were sentenced to jail in 1974. However, the number of men in the caseload who have ever been jailed is much higher, since most men sentenced in one year remain in the caseload for succeeding years. A case typically will last 12 to 15 years, from divorce to the 18th birthday of the youngest child.

53. See H. BECKER, *OUTSIDERS: STUDIES IN THE SOCIOLOGY OF DEVIANCE* 31 (1963): "One of the most crucial stages in the process of building a stable pattern of deviant behavior is likely to be the experience of being caught and publicly labeled as a deviant." See also R. SCOTT & J. DOUGLAS, *THEORETICAL PERSPECTIVES ON DEVIANCE* (1972); *THE LABELLING OF DEVIANCE: EVALUATING A PERSPECTIVE* (W. Gove ed. 1975).

54. In a sample we drew of 191 men sentenced to jail in Genesee County during 1969 and 1970, over one-third (61 of the 172 whose records were complete and whose cases remained open for another year) fled town within a year after their release from jail. We use the verb "flee" here because the payment rate in the year after the release of those jailed persons who leave town is so low (.09) in comparison to those jailed persons who stay (.48) that, for most, avoidance of jail seems to have been a primary motive for their leaving town.

55. In our random sample of 411 divorced families in Genesee County, 70 fathers appear from our records to have moved away from the county after divorce. If this group had paid at roughly the same rate as those who stayed, we could make no inferences about their motive for leaving. In fact, this group paid so much less well than those who appear to have stayed (a mean payment rate of .35 as opposed to a mean of .82) that it seems highly probable that many left to avoid the enforcement system.

ent and his child? How, that is, does a parent begin to behave toward a child to whom he feels tied not by affection alone but at least in part by fear? Can jail's distant possibility make even more tense the already awkward visits between parent and child after divorce? Can it aggravate the injuries to the child's development?

Since little research exists on the impact on children's development of various patterns of relations between the child and noncustodial parent after divorce,⁵⁶ it is hazardous to speculate on the particular effects that the prospects of jailing could have. In many cases, perhaps most, my worries may well be groundless. Many fathers may be induced into regular payments in part through vague awareness of the jailing policy but form a habit of payment so routine that they soon cease altogether to be affected by the dire consequences of ceasing to pay. For them, the jailing policy may indirectly improve rather than corrode the relation with their children by removing friction between the divorced parents over erratic payments.

C. *An Alternative to Jail: Deductions from Wages*

Even if one concluded that the benefits of a jailing policy greatly exceeded all these possible social costs, jailing might still be wisely avoided or curtailed if an alternative method of enforcement exists that can produce as much or more money with lower costs. Such an alternative may well be available. In the United States, child support and taxes are the only personal financial obligations routinely enforced by public agencies. For the collection of income and Social Security taxes, Americans are well accustomed to the withholding of wages. "Wage assignments" for child support operate similarly when imposed on an employer and are authorized by law in Michigan and several other states. In most states, including Michigan, however, courts may not impose a wage assignment except on a person already in default,⁵⁷ and in all states a wage assignment enus

56. Parts of the results of a University of California at Berkeley study of children of divorce will be appearing in the summer of 1977. Kelly & Wallerstein, *Part-Time Parent, Part-Time Child: Visiting After Divorce*, *J. OF CLINICAL CHILD PSYCH.* (Summer 1977). See also Benedek & Benedek, *supra* note 32.

57. Compare MD. ANN. CODE art. 27, § 88 (1976) and MICH. COMP. LAWS § 522.203 (1970) (both requiring default before imposing a wage assignment) with Wis. STAT. § 247.265 (1973) (permitting wage assignment to be imposed "at any time.") See also 42 U.S.C. § 659 (Supp. V 1975), by which Congress recently provided that wage assignments for support of children would be honored for employees of the United States government as if the United States were a private employer. Thus, if state law permitted, a United States employee could be subject to an involuntary wage assignment without proof of default.

when a person ceases to work for the employer against whom it was ordered.

If a federal system were established under which withholding occurred from the first moment of an order and traveled with a person wherever he took work within the country, the need for much of the current enforcement system would largely disappear. To effectuate this network, the federal government would need to create a national computerized system tied to the man's Social Security number. Employers would be required to make a check on a new employee through a Social Security office to learn whether support payments were to be withheld from his wages. Under such a system, the frequency of payments would be nearly perfect except by the unemployed,⁵⁸ the self-employed, and those able to evade the floating wage assignment by falsifying their social security numbers or by colluding with the employer.⁵⁹

A compulsory deduction system would, to be sure, have many troublesome aspects. It would be cumbersome to administer, a fountain of details inviting errors. Unlike income-tax withholding, deductions for child support would be required only for certain employees, who would not look any different at the time of hiring from other new employees. Unlike income taxes, support payments would generally have to be funneled to a recipient other than the federal government, a process likely to take several weeks, even months.⁶⁰ At varying intervals, as children reached majority, the amount to be withheld would change.

58. No sanctions should ever be imposed on unemployed men without other income. In Genesee, many unemployed men were jailed after a finding that they could have been working, a chimerical finding in a nation with over 7% unemployment. A few men are willing to starve themselves to avoid paying support, but their numbers are worth neither the effort to ferret them out, nor the injustice to those who are unemployed for reasons beyond their control.

59. An additional advantage of the assignment system is that it would allow the court to fix orders in terms of a percentage of the individual's net earnings, rather than following the universal practice of defining the order as a fixed dollar amount based on the individual's income at the time of the divorce. Although courts have the power to modify an order to reflect changes in earnings, the procedure is cumbersome and in many places infrequently used.

60. Presently, employers pay Social Security taxes quarterly. If, under the system envisioned here, employers had to forward support withholdings only once a quarter, some support payments would remain in the employers' accounts for over three months. Even if employers were required to forward payments weekly, the forwarding would likely be to a single federal office, which would in turn forward the amount either to the custodial parent, to a welfare department, or to another forwarding agency such as a Friend of the Court. The record of sloth and error in the Social Security Administration's handling of old-age and disability benefits is hardly encouraging.

The drawbacks of a compulsory wage-assignment system would not be solely ones of administration. Such a system would also curtail individual liberty. Many people feel strongly about their right to decide for themselves what to do with their earnings. They would resent involuntary wage assignments for child support as much as they would resent involuntary deductions for their utility bills, even though they would agree that it was reprehensible not to pay their bills. Whether seen as a right or an obligation, many noncustodial parents attach importance to their weekly voluntary writing of a support check, viewing it as a means to demonstrate their love for their children.⁶¹

A wage-assignment system would also involve another sort of federal intrusion on privacy. We can appropriately worry about a federal computer system carrying detailed information about the failed marriages of millions of citizens. Indeed, the employers would invariably learn through the system that their employee was divorced or the parent of an illegitimate child. Today, agencies often hesitate to impose wage assignments in cases in which they fear that the father is likely to be fired because his employer either does not want the bother of making an additional deduction or thinks ill of a person who is divorced or the parent of a "bastard." This troublesome problem of employer attitude could well continue under the system proposed here.

For all these reasons, it is easily understandable why only a bare majority of the Friends of the Court indicated in a mailed survey that they would favor a change in Michigan law to permit the imposition of a wage assignment at the moment the support order first takes effect, despite the fact that, as a group, they are strongly committed to improving collections of support.⁶² In the end, however, the issue is not the evil of such a wage deduction system in the abstract. Rather, it is whether it is better or worse than the sin-based system that we have now—the system in which we dangle before men the opportunity not to pay, often so inviting because of the pain of continued recollection of the old family and the burdens of new ex-

61. This observation is based on field interviews with staff members of Genesee County's Friend of the Court during the summers of 1972 and 1973. From those interviews, we also learned that men often view the wage assignment with disfavor because it curtails their bargaining power in the post-divorce period. In the absence of a wage assignment, they can retaliate by slowing up on payments when the custodial parent reneges on visitation. When a wage assignment is in effect, they can retaliate in the same way only by quitting their job.

62. Twenty-three Friends of the Court among the 28 in our study responded to our questionnaire. Of the 23, 12 favored such a change in the law, one was neutral and 10 opposed.

penses, and, then, when men respond to the opportunity, clap them into jail.

If state and federal governments remain committed to compelling long-absent parents to support their children and determined to enforce the obligation aggressively, I for one would choose the compulsory deduction system over the system now found in Michigan. The deduction system would be my preference not so much because it would almost certainly lead to even higher collections than Michigan obtains today, but rather because of the doubts I have expressed about the justness of a jail-based system and about the atmosphere that system creates. The choice may seem easier because the new system does not yet exist. It is, however, hard to believe that a new system, however intrusive, could be as distasteful as one that depends heavily on imprisonment and the fear of imprisonment. If you have any doubts in this regard, turn yourself in for a weekend at your nearest county jail.

Another alternative to the heavy use of jail exists. It is simply for states to create efficient full-time enforcement offices, comparable to Friends of the Court, with courts empowered to use sentences to jail but rarely actually doing so. Remember that in eight of our counties, the judges jailed few people but the full-time agencies in each still collected vastly more than Dane County, Wisconsin. To those to whom jail is repugnant or at least distasteful, this is a possible middle ground that could lead to much higher collections in the many places that now leave mothers not receiving welfare to the same inadequate private remedies available in Dane.

V. THE IMPLICATIONS OF THE STUDY FOR EFFORTS TO CONTROL OTHER FORMS OF UNDESIRABLE BEHAVIOR

If the use of jail deters nonpayment of support, can we conclude that it will similarly deter rape or armed robbery? Of course not. We can expect that jail will have a greater effect when men know that all their actions are observed. Most armed robbers and rapists hope that their identity will remain unknown. Most shoplifters and heroin sellers hope that even the offense itself will never be detected by anyone interested in securing an arrest. In the case of child support in Michigan the fact of the offense and the identity of the perpetrator are always known. Thus the very factor that made our study possible—the all-knowing files of the Friend of the Court—makes our findings ungeneralizable to most other forms of conduct.⁶³

63. For a provocative discussion of the quite different problems of deterring

In addition, each form of behavior has its own psychological setting. Persons considering aggressive sexual or physical assaults, even if they know that their identities will be learned, may well be typically less responsive to the threat of incarceration. Nonpayment is not an irreversible act committed in the heat of passion. However angry a man may be at his former wife, a "sudden" decision on Tuesday not to pay can be fully undone and punishment avoided on Wednesday or even a week from Wednesday, after reflecting on the consequences of default.

Most men do not, of course, deliberate each week about payment or nonpayment. Penal sanctions may operate in a much more subtle way to reinforce a person's sense of how much importance the community attaches to a certain form of behavior. In the context of child support, we have been unable to determine the contribution of jailing to this socialization process, and our inability to measure this and compare it with other forms of behavior further reduces the utility of our study for understanding such other forms of behavior.

Despite all these cautions, the study does seem to confirm one commonplace prediction: swift and certain punishment can reduce the incidence of some forms of undesired conduct so long as potential offenders perceive a clear link between their own behavior and a system that leads to punishment. If a policeman is watching and customers know it, fewer candy bars are stolen. The sad finding of our study has been that, in the absence of sanctions, so many fathers fail to pay. The striking finding has been the effectiveness of enforcement agencies in many Michigan counties in creating a sense of a policeman at the elbow.

"street crime," see N. MORRIS & G. HAWKINS, *THE HONEST POLITICIAN'S GUIDE TO CRIME CONTROL* (1970); J. WILSON, *THINKING ABOUT CRIME* (1975).

APPENDIX

*Regression Analysis of Factors Accounting for Differences
in Rates of Collections Among Twenty-Eight Counties.*

The measure of county performance used in the study was the mean for each county of the individual payment rates for each person in the sample for the period sampled. That measure is referred to here as the "Mean Payment Rate." For the manner in which the individual rate was computed, see note 12 *supra*. This measure was used as the dependent variable here either in its natural form, its log to base 10, or its "Logit" form, as indicated.

A list of around 40 control variables tested in the analysis can be obtained directly from the author. Below are the controls used in the analyses reported here:

1. *Self-Starting Factor.* A binary variable that records whether (coded 1) or not (coded 0) the county has used for several years an enforcement system in which the agency initiates enforcement in nonwelfare cases without awaiting complaints from the mother.
2. *Jailing Rate.* The number of sentences to jail in 1974 for contempt of court for nonpayment of support for each 10,000 persons in the county population. As explained in note 17 *supra*, this rate closely parallels the rate of jailing for each 250 men in the county caseload.
3. *Population.* The \log_{10} of the county's population from the 1970 decennial census.
4. *Unemployment Rate.* The unemployment rate in the civilian labor force according to the 1970 census. A further explanation of our use of the unemployment figures is found in note 25 *supra*.
5. *High-Jail/Self-Start Factor.* A combination of factors 1 and 2 above into a binary variable that coded whether or not a county was both high jailing and "self-starting". Those counties that had both a jail rate of 4 or more per 10,000 and a self-starting system were contrasted with all other counties. The selected rate of 4 per 10,000 divided our counties approximately at the median and had no other conceptual foundation.
6. *Jail x Self-Start Factor.* Factor 1 above multiplied by Factor 2. The multiplication produced a 0 for all counties without a self-starting policy (regardless of their jailing rate) and their jailing rate (from 1 to 17) for all counties that did have a self-starting policy.

A. Regression on the "Mean Payment Rate"

1. *With three variables that explain most variance:*

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Significance Level</u>
Self-starting Factor	8.62	+0.41	2.89	<.01
Jailing Rate	0.92	+0.35	2.64	<.02
Log ₁₀ Population	-7.91	-0.34	2.53	<.02
Fraction of explained variance: 62.6 per cent (unadjusted) 57.9 per cent (adjusted)				

2. *With four variables that explain most variance:*

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Significance Level</u>
Self-starting Factor	7.00	+0.33	2.25	<.05
Jailing Rate	0.96	+0.37	2.82	<.01
Log ₁₀ Population	-8.64	-0.38	1.48	<.20
Unemployment Rate	-2.35	-0.19	2.80	<.01
Fraction of explained variance: 65.8 per cent (unadjusted) 59.9 per cent (adjusted)				

3. *With the "High-Jail/Self-Start Factor":*

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Significance Level</u>
High-Jail/Self-Start Factor	14.8	+.64	6.36	<.01
Log ₁₀ Population	-10.8	-.47	4.72	<.01
Unemployment Rate	-2.65	-.22	2.20	<.05
Fraction of explained variance: 76.5 per cent (unadjusted) 73.6 per cent (adjusted)				

4. *With the "Jail x Self-Start Factor":*

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Significance Level</u>
Jail x Self-Start Factor	+1.33	+.55	4.30	<.01
Log ₁₀ Population	-9.96	-.43	3.50	<.01
Unemployment Rate	-1.94	-.16	1.25	—
Fraction of explained variance: 64.4 per cent (unadjusted) 60.1 per cent (adjusted)				

B. Regression on Log₁₀ "Mean Payment Rate"

With principal variables in log form:

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Significance Level</u>
Self-starting Factor	0.047	+0.33	2.06	<.05
Log ₁₀ Jail Rate	0.052	+0.31	2.20	<.05
Log ₁₀ Population	-0.059	-0.38	2.69	<.01
Log ₁₀ Unemployment	-0.240	-0.23	1.62	<.20
Fraction of explained variance: 62.1 per cent (unadjusted) 55.5 per cent (adjusted)				

C. Regression on "Mean Payment Rate" in modified "Logit" form

$$\text{Log}_{10} \frac{\text{Mean Payment Rate}}{1 - \text{Mean Payment Rate}}$$

With principal measures in log form:

	<u>B</u>	<u>Beta</u>	<u>T-Ratio</u>	<u>Signif- icance Level</u>
Self-Starting Factor	+0.13	+0.30	1.91	<.10
Log ₁₀ Jail Rate	0.19	0.38	2.75	<.01
Log ₁₀ Population	-0.18	-0.37	2.67	<.01
Log ₁₀ Unemployment	-0.79	-0.24	1.88	<.10
Fraction of explained variance: 63.9 per cent (unadjusted)				
57.7 per cent (adjusted)				

Inforex Announces C.A.S.E.

BURLINGTON, MA—Inforex, a worldwide leader in information management systems proudly announces C.A.S.E., a totally automated system that provides a solution to the time consuming administrative and procedural problems associated with Title IV-D.

Inforex believes that the maximum effectiveness of the IV-D program can be realized only when the information collected can be easily used to answer ad-hoc day to day requirements, along with providing coordination of IV-A and IV-D activity, providing automatic notifications of delinquencies, and maintaining strict accounting control.

Information is useful only to the extent that it is accessible and current. To be effective it must be able to be accessed quickly in an ad-hoc fashion as well as used for the production of standardized reports. A IV-D information system, in order to be responsive to the dynamic needs of your program, must be usable to IV-D specialists, not just data processing experts.

Over a year ago, Inforex committed itself to developing a system that would address the administrative problems of Title IV-D.

"... we dedicated a team of analysts to the task of learning the requirements of IV-D and building a packaged information system that would meet them. We have succeeded..."

and our success is C.A.S.E. — the Child, Alimony, and Support Enforcement system.

C.A.S.E. IS A SYSTEM DESIGNED TO:

- Make information work for you
- Meet Federal requirements
- Be easily and quickly installed
- Be used by non-data processing personnel

INFOREX KNOWS YOUR PROBLEMS AND HAS THE SOLUTION

Certainly no one will argue with the logic, and potential benefits of the Child Support Enforcement program. However, as each support agency has experienced, the realities of implementing and administering the program can be overwhelming. To date, the program has shown an acceptable return on investment,

however, there are a number of administrative problems that have prevented the program from reaching its full potential benefit to the community and taxpayers.

The paperwork associated with initiating, monitoring and enforcing IV-D related support orders consumes enormous amounts of staff time and budget dollars. This problem is compounded by the need for detailed, historical information on collections, disbursements and delinquencies. These needs have complicated and overloaded conventional filing systems to the point where the program's effectiveness is suffering from a lack of timely and accurate information.

Another major problem area is the need for sophisticated accounting procedures and controls that are capable of handling the arrearages, disbursement hierarchies and a variety of payment terms, that are inherent in a court order based system. These controls are necessarily complicated and time consuming and, in many cases, simply cannot keep pace with the volume of transactions generated by the state or county caseload.

As is the case with any program of this magnitude there are substantial local, state and federal requirements. Although the specific reports vary in almost every case they require a complete review of the caseload on at least a quarterly basis.

All of these factors culminate in the single greatest obstacle to success for the program. Too much time is spent on generating, processing and retrieving information/paperwork and not enough time is spent on the functions that increase collection levels and reduce Welfare roles.

C.A.S.E. is designed to reduce the amount of time required to process the day to day functions of case administration. Once the terms of the support order are established on the system the paperwork associated with the accounts receivable, disbursement and enforcement functions are handled virtually automatically (all under strict accounting/balancing controls). In addition, complete payment, disbursement and case status information is available in seconds.

By using simple two letter commands, your staff members will be able to retrieve information required to counsel delinquent

parents, prepare for court proceedings, etc.

The Inforex C.A.S.E. system is not only cost efficient, but produces increased revenue to the state/county, thereby reducing the burden of the taxpayers by increasing IV-D collections and decreasing Welfare fraud and social service assistance. Additionally, the C.A.S.E. system can quicken the response by the IV-D units, producing benefits to recipients of Welfare.

Inforex knows that your individual installation is unique and that your information requirements change with time. For these reasons Inforex's commitment goes beyond initial program development. Inforex is committed to assisting you in meeting your changing needs, and seeing to it that C.A.S.E. remains compliant with federally mandated requirements. We have over 400 field system and maintenance engineers in more than 30 major cities to assist you in maintaining your C.A.S.E. position of leadership. They are trained professionals ready to help you make the most of your information.

SUMMARY

Inforex, a worldwide leader in intelligent terminals and Data Entry and Information Management systems — the company whose business it is to know and understand end user requirements — offers you the ultimate solution to one segment of the growing Welfare predicament.

Agencies using the Inforex C.A.S.E. will now be able to retrieve, review, alter and store all relevant support information. Information that is immediately available in hard printed form as well as CRT displays. Individual cases can now be reviewed in minutes using simple two-key commands. Specific support checks can be issued, actual letters can now be sent. Legal backlogs will disappear as C.A.S.E. tracks errant breadwinners and dispenses funds with precision, ease and speed. All while using present staff as trained by experienced Inforex personnel.

Inforex has presented us C.A.S.E. This exciting new packaged system is readily available and easily installed. Contact your local Inforex office today for more information, or, call toll Manual at Inforex (617) 272-6470.

C.A.S.E. Features

The Inforex C.A.S.E. system is a complete package designed to meet the challenge of Title IV-D. The package consists of the System 5000 minicomputer, C.A.S.E. application software, training, documentation, and hardware maintenance. It is a powerful file management system that meets federal IV-D requirements in all these areas. The following section highlights the C.A.S.E. application features in six major categories.

- Case Management
- Parent Locator Services
- Accounts Receivable
- Support Distributor
- Support Enforcement
- Administrative Accounting

CASE INITIATION

- The system accepts input from AFDC as well as non-AFDC cases from an application form.
- Assigns the case to a IV-D worker
- Ability to inquire into a case status
- The system provides for the capability for multiple payees (maximum of 10 allowable) per case in the event that more than one payee receives distribution

PARENT LOCATOR SERVICES

- Provides a weekly report of open parent locator requests sorted by individual parent locator.
- Name, current address, place of birth, date of birth, employment data, location status, and date of last status change is included in the system.

ACCOUNTS RECEIVABLE

- Easily handles payments made by mail or in person.
- Processes pre-payments and tracks them on a per case basis.

- Monitors "bounced checks" history of payee and can disallow personal checks based on past performance history.
- Maintains a complete detailed payment history.
- Provides daily and monthly collection reports by individual case, payor and total per case type category.
- Distributes both AFDC and non-AFDC monies to the appropriate recipient.

SUPPORT DISTRIBUTION

- Provides a flexible hierarchy of distribution to allow disbursement of support in accordance with IV-D based on AFDC status
- Generates detailed distribution registers
- Automatically handles collection fee (poundage) calculation/ deduction (if selected)
- Distributes arrearage payments according to obligation priorities
- Handles overpayments redirected to dependent or refunded to payee
- Distributes payments in accordance with due dates established in each court order
- Retains data for federal quarterly reporting
- Provides information needed to track incentive reimbursements.

In addition, the following types of receipts and disbursement situations are handled automatically by C.A.S.E.:

- Various payment frequencies (e.g. weekly, bi-weekly, semi-monthly, and monthly.)
- Specified pre-payments (i.e. payments made by a payor for an entire year to be disbursed according to due date for payee).
- Payments made by a payor both of a continuing nature and with

regard to paying off a fixed obligation (the payor will be notified when the fixed obligation is paid off and any impact therefore on the payment amount).

- Printing of checks to payees on a due date basis as well as complete check reconciliation processes and reports.
- Generation of a single disbursement check for multiple payments to a single agency along with a detailed listing of the payments included within this single check.

SUPPORT ENFORCEMENT

- Monitors and reports late payments, incomplete payment, and excessive arrearages.
- Monitors case status and (based on parameters defined by appropriate IV-D agency) generates exception reports/forms
 1. Late payment notices
 2. 5, 10, 30 day default listings
 3. Form letters to payee explaining default enforcement rights and procedures
 4. Counseling notices and reports
 5. Notification of court order changes

ADMINISTRATIVE ACCOUNTING

- Provides a complete set of case analysis reports including Case status and activity, fiscal status and activity, enforcement work load analysis.
- Maintains complete accounting controls: Batch balanced payment posting procedures, detailed payment registers, check creation, detailed disbursement register, detailed check register, check reconciliation procedures



21 North Avenue, Burlington, Massachusetts 01803

Lexington

BOOKS

Child Support and Public Policy **Securing Support from Absent Fathers** **Judith Cassetty, The University of Texas**

Notes, tables, references, bibliography, index.
192pp. \$16.00 LC 77-4541 ISBN 0-669-01486-9

This analysis of the American system of child support covers both the history of familial support and current governmental policies. Following a detailed examination of the inequities of the existing policies, Cassetty makes specific recommendations for system reform.

CONTENTS: Part I. Child Support and the Dependent Family: The System Today. 1. The Status of Child Support Enforcement in America Today: introduction / the history and tradition of public child support enforcement policy / issues / the empirical questions. 2. Identifying and Describing the Population of Interest: Female Heads of Families Containing Dependent Children: introduction / the increasing incidence of female-headed families in the population / the Michigan data. 3. Some Determinants of Child Support Payment Levels: introduction / the theory / the predictive models / the data / description of the measures / expected results / limitations of the model / findings / summary of findings. 4. How Much Child Support Can Fathers Afford? introduction / the data / the income-poverty ratio and ability to pay support / the welfare ratio and ability to pay support / summary. 5. State Location and Support Programs: Cost-Effectiveness in 1973, 1974, and 1975: introduction / early studies of cost-effectiveness / the marginal rate of return on six state child support program expenditures—fiscal years 1973-1975 / recent evidence from the new federal program / conclusion.

Part II. The Normative Issues: How Should the Child Support Enforcement System be Reformed? 6. The Child Support Enforcement System: Evidence in Support of Reform: introduction / rights and responsibilities / the issues: alimony and the division of property / custody and visitation / family life: some behavioral consequences of universal enforcement / conclusion. 7. What Should Be the Standard Measure of Ability to Pay? introduction / current standards for child support and ability to pay / toward a more adequate and equitable child support standard / summary. 8. Adequacy, Equity, and Responsibility: A Summary.

Yes, please send me:

_____ copies of **Child Support and Public Policy**

Lexington Books

D. C. Heath & Company
125 Spring Street
Lexington, Massachusetts 02173



HEATH

D.C. Heath Canada, Ltd.
Suite 1408
100 Adelaide Street, West
Toronto, Ontario
Canada M5H 1S9

(On quantity orders please contact Marketing Manager for discount schedules.)

- Check enclosed (Include local sales tax where applicable)
 Bill me (Including postage and handling costs)

Name _____

Business or Institution _____

Street _____

City _____ State _____ Zip _____

NATIONAL CHILD
SUPPORT ENFORCEMENT

REFERENCE CENTER



The National Child Support Enforcement Reference Center collects and organizes useful information and proven techniques to assist States in child support enforcement. The Center is located in the Office of Child Support Enforcement and offers the following services:

1. A library of child support materials.
2. An information exchange service. An Information Sharing Index is published quarterly and lists materials available on request.
3. The publication of a monthly newsletter, *Child Support Report*.
4. The publication of Techniques for the Effective Management of Program Operations (TEMPO's).
5. The publication of the OCSE Annual Report.

These services are intended to promote the exchange of successful practices among States, so that each State may develop an effective program tailored to its individual needs.

We encourage you to provide us with program materials you feel may be of interest to other States. The success of the program depends on an active exchange of information.

To request any of the services offered by the Reference Center, or to submit materials, please call or write:

National Reference Center
6110 Executive Boulevard
9th Floor
Rockville, Maryland 20852
(301) 443-5106

Child Support Enforcement Program

Created by law in 1975 as title IV-D of the Social Security Act, the Child Support Enforcement (CSE) program is designed to help locate runaway parents, establish paternity of the child or children if necessary, and obtain full or partial child support.

This Federal program, administered by the Office of Child Support Enforcement in the Department of Health, Education, and Welfare, tied together previous efforts by some States to collect support payments on behalf of abandoned children and required all States to have such a program as a condition for receiving Federal funds for Aid to Families with Dependent Children (AFDC) programs.

CSE assistance is provided to all mothers (and, in some cases, fathers) who depend on the AFDC program for financial support of their children. AFDC outlays by Federal and State governments amount to approximately \$10 billion a year. Over 80 percent of all AFDC families receive financial assistance because of the absence of the breadwinner from the home. Families who are not receiving AFDC are also eligible for child support services.

Overall results of the CSE program since it began August 1, 1975, are as follows:

CSE COLLECTIONS AND ADMINISTRATIVE COSTS (in millions)

	AFDC Families	Non-AFDC Families	Total Collections	Administrative Cost
FY 1976	\$204	\$308	\$512	\$139
FY 1977	423	441	864	277
FY 1978	472	578	1,050	321

The Federal Government pays 75 percent of the cost incurred by State and local governments in establishing paternity and obtaining child support. In cases where the families receive AFDC payments, the States keep part of the money collected for child support and part goes to the Federal Government to reimburse AFDC costs. Counties may also share in the collections as an incentive for their participation.

When a support payment is sufficient to make a family ineligible for AFDC payments, the family leaves the welfare rolls and the support payment goes directly to them. All non-AFDC child support payments collected are returned to the families affected except for a nominal amount that a State may charge to offset its administrative cost.

(More)

Each State operates its own CSE program, with Federal assistance, through an organization known as the IV-D agency, which can be a new State unit or part of an existing organizational unit such as a department of welfare. The State IV-D agency must:

- require AFDC applicants to assign support rights to the State as a condition of AFDC eligibility;
- locate, establish paternity, and collect support payments on behalf of AFDC children and other families who apply for the services;
- require that AFDC applicants cooperate with efforts to secure support payments unless such cooperation would not be in the best interest of the child.

In addition to assuring compliance with Federal law, the Office of Child Support Enforcement works directly with States in improving the efficiency of their programs and in developing cooperative ties with other States.

Within the Federal Office of Child Support Enforcement and each State IV-D agency there is a Parent Locator Service responsible for locating absent parents. The Federal Parent Locator Service has access to information maintained by other Federal agencies—such as social security records, internal revenue files, and military records. This augments the State's ability to locate parents particularly when the absent parent has left his or her home State.

The Office of Child Support Enforcement can certify interstate child support cases to U.S. district courts for enforcement where existing reciprocal agreements prove ineffective, and can certify court-ordered AFDC child support cases that are delinquent to the Internal Revenue Service for collection.

To accelerate collection efforts, the Office of Child Support Enforcement and the States have established the goal of achieving an annual collection rate of \$1 billion for AFDC children by the end of fiscal 1979 (September 30). This special program, called PROJECT RESPONSIBILITY, will meet its goal if \$250 million is collected on behalf of AFDC children in the fourth quarter of FY 1979. This is approximately a doubling of present collections.

The Federal Office of Child Support Enforcement is located at:

Office of Child Support Enforcement
Department of Health, Education, and Welfare
6110 Executive Blvd.
Rockville, Maryland 20850

Discussion Papers

Prepared by Robert E. Keith, Assistant Attorney General, Iowa
For NCSL Child Support Enforcement Seminar.

Proposals for Child Support and Paternity Legislation

INTRODUCTION: It is the right of heritage which we consider today, the privilege to know one's ancestry. Whatever else the stigma of illegitimacy imposes, the very word implies a faulty foundation upon which to build one's life. Something essential has been denied. The person entering this world illegitimately is handicapped by the circumstance of his or her birth. No legislative or judicial embracement of due process and equal protection can entirely mend this child's injury. The future, hopefully, may reveal anything; but, one-half of the individual's past may forever remain a mystery. When we speak of assuring an illegitimate child a fair chance, there is but one logical starting point. In order to grant the opportunity for normalcy in their lives, these illegitimate children require special identification, i.e. the identification of their fathers.

Unfortunately, no one can predict in every case whether any lasting good will result from the adjudication of the paternal relationship. The father may or may not show any true affection or even concern for his progeny. He may or may not be in a position to provide a bare minimum of support for the child. Nevertheless, the child has a right to know whence he was derived. In the vast majority of cases, the child has no say in the initiation and prosecution of the paternity claim. A great burden is cast upon society to see that the interests of these children are protected.

More than money is at stake. The knowledge of one's lineage is integral to everyone's sense of personal identity. To arbitrarily foreclose access to one's paternal heritage is an injustice. It happens that some women do not want their children to know their fathers. Public prosecutors are frequently willing to dispense with these cases summarily. There are, no doubt, cases where establishment of the child's paternity will serve no good end and may possibly be injurious to the child. These exceptions should be carefully screened. The expedient rule of inaction may have consequences the child will bear for a lifetime. Despite the inconvenience and the expense, most children should be afforded a legal relationship with their fathers. The illegitimacy rate in this country is high and rising. Our task as law makers and enforcers cannot be emphasized too greatly.

PROPOSAL: No statute of limitations for establishment of the paternal relationship.

ARGUMENT: A number of states recognize that the child is disadvantaged by his or her minority, and cannot even commence

an action until at least age eighteen. It is considered unfair to bar the paternity action before the child is even competent to initiate the suit.

Obviously, it may be unfair in the typical case to impose an obligation to pay back support for a child eighteen years of age. Some states limit the recovery of back support to actions initiated within a few years of the birth of the child. Some bar recovery of back support altogether. The adjudication of paternity, however, provides much more than a prerequisite for the imposition of a support liability upon the father. Social security, workman's disability benefits, veteran's benefits, tort claims, inheritance rights, and similar benefits may be preserved for the child. In addition, the child is permitted a personally invaluable opportunity to have his ancestry legally recorded.

PROPOSAL: Blood tests as statistical evidence of the probability of paternity.

ARGUMENT: The law has lagged consistently about ten to twenty years behind the state of the art of medical science in the area of genetic testing. It is currently possible to exclude over ninety percent (90%) of wrongly accused fathers. If no exclusion is obtained, the court should note, along with other competent evidence, that the accused father is in a statistically ascertainable sub-group of men who could be the child's father. This is the best available, and the only empirical evidence tending to show an actual biological relationship.

Blood test evidence is always as available as the parties to the paternity action. Blood types do not change with age. If there is any question at all concerning the reliability of the testing procedures or the accuracy of interpretation of the results, duplicate testing can be performed at independent laboratories. Blood test evidence should be routinely admitted in evidence by submission of the expert's written report of findings and evaluation of their relevancy. The necessity of expensive and time-consuming personal testimony by the expert should be minimized.

PROPOSAL: Eliminate trial by jury and exclude bystanders from the proceeding.

ARGUMENT: There is no inherent right to jury trial in civil cases, nor does the public at large have any right to attend. In domestic relations and juvenile justice proceedings, in particular, there is a commonly recognized interest in trials to the court which are closed to spectators. Highly emotional

issues are considered. Both parties are testifying regarding the most intimate details of their private lives. The future of a child is ultimately at stake.

In addition, it must be recognized that trials can be conducted more expeditiously if extended jury selection is not required. In many jurisdictions the backlog of civil cases is so great that a jury demand imposes at least a year's delay in the action. Furthermore, both jury and public trials invite spectacular performances by the advocates. Simplifying the trial may ultimately eliminate much of this sensationalism.

PROPOSAL: Long-arm jurisdiction when the child is conceived within the forum state.

ARGUMENT: In a paternity contest, if the father is known and the mother is willing to proceed, the first consideration is securing jurisdiction so that the claim may be adjudicated. If the accused man is not a member of the local community the case is generally transferred to a forum where it is convenient for him to defend. The mother may be required to travel there to pursue her claim. Under our uniform support of dependents laws, an attempt may be made to proceed without benefit of the mother's testimony in court. Occasionally this is satisfactory, but in a probable majority of the cases it is not. The plain fact is that a man may very likely avoid his paternal obligations by staying away from the community where the mother and child reside. Even with State aid, it cannot be expected that mothers of illegitimate children will be shuttled all around the country in order to press their claims.

If the mother and child reside in the state where conception occurred, there should be no reason to require them to take their claim elsewhere to be tried. In this situation the accused father should be required to return and answer for the consequences of his actions. A minor automobile accident, a contractual agreement, or a criminal act in a state are all sufficient basis to require an individual to defend himself where the act occurred, not where it may be convenient for him to proceed. The act of intercourse is no less important a tie to a locality. Long-arm service of process should be used regularly to bring the parties into court in the place where the child came into being.

PROPOSAL: Expand the right of a husband and wife to testify as to the actual paternity of a child born during their marriage.

ARGUMENT: There is a serious question in the case law as to the evidence which may be considered to rebut a presumption of legitimacy. It is a fact of our times that a great many children are conceived by acts of intercourse between married

women and men other than their husbands. The child does not benefit by being denied a relationship with his or her natural father because of too strong a presumption of legitimacy. The best evidence, the testimony of the husband and wife as to nonaccess, is often barred under the antiquated "Lord Mansfield's Rule" of 1777. When that "Rule" was decreed there was no such thing as a paternity suit and thus an illegitimate child could have no father at all. Most legal scholars and several state supreme courts have rejected the rule denying testimony of the spouses for reason that it denies the court evidence which is otherwise relevant to the proceeding.

The presumptive father should receive notice that an action is pending which would effectively terminate his parental rights. There need not be an actual termination action in most cases as the husband probably is not the father of the child. If he ignores notice of the proceeding or admits under oath that he is not the father, then the case against the alleged father should proceed as in any other paternity suit. If the presumptive father believes he is the actual father, then he may join in the action and defend his rights.

PROPOSAL: Provide that the mother of an illegitimate child has exclusive custody, unless the court orders otherwise, and separate custody and visitation issues from any proceeding to establish paternity.

ARGUMENT: The mother of an illegitimate child should have legal custody from the date of the child's birth, unless otherwise ordered by the court. Many women are afraid to accuse a man of paternity for reason that he may steal the child. If the father is the best suitable parent to have the child, he should petition the court for legal custody. This should not be considered as part of the paternity action. The father should not be permitted to simultaneously deny paternity and seek custody of the child. The paternity issue should be settled before a putative father is given any parental rights. This accords with current case law which grants procedural rights to the unwed father (e.g. notification of pending adoption), but does not consider him to have equal parental rights with the mother until he has actually demonstrated his concern for the child.

This amendment would minimize concern that the accused father would remove the child from the mother without a court order. It would further insure that only paternity and support would be considered at the trial. Once paternity is established, then it is made clear that the father also has rights which he may enforce by a separate proceeding in a court of equity.

The mother may, of course, voluntarily grant visitation rights and the subsequent legal proceeding usually will not be required.

PROPOSAL: Provide for court ordered wage assignments, binding upon employers, for child support debtors who have demonstrated their reluctance to voluntarily provide for their children.

ARGUMENT: Citations for contempt of court and piecemeal garnishment, attachment, or other execution proceedings provide, at best, sporadic incentives to comply with the child support order. Payments missed by the debtor in all likelihood will never be recovered. The regular assignment, of an increment of the debtor's weekly or monthly wage insures that he or she will not fall behind. The payment is easier to make and collections fees are totally avoided.

Employers will usually recognize the public benefit supporting the wage assignment. If they have reservations, it is usually because they feel a protective urge on behalf of their employees. The mandatory wage assignment removes any stigma of cooperation with the government to their workers' disadvantage. Another concern, of course, is cost of effecting the wage transfer to the court fund. Legislation should specify that only wage assignments for family support may be made binding upon the employer, and provision for nominal compensation for the employer's expense can also be made.

Additional explanation of proposed amendments and elaboration upon each argument submitted may be obtained by contacting:

Robert E. Keith
Assistant Attorney General
808 First National Building
607 Sycamore, P.O. Box 2635
Waterloo, Iowa 50704
(319) 232-6823

PENDING FEDERAL LEGISLATION PERTAINING TO CHILD SUPPORT ENFORCEMENT

S. 1396 Providing Incentives to State Administered Programs, introduced by Senators Hatfield (OR), Leahy (VT), and Packwood (OR).

The present federal financial incentive program was established to encourage local political subdivisions in the collection of child support obligations. The incentive system allows a political subdivision to retain 15 percent of the support collected in AFDC cases.

S. 1396 modifies the current program by providing that states as well as subdivisions can receive federal financial incentives. 50 percent of the incentive payments must be used to enhance, improve or expand the IV-D program. This bill will affect 42 states that have been ineligible for incentives because they are state administered.

H.R. 3491 and 3492 Child Support Debts and Bankruptcy, introduced by Representative Matsui (CA).

The "Bankruptcy Reform Act of 1978" reorganized and compiled all federal references to bankruptcy into one act, repealing all of the individual references. One of the original provisions of the federal legislation for child support enforcement prohibited parents from discharging their child support obligations by declaring bankruptcy. That provision was repealed but not re-enacted in the "Bankruptcy Reform Act." H.R. 3491 would reinstate that provision by excluding child support, alimony, and maintenance from debts that can be discharged in bankruptcy whether they are owed to an individual or the state. H.R. 3492 provides that a child support obligation which has been assigned to the state cannot be discharged in bankruptcy.

S. 1669 Additional Conditions for Federal Expenditures for the Operation of State IV-D Programs, introduced by Senator Talmadge (GA).

An additional requirement for federal payments made to state programs is added by S. 1669. Beginning April 1, 1980, federal payments for 75 percent of the cost of operating state IV-D programs will be contingent on quarterly reports from the states. The amount of child support collected and disbursed and all expenditures must be reported by the state prior to the federal payments being made to the state. The bill also allows the federal government to deduct from its payment to the state money that the state owes the federal government in reimbursements on AFDC payments as a result of child support enforcement collections having been made.

S. 1675 Increase Matching Funds for Computer Systems for State IV-D Programs, introduced by Senator Talmadge (GA).

In recognition of their importance in child support enforcement, the bill provides for matching funds to cover costs of computer systems. The bill provides 90 percent federal matching funds for planning, design, development, installation, or enhancement of an automatic data processing and information retrieval system. The option of matching funds for computer systems would be available to states for use in their child support enforcement and establishment of paternity programs.

S. 1676 Federal Participation in Court Expenses, introduced by Senator Talmadge (GA).

Title IV-D of the "Social Security Act" outlines the expenses that the federal government will share with a state through its 75 percent matching funds. S. 1676 allows federal participation in court expenses arising in the performance of services directly related to the operation of a state IV-D program. This new allowance for matching funds could be used for judges, support and administrative personnel and other things.

S. 1677 IRS Services for Non-AFDC Cases, introduced by Senator Talmadge (GA).

Currently IRS services are available to help collect child support debts for recipients of AFDC. S. 1677 would make this service available for non-AFDC cases as well. The IRS services include information about assets of parents taken from the tax returns, as well as actual collection services. If a IV-D agency determines that a case is worth pursuing after receiving information on an absent parent's assets, it may contract IRS to collect support obligations.

S. 1678 Access to Wage Information for IV-D Agencies, introduced by Senator Talmadge (GA).

A new section would be added to Title IV-D of the "Social Security Act" to provide access to wage information retained by the Social Security Administration. State IV-D agencies could obtain information about absent parents concerning their earned income, period for which it's reported, and names and addresses of their employers. Such information, which is necessary for establishing, determining the amount of, or enforcing child support obligations, is often difficult to obtain. Appropriate safeguards against misuse of such information are to be established by the Secretary of the Department of Health, Education and Welfare.

H.R. 3091 Funding for IV-D Services for Non-AFDC Clients, amendment concerning child support enforcement offered by Senator Long. (Louisiana)

H.R. 3091 is a bill addressing tax treatment of state legislators' business expenses. The part of the bill dealing with child support is an amendment concerning funding for the IV-D program. The history of that amendment is as follows: When the original child support enforcement legislation was enacted, federal participation in expenditures for non-AFDC child support services was authorized for only one year. Since that time, the funding has been extended twice. The last expiration date was September 1978. A measure to provide permanent funding for services to non-AFDC clients failed passage during the 95th Congress.

A temporary solution to provide funding for non-AFDC child support services was provided in the 1979 continuing appropriation resolution for HEW. That solution was overturned by the U.S. Treasury Department in March of 1979 when it refused the funding request.

When that portion of the continuing appropriation resolution was overturned, Senator Long attached this amendment to H.R. 3091 to provide federal financial participation for child support services retroactive to October 1, 1978. At

this point, the bill has not been passed for reasons unrelated to the child support amendment.

Ten states have filed suit in U.S. District Court to force the federal government through HEW to pay for the non-AFDC child support services. On August 8, 1979 a preliminary injunction was filed in favor of the ten states suing HEW. The court's finding was that discontinuation of the funds would cause the states in question and numerous beneficiaries to suffer irreparable harm.

Prepared by National Conference of State Legislatures for Child Support Enforcement Seminars.

The New Clout in Child Support Enforcement

Dennis C. Cooper and Mary Volgyes

A federal-state program is tracking down parents who ignore their child-support obligations—and taking effective measures to collect the money they owe. The result is both a helping hand for children and a source of revenue for states.

In alarming numbers, American parents are running out on the next generation.

The fact is often obscured beneath plib generalities about "new lifestyles" or "changing patterns of American family life." But if we allow ourselves a hard look at what is actually happening to *children*, a harsh picture emerges:

- As the divorce rate doubled between 1965 and 1975, one in every six families was left with only one parent in the household.
- As a result of divorce, desertion or illegitimacy, two of every five children born during the seventies can expect to live in a single-parent family at some time during their childhood.
- The economic effect of these circumstances can be catastrophic. Too often, the custodial parent's limited earnings are insufficient to provide adequate support for the family. Many are forced to rely on public support.
- Some of the burdens of single-parent families would be eased considerably if absent parents met their obligation to provide child support. But the fact is that many are unwilling to pay.

No one policy or program can address all of these concerns, and some of them are entirely beyond the reach of public policy. But the specific problem of enforcing child support *can* be addressed, and is being addressed—by a nationwide, state-federal program that locates absent parents, and, when necessary, takes stern, effective measures to collect the money they owe.

This four-year-old program of child support enforcement (CSE) is sometimes called IV-D enforcement after Title IV-D of the Social Security Amendments that established it. The program now operates at state, county and sometimes local levels in all 50 states and in most U.S. territories. The state offices are designed to ensure that parents who leave their homes meet their child support obligations; the offices are set up to establish paternity and child support obligations, and collect money from parents who fail to pay.

The program has more than one group of beneficiaries. While protecting children from parents who neglect their child support obligations, it also provides significant cost savings to states in the form of new revenues that can be used to offset the costs of Aid to Families with Dependent Children (AFDC), or for other purposes as determined by the state.

An increasing number of states are placing a high priority on CSE, as both a way of assisting families and as a revenue-producing strategy. Through well-designed and efficiently managed programs, they are collecting impressive sums. Michigan's system, for example, reported collections of almost \$213 million in 1978. A substantial portion of those funds was retained in the state.

Background

By 1973, no less than 83 percent of AFDC families had an absent parent, and most of the absentees were failing to pay child support. It became apparent that many billions of dollars could be saved by enforcement of child support obligations.

At the time, however, such enforcement was confined almost entirely to a few states that had taken the initiative in establishing effective programs. Nationally, the traditions of state and local prerogative in matters of family law meant that the judgments of one court were not necessarily honored in other jurisdictions. Besides, the courts had only limited means in most instances to enforce their own decrees concerning child support. Because of loopholes and tradition, a parent who disappeared or left a court jurisdiction could easily avoid paying. The custodial parent had no alternative but to pursue the absent parent through one court after another, often incurring huge legal bills but accomplishing little.

After a divorce, the economic status of the woman—who most often is left heading the family—is normally much lower than that of her former spouse. Authorities agree that since most absent fathers *can* pay to support their children, they should pay. Even so, one study showed that about half of absent fathers paid less than 10 percent of the court-stipulated amount for child support. Judith Cassetty, who recently published a book on child support problems, contends that 75 percent of absent parents who were unwilling to pay were able to escape their obligations. Custodial parents or unmarried mothers who were poor, and could not afford to seek a divorce and child support judgments through a court, had virtually no hope of obtaining assistance from the absent parent.

Economically, the results were disastrous. Figure 1 shows the growth in divorce and illegitimacy rates and the corresponding rise in AFDC expenditures between 1970 and 1976. The curves show the multiplier effects of these trends on the AFDC price tag, which rose over 800 percent during the period, while divorce rates grew almost 180 percent and illegitimacy rates rose 88

percent. The national cost of AFDC rose in 1977 to \$10.2 billion, which had to be extracted from already tight federal and state budgets. Medical and other benefits provided to AFDC families added another \$15 billion to the total.

Because most states had not been able to enforce child support on their own, the 1975 federal legislation called for vigorous federal leadership. It required states to enforce child support obligations for children of AFDC families and those not on welfare rolls. Title IV-D also called on each state to cooperate in enforcing court orders from other jurisdictions. In addition, the law contained a provision that assisted children born out of wedlock in establishing paternity and obtaining awards of support from putative fathers.

The law was originally viewed with skepticism by those who feared federal control in family affairs, but it has won wider acceptance as more people realize the social and ethical implications of parents' neglect of child support obligations.

To help states establish their own programs, the federal legislation provided for a national Office of Child Support Enforcement within the Department of Health, Education and Welfare. It also established a Parent Locator Service, which uses information obtained by other agencies such as the Social Security Administration and the Internal Revenue Service to find missing parents. Congress added clout to the legislation by providing awards to states with effective programs—and penalties, in the form of reduced AFDC reimbursements, to states not in compliance with the law.

How the Program Works

As a joint federal-state effort, child support enforcement requires cooperation among states to locate absent parents and collect funds. HEW's Office of Child Support Enforcement provides national leadership and direction, operates the federal Parent Locator Service, and pays 75 percent of the costs incurred by states in collecting child support money.

Federal interest in the program centers primarily on its potential for reducing AFDC costs and helping single-parent families stay off welfare. Accordingly, money received for children of AFDC families is used by the CSE program as an offset against federal AFDC costs. If support payments amount to enough to raise the family income above the poverty level, the welfare case is closed and payments are made directly to the family. Collections made on behalf of children in non-AFDC families are simply passed through to the families themselves; costs for recovery may be deducted if the state elects to do so to offset non-AFDC administrative costs.

A recent study showed that payments made for the children of non-AFDC families play an important part in helping the families stay off welfare. This benefit is computed as cost avoidance, which indirectly helps keep AFDC costs down.

Revenue for States

The CSE money that comes into a state for AFDC families is split between the state and federal governments, according to the percentage each pays toward the state's AFDC program. In Utah, for example, 70 percent of CSE collections for AFDC families go to the federal government and 30 percent to the state. This

split corresponds to the Utah-federal matching formula for AFDC costs.

Since the Utah program brought in almost \$4.6 million in CSE collections in 1978, the 70/30 split meant that the state retained about \$1.4 million. From this money it had to pay for 25 percent of the IV-D agency's operating expenses, with the federal government picking up 75 percent, as it does for all states. Utah's share of IV-D administrative expenses totaled almost \$686,000, which left approximately \$687,500 to be retained by the state.

The federal government also pays incentives that amount to 15 percent of collections made by a state on behalf of other states. Adding these incentive payments to other money gained in IV-D efforts, Utah recouped over \$1.1 million in 1978. States have considerable latitude in deciding how these funds are used; in Utah, the CSE money financed 10 percent of the state's AFDC costs.

Effectiveness

There are several ways to measure the effectiveness of a child support enforcement program.

On the simplest level, effectiveness could be a matter of how much money is recovered from absent parents of AFDC families. But if this were the only criterion, agencies would be tempted to "cream" caseloads—to work only on cases in which collection will be relatively easy, and neglect difficult and troublesome cases, or those in which the child support obligation is small.

For that reason, evaluators often look at other measures: percentage of AFDC families served; ratio of dollars collected to dollars spent in the collection process; increases and AFDC collections; and percent of AFDC payments recovered by CSE workers. The Office of Child Support Enforcement recently compared states by a number of such indicators, and the results are shown in Table 1.

Inevitably, these ratings are affected by laws and conditions within each state. A IV-D agency needs cooperation from the police, courts, and district attorneys, and it needs laws to help rather than hinder legitimate collection efforts. (For example, some state laws impede the process of establishing paternity, which of course is essential to the CSE program.) Effectiveness also depends heavily on adequate resources, such as computer technology to tie into the federal Parent Locator System.

Combined AFDC and non-AFDC collections for all states totaled over \$1 billion in 1978. Over \$3.30 is currently being collected for each dollar spent to operate the program.

Fairness

Beyond measures based on collections, however, each agency has a responsibility to the best interest of the children in whose name collections are made. Child support recovery and paternity proceedings involve both the parents and children in a complex web of legal relationships. In any case that involves an administrative or court hearing to establish a support order, the right of the parent to due process is paramount. Providing support sometimes involves paternity hearings, which involve the private lives of both parents. To enforce certain orders for support, a parent's property or wages may be attached.

Sensitivity to these human and legal issues is essential to the operation of a IV-D agency. Unlike any other welfare program, child support enforcement involves the dual role of *servicing people in need while producing revenue* for the state and federal government. This combination places upon program administrators a dual responsibility for protecting the rights of children and of taxpayers.

Many states have developed legal services to protect the rights of everyone concerned. For instance, in the state of Washington, although the state assumes the legal battle for support of children of AFDC families, a nonprofit legal service has developed its own expertise in representing the parents. They may serve absent parents who are being sued for child support, or mothers involved in the sensitive proceedings to establish paternity. In all cases, their job is to preserve the process.

How Legislators Can Help

Interested state legislators can play a decisive role in helping child support enforcement agencies reach their full potential, by helping to provide adequate funding and an appropriate legal framework.

Funding. A child support program can bring significant revenue to its state only if the program's own funding is sufficient. Adequate staff is a must in order to process cases in a timely manner, which, in turn, yields money to offset AFDC expenditures.

Laws. From the standpoint of those involved in CSE programs, the ideal statutory framework should:

- Enable the state to be the recipient of support for families receiving public assistance;
- Empower the state to take all legal steps necessary to establish support orders and collect support;
- Establish the state's right of action in private cases, allowing it to contract with a custodial parent or requiring a state officer to represent the state upon request of the custodial parent or the court;
- Allow access to public records or private information that aid in locating a parent or in determining his or her private income or assets;
- Enable states to obtain enforceable paternity and support agreements, stipulated orders and temporary orders when court delays hamper collection of child support obligations;
- Provide for the development and publication of formulas for determining fair support obligations, based on objective cost-of-living standards;
- Remove existing legislative barriers. For example, one convenient way of tracking absent parents is through a credit bureau, which maintains financial records for most credit card users. In one state, however, state agencies were prohibited by law from joining a credit bureau. A simple revision in the law helped speed agency operations.

Assistance to Legislators

The National Conference of State Legislatures operates a Child Support Enforcement project to help legislators learn more about CSE and become more involved in it. The project will provide information through its clearing-house service, conduct seminars, and offer individual technical assistance to help in the development of CSE legislation.

NCSL is sponsoring two regional seminars this fall to bring legislators together with experts from the CSE field for information sharing and discussion. Topics to be covered include general concepts underlying the CSE program, policy options, innovative state programs, model legislation, and impediments to effective programs.

The Western regional seminar is to be held in Denver on October 11-12. The Eastern regional seminar is scheduled for Hartford, Connecticut on October 22 and 23.

In addition, HEW's Office of Child Support Enforcement provides technical assistance and training to state legislators, the judiciary, and staffs of IV-D agencies. The recently established National Institute for Child Support Enforcement (NICSE) is one of OCSE's major resources for providing these services. NICSE will be offering technical assistance by peer experts to help state and local CSE programs set up effective enforcement and collection systems, manage their operations more efficiently, organize functional case management, and comply with federal audit and confidentiality requirements. It is also developing a series of training courses for delivery this fall and next spring.

Dennis C. Cooper, formerly the director of Utah's IV-D program, now heads the National Institute for Child Support Enforcement, administered under contract for the Office of Child Support Enforcement by the University Research Corporation.

Mary R. Volgyes is a senior staff writer for URC with a personal interest in child custody and support issues.

CHILD SUPPORT ENFORCEMENT SEMINARS

REPORT ON PROCEEDINGS

CHILD SUPPORT ENFORCEMENT PROJECT
NATIONAL CONFERENCE OF STATE LEGISLATURES
DECEMBER, 1979

EDITED BY: DEBORAH E.S. BENNINGTON, PROJECT DIRECTOR
CAROLYN K. ROYCE, RESEARCH ASSISTANT

The National Conference of State Legislatures is designed to help lawmakers and their staffs meet the challenge of today's complex federal system. Headquartered in Denver, Colorado, with an office of state-federal relations in Washington, D.C., NCSL is a non-partisan group serving the nation's state legislators and their staffs. It is funded by the states and governed by a forty-three member Executive Committee.

The NCSL has three basic objectives:

To improve the quality and effectiveness of state legislatures.

To assure states a strong, cohesive voice in the federal decision-making process.

To foster inter-state communication and cooperation.

Denver Office
1405 Curtis St.
23rd Floor
Denver, Colorado 80202
(303) 623-6600

Washington Office
444 No. Capitol St.
2nd Floor
Washington, D.C. 20001
(202) 624-5400

Earl S. Mackey
Executive Director



National
Conference
of State
Legislatures

ACKNOWLEDGEMENTS

The staff of the NCSL Child Support Enforcement Project wish to thank the National Institute for Child Support Enforcement and the Office of Child Support Enforcement in the Department of Health, Education and Welfare for the opportunity to sponsor these seminars.

We extend very warm thanks to the moderators for our two programs, Representative Ronald H. Strahle of Colorado and Representative Irving J. Stolberg of Connecticut for their support and help in making the programs run smoothly. We also thank the legislators who served as moderators for the concurrent sessions. Their help was crucial in making the discussions balanced and productive for the participants.

Very special appreciation goes to our plenary speakers and workshop resource people for their help and guidance to us in planning the seminars, and for the time and effort they devoted to participating in the programs. The participants' evaluations of the seminars confirmed our feelings that the expertise and helpfulness of the faculty were outstanding.

Table of Contents

Introduction 1

Plenary Speakers

 "Overview of Child Support Enforcement" 2
 Louis B. Hays, Deputy Director
 DHEW, Office of Child Support Enforcement
 (Hays spoke at both the Western and Eastern Regional Seminars)

 "Putting Faces to Names and Numbers" 5
 Judith H. Cassetty, Ph.D.
 School of Social Work, University of Texas
 (Cassetty spoke at both the Western and Eastern Regional Seminars)

 "An Executive Branch Perspective on Child Support Enforcement" 8
 Anthony W. Mitchell, Ph.D., Executive Director
 Department of Social Services, Utah
 (Mitchell spoke at the Western Regional Seminar)

 "Program Basics and Major Variations Among the States" 10
 Lavon Loynd, Technical Assistance Coordinator
 National Institute for Child Support Enforcement
 (Loynd spoke at both the Western and Eastern Regional Seminars)

 "The Benefits of Effective State Child Support Enforcement Programs" . . . 15

 "New York State's Big City Problem" 15
 William T. Smith, State Senator, New York
 (Smith spoke at the Eastern Regional Seminar)

 "Indiana's CSE Legislative Advisory Committee" 19
 Thomas E. Fruechtenicht, State Representative, Indiana
 (Fruechtenicht spoke at the Eastern Regional Seminar)

 "How Delaware Has Tackled Its CSE Problems" 21
 Herman M. Holloway, State Senator, Delaware
 (Holloway spoke at the Eastern Regional Seminar)

 "The Minnesota CSE Program" 24
 John Clawson, State Representative, Minnesota
 (Clawson spoke at the Western Regional Seminar)

 "The Legal Base for Wyoming's Child Support Program" 24
 Ellen Crowley, State Representative, Wyoming
 (Crowley spoke at the Western Regional Seminar)

Concurrent Sessions

Topic A: Establishment Legislation 26
Topic B: Enhancement Legislation I 28
Topic C: Enhancement Legislation II 29

Closing Remarks

"Observations on the Seminar - What are the Benefits of the Child Support Enforcement Program"

"A Colorado Perspective" 31
Ronald H. Strahle, State Representative, Colorado
(Strahle spoke at the Western Regional Seminar)

"A Connecticut Perspective" 33
Irving J. Stolberg, State Representative, Connecticut
(Stolberg spoke at the Eastern Regional Seminar)

"Where Can You Get Help - Description of the NCSL Child Support Enforcement Project" 36
Deborah E.S. Bennington, NCSL Project Director
(Bennington spoke at both the Western and Eastern Regional Seminars)

Agendas

Western Regional Seminar, Denver, Colorado, October 11-12, 1979 37
Eastern Regional Seminar, Hartford, Connecticut, October 22-23, 1979 41

INTRODUCTION

Two Regional Child Support Enforcement Seminars were conducted in October for state legislators. They were sponsored by the Child Support Enforcement Project of the National Conference of State Legislatures, which is funded by the National Institute for Child Support Enforcement. This Report on Proceedings presents excerpts or summaries of the remarks of Plenary Speakers, the major points brought out in the Concurrent Sessions and the Closing Remarks from both seminars. Also included are the Agendas for both programs.

The Western Regional Seminar was held in Denver, Colorado on October 11-12 with participants from Alaska, American Samoa, Arizona, California, Colorado, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, Texas, Utah, Washington and Wyoming. Forty-nine people attended this seminar.

The Eastern Regional Seminar was held in Hartford, Connecticut on October 22-23 and drew participants from Alabama, Connecticut, Delaware, Florida, Georgia, Hawaii, Indiana, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Dakota, Tennessee and Vermont. Sixty-nine people attended this seminar.

The seminars were planned to bring state legislators together with experts in the field to improve legislators' understanding of Child Support Enforcement. The same agenda (with some changes in speakers) was used for both programs. A national overview on federal, state and local government participation in the program was provided by several speakers during the first morning plenary sessions. The remaining time (the afternoon and following morning) was spent in concurrent workshops, where legislators worked on identifying problems and potential solutions for their state CSE programs. The workshops were moderated by legislators. Resource people from the field were present to answer questions and point out issues that may have been overlooked in the discussion.

PLENARY SPEAKERS

Louis B. Hays, Deputy Director, OCSE

As Deputy Director of OCSE, Lou Hays oversees the Child Support Enforcement Program in all of the states. His office consists of headquarters in Maryland, ten regional offices, and 17 local audit offices.

"A National Overview from the Federal Perspective"

Lou Hays was the keynote speaker for both seminars. His remarks to the legislators were focused on the need for child support enforcement and state/federal relations. The following excerpts from his keynote addresses provided an overview of the program for the participants.

My mission this morning is to attempt to provide a brief yet comprehensive overview of the Child Support Enforcement Program. Some of the things that I will address this morning include background on the program, discussion of how the program works, and what the federal role is in the program. I will also present our view of some of the benefits that the child support program can offer, some of the services available through the federal government, and a discussion of what we view as being the essential role of state legislators in this program.

The number of divorces in this country had grown from under 400,000 in 1960 to over 700,000 in 1970. By 1974, the number of out-of-wedlock births in this country reached almost 1/2 million. Each of these divorces in which a child is involved and each of these out-of-wedlock births represents a potential welfare case, case of Aid to Families with Dependent Children. What had begun as a relatively minor part of the Aid to Families with Dependent Children program, namely eligibility because of the absence of a parent from the home, had become the overwhelming cause of AFDC dependency. Death or incapacity of a parent were originally the largest factors of AFDC eligibility, but had become relatively insignificant.

The motives or the purpose and thrust of the Child Support Enforcement Program is to locate parents who have deserted their families, to establish the paternity of children when they were born out-of-wedlock, to establish a legal obligation on the part of the absent parent to support that child, and then to enforce that obligation. In other words, make sure that the absent parent pays child support. The program applies to all AFDC children who have a parent absent from the home. States are required to apply the child support program to those situations. The program is also available to families not receiving public assistance, but come in and apply for services through state or local government for help in obtaining child support payments from an absent parent. The primary responsibility for these functions of locating the absent parent, establishing paternity and collecting support falls upon the shoulders of state and local government. The federal law and the federal regulations provide a great deal of flexibility to state and local government.

I suppose that the most important role of the federal government in the eye of the state and localities is the fact that we provide 75% of the cost of administering the child support program. Basically, 75% of whatever is spent at the state and local level is matched by the federal government. We're also required, of course, to carry out the provisions of the Social Security Act through federal regulations. We also get more directly involved in some of the aspects of the program, for example, in helping to locate absent parents.

We operate something called the Federal Parent Locator Service, which makes available to state agencies information that is maintained in various federal record sources, such as the Internal Revenue Service and the Social Security Administration. We also have a large role of providing technical assistance to state and local governments, and we are further required by federal law to conduct audits of the various state child support programs.

First because it probably has gotten the most attention in this program, I'd like to address what we see as some of the financial benefits, particularly to state and local government. As I mentioned, we do provide 75% federal financial participation. So to state and local government it means that only 25% of their costs are actually carried by the taxpayers of the particular jurisdictions. A further financial benefit of the program to state and local government is the fact that most of the child support that is collected on behalf of the children receiving welfare benefits is used to reimburse the federal, state, and local costs of providing those welfare benefits to children. In those cases in which the child support collected from the absent parent is sufficient to take the family off of public assistance, of course, then the state or locality also benefits by reduction in their welfare roles.

Another unique provision of this program is what we refer to as the incentive payment. When county government, such as the District Attorney's Office, does the actual collection and enforcement of child support in an AFDC case, the county receives the so-called incentive payment amounting to about 15% of the child support collection. This incentive payment may be used for whatever purpose the political subdivision chooses.

The final financial benefits of the program are what we consider to be the indirect benefits of the non-welfare part of the program. This program is available to those families who are not on public assistance, who would like to apply for and make use of the services. There's no doubt, based on the information that is available, and the experience of state and local child support programs, that a substantial number of families who receive child support collections through this program are able to maintain their financial independence as a result and do not have to go on to public assistance. A recent study that we had performed for us under contract suggests that the annual savings by avoiding additional costs, AFDC, Medicaid, and food stamps, for these families runs into several millions of dollars a year.

In the final analysis, the primary importance of this program will be its social impact. Divorce and desertion frequently leave women and children in a serious economic plight. Many mothers who have been engaged in homemaking have few marketable skills and little if any recent job experience. Faced with the departure of the principal wage earner, today's middle or even upper-middle income woman may have little alternative but to turn to public assistance if she is deserted. With the changing roles of men and women in our society, we are no longer dealing solely with deserting fathers. The departure of a working mother can also present a serious problem. The bottom line, however, remains the same. The loss of support from either parent can be devastating for the children.

Children born out-of-wedlock face an even more serious problem. In the absence of the legal establishment of paternity they may lose other benefits. Not only will they lose support, direct financial support from the parent, but they may lose other benefits that are predicated upon legal paternity, such as Social Security, Workers Compensation, inheritance, and Veteran's Benefits. Establishing paternity for a child born out-of-wedlock establishes or secures at least one important right that I believe every child deserves - the right to know one's identity. As a result of the IV-D program, thousands of children

are obtaining this right for the first time. In fiscal year 1978, for example, the states reported establishing the paternity of over 110,000 children under the child support program. I would also like to stress the premium that we place on maintaining due process of law in this program. We feel it is essential that the rights of all parties - mother, father, and especially the child - be protected and preserved.

Let me briefly address the type of services that are available from the federal government in this program and something of the philosophy and approach that we try to use in administering the child support program. In my opinion, all too many federal programs get so hung up on issues of compliance and technicalities and making sure that every "t" is crossed and every "i" is dotted. They tend to lose sight of the results and the performance and the bottom line of the program. Obviously, we do have a responsibility to see that federal law is carried out and complied with, but our primary interest lies in performance and results. And we like to try to do everything possible to facilitate state and local efficient administration so that the program can be effective. We are trying to encourage the transfer of effective techniques and procedures that have proven themselves in one or more states or jurisdictions to other places so that jurisdictions don't have to keep reinventing the wheel every time they come up to a new problem.

Basically, we are encouraging the development of state of the art techniques that will make the program more efficient at a lower cost. Much of our activity is aimed at attempting to do that. I would like to briefly mention two or three of the more significant ones. First of all we do have our National Institute for Child Support Enforcement. In fact, this conference is being held under the auspices of the Institute with the National Conference of State Legislatures. Through our National Institute, we are striving to do two basic things. 1) To provide effective training courses for state and local child support personnel to make them more effective managers and supervisors and child support workers. 2) We are trying to facilitate that kind of technology transfer that I referred to a moment ago. We are financing the cost of sending state and local experts from one jurisdiction, who have solved the particular problem in their area, to another state or locality who is encountering the difficulty in their area of expertise. So instead of always having the federal government come in and try to solve the problem, we are encouraging the use of peer experts as well.

We also have what we call our National Child Support Enforcement Reference Center, which is basically a clearinghouse of information where we try to maintain as much current and up-to-date literature and information about the program as possible. We also publish through our Reference Center a monthly newsletter about the child support program highlighting activities at the state and local level that may be helpful to other state and local programs.

Finally, we develop, promote, and actually install "model" computer systems to help states and localities manage their programs more effectively. CSE is a very complicated program involving many financial transactions, many functional activities with respect to location and paternity and collection to operate a CSE program without the support of a computerized information system is virtually impossible. So we are hoping to stimulate more effective and more inexpensive use of computer systems.

Finally, I would like to address myself to what I view as being the very important role of state legislatures in the child support program. As I see it, there are at least three vital functions that you perform. First, without the adequate budget resources to administer child support program, it's virtually impossible to have sufficient personnel at the state and local level and sufficient funds to carry out the program. State legislatures can play

a vital role in appropriating proper funds for CSE. Secondly, and perhaps equally important, you provide the tools to the child support administrators that can make their jobs simpler, by providing efficient and up-to-date legislative procedures to help out in many areas of the program. And finally, I think that you can perform a valuable oversight and evaluation role by taking a look from time to time at how the child support program in your state is doing by overseeing the executive branch, by making evaluations and recommendations as to how your state program can be improved. We are, of course, attempting to help you in that effort.

I think that all too often the federal government tends to overlook or ignore state legislatures and deals exclusively with state executive branches. We feel we have a responsibility to provide you with information that may help you in carrying out your responsibilities and any kind of assistance that might make your tasks simpler. For example, we can provide you with data results of the program on a regional or national basis, that can help you evaluate your state and compare it with national performance. We can provide you with information about effective legislative tools that have proved successful in other states. We can, and have on a number of occasions when asked to do so, provide testimony in hearings. So we would like to think that in this program, unlike others, we can foster a greater amount of communication and cooperation among the executive and legislative branches because that is essential to the success of the program. In conclusion, I would like to say that we are attempting to develop a partnership in this program, a partnership in federal, state and local government. Obviously, each branch has its separate roles and responsibilities, but I think we can all have a common purpose in carrying out those roles and responsibilities; namely, improving the child support program and most importantly, serving the children of our nation.

Questions following Mr. Hay's address in Denver began with the Program Moderator, Ron Strahle. He wanted to know about the distinction between welfare intake workers and the child support enforcement staff. Mr. Hays answered by saying that his office has encouraged the two staffs to cooperate, which increases the intake workers awareness of child support enforcement.

He also addressed a question regarding the cost effectiveness of non-AFDC support enforcement. He responded by saying that non-AFDC clients are usually just making a living and are forced onto AFDC without the support payments. An HEW study shows it to be cost effective through cost avoidance.

In response to questions about federal legislation on child support issues Hays reported on the status of several bills. He focused on the bill concerning funding for Non-AFDC cases.

There were no questions following Lou Hay's address in Hartford.

Judith H. Cassetty, Ph.D., University of Texas

Dr. Cassetty is an Assistant Professor at the University of Texas at Austin in the School of Social Work. Her research is in the area of child support. She has recently published a book Child Support and Public Policy.

"Putting Faces to Names and Numbers: Scope of the Problem"

Judith Cassetty addressed both seminars. The following is the transcript of her address to both seminars.

I would like to talk to you today about some of the broader child support enforcement issues — both political and economic — and what can be done to resolve them.

It has been estimated that with today's divorce rate running close to 50% and illegitimacy rates (especially among whites and adolescents) rapidly increasing, close to half of all children born today will spend several years before they reach eighteen in a female-headed household. Furthermore, the years spent in such households will, most likely, be years in which they receive no support at all from the parent who resides elsewhere. It has been observed that during the past decades, this country has virtually eliminated poverty among the aged, blind, and disabled, and substantially reduced the earnings gap between white and minority males. The price tag on this progress has been high, however. The aged, who constitute only about 20% of all household heads, receive fully 50% of all public transfers. Because of our success in moving these adult categories from the ranks of the poor, and our relative success in providing market opportunities for minority males — progress we can certainly be proud of — it has been noted that our poor and near-poor population in this country, presently, are disproportionately found to be members of female-headed families. Some have said that because women can earn only sixty percent of what men earn with equivalent levels of educational attainment, the surest route to poverty is for a household to lose its male head. Similarly, the quickest way out of poverty for these families is the acquisition of a male head. Lest you conclude that decisions regarding a marriage commitment are beyond the manipulation of public policy, I hasten to add that the likelihood of remarriage increases with the reliability of the child support and earnings received by the female head of a family.

I must also stress that the severe earnings differentials between men and women is the consequence of bias which is so firmly rooted in our social, educational, and economic institutions that progress in narrowing that differential, while certainly a worthy social goal, is realistically one with a long-time horizon. On the other hand, increased private sector transfers through the child support enforcement system is, in every sense, a possible and necessary means of immediately narrowing the enormous gap in economic well-being between the children who must live in female-headed households and the father who no longer lives with them.

Which brings us quickly to the topic of ability-to-pay. Until recently, professionals and the public alike were unaware of the severity of the problem of non-support. It was generally assumed that anyone who wanted child support had the legal tools available to get it, and not receiving any was a function either of the inability of the absent parent to pay it, or the unwillingness of the custodial parent to pursue it. Nothing could be further from the truth. In general, the payment (or non-payment) of support by an absent parent has been found to be, in large measure, a voluntary phenomenon and one which cuts across income classes. Again, generally speaking, the money is there. It is not being received by over half of the children in female-headed families because the absent parent doesn't want to pay it, because most of these women cannot afford the cost and time-consuming effort necessary to pursue it through the courts, and because the enforcement tools are inadequate and support laws vague and archaic.

It is your business, as state legislators, to protect the interest of your constituents and to uphold the fundamental right of the children in your states to be supported by both parents to the greatest extent possible. It is clear from data, that the mothers who head families and the public have borne a disproportionate share of the economic and personal burden of these families.

My own research, and that of others, has shown that, in order of magnitude, women's earnings are the primary source of income in a female-headed family. Following this is: public transfers, and running a poor third, is child support from absent parents and other relatives. That this observation could have occurred, speaks very poorly of our commitment to fostering a sense of individual responsibility on the part of the fathers of our children.

The tasks before you are clear:

- State Family codes and other laws effecting the enforcement of the child support obligation must be updated, overhauled, and given some teeth;
- Public child support enforcement efforts must be supported with dollars - dollars which couldn't be spent in a worthier pursuit;
- Subsidized enforcement services must be expanded for the non-affluent who are not on AFDC, but whose incomes are too low to pay for legal services in the private sector. This is necessary lest we foster a dual system of support enforcement - one which subjects the poor to a different set of opportunities and constraints than that available to the non-poor;
- Child support payment standards must be adopted to ensure equal treatment of absent parents on the basis of their ability to pay. Assurance that they are being treated equitably vis-a-vis other absent parents is bound to enhance payment performance.

Already there is talk among academics and legal professionals about removing the child support function from the private legal/judicial sector altogether and making it part of the federal tax collection system. I am aware of at least two serious proposals which would call for mandatory registration of parentage of each child at birth and a sur-tax on the income of absent parents. The arguments which favor this strategy gain strength every day as the scope of the problem of non-support becomes more apparent and state governments remain unresponsive to pleas for reform.

Clearly, there is a substantial constituency for these reforms. Few could deny that reforming the child support laws and system falls within the proper purview of the states. Child support enforcement may be the only public service that makes money. It is the business of government to foster individual responsibility, and children — the adult citizens of tomorrow — are the biggest winners with an effective support system.

In Denver and again in Hartford, legislators were interested in learning more about the normative standards and system of surtax for support payments that Dr. Cassetty discussed in her address. She responded by providing figures demonstrating the low rate of payments being made nationally. Her point was that while the returns quoted by IV-D agencies sound positive, the actual dollar amount is much lower than could be collected.

She also reiterated that most absent parents are not paying and that the surtax is a positive method of collecting support payments. Her emphasis was on showing the dramatic improvements that could be made in the IV-D program. With the focus on the social impact of non-support, Dr. Cassetty cautioned against believing that a good collection record solves the problem.

In Hartford, Dr. Cassetty was asked whether she thought that the legislatures should be setting standards rather than the courts. Her response was that she thought that the court's prerogative to settle support disputes is only a matter of tradition. She also pointed out that individual adjudication is a more costly process.

Anthony W. Mitchell, Ph.D., Executive Director,
Utah State Department of Social Services

Dr. Mitchell's responsibilities as Director of Social Services include overseeing the Office of Recovery Services which includes child support enforcement. Utah's IV-D agency ranks in the top ten, nationally.

"An Executive Branch Perspective on Child Support Enforcement"

Dr. Mitchell spoke at the Western Regional Seminar. The following excerpts from his address discuss the benefits of a strong CSE program.

Can you imagine a legislature in a state as conservative as Utah, that in the last three or four years has an agency which has almost tripled the number of employees, almost doubled, more than doubled the budget, and allowed them to go from three offices throughout the state to ten offices throughout the state? That's the kind of support that your fellow legislators in the State of Utah have given to Utah's Child Support Enforcement Program. We have gone from 1976, where we had somewhere around 80 employees, up to around 210. We have gone from a budget of around 2 million in 1977 to 5 million. And we have opened offices in many areas throughout the state so that we can expand the functions of the Child Support Enforcement office.

I guess the question is, why would the legislators allow that kind of expansion during a time of general cutbacks and constraints? There were three major reasons why they've given that kind of support. First, because the Child Support Enforcement Program adds credibility and acceptability to the whole of the welfare program. Second, because on a very practical level, it generates additional revenues. Third, and probably most importantly, on a philosophical level it reinforces the personal responsibility of each individual - and it is the just thing to do.

Let me take the first of these reasons, the fact that it gives credibility and acceptability to the Public Assistance Program. How does it do that? First of all, it has an impact on holding down increases in welfare roles and the public assistance burden on the state. Most people do not want to be on welfare. Many of them find their way there because of the husband leaving the children, leaving the family. Over 80% of all of our cases in the State of Utah are that kind of a case where the husband has left the family and in almost all of those cases, there is a duty of support obligation owing. Often, there is no collection at all because the people, in many cases, will not voluntarily pay it. The CSE program helps to break the welfare cycle because the job that we have as we deal with people who need public assistance is to gradually help them get off of public assistance. We move them into training, into jobs. They get into a job and we start paying them smaller assistance grants as they earn more money. And when we're able to get the payment of the child support enforcement money on a regular basis, it creates a situation where the support that they're receiving from both their job and the child support payment is enough to allow them to move completely off of public assistance. So that's one way in which the Child Support Enforcement Program has credibility and acceptability. It helps to decrease and hold down the cases that we have in public assistance.

Child support enforcement adds credibility also because it helps us to detect welfare fraud. In the State of Utah, we don't have that much welfare fraud. Our rates are relatively low. I think it's 1-2% of the caseload, if that, where there's any intent to defraud. But there are those cases and they normally come under the rubric of the man in the house situation, where a couple divorces or separates, she goes on welfare and then they get back together again, he moves back in, but she fails to declare the fact that he's now living at the house again. Normally, that kind of a case can go on for a

long time before anything would be done about it. But because of the assistance and because there's an effective child support enforcement agency operating, the Parent Locator System goes into effect. We find out where he's living and then take action to either close the case, or recover fraudulent payments. CSE helps us add credibility to the welfare system because it helps us to detect fraud. And the avoidance principle is in effect there as well. If people know of others that have been caught in similar situations, they refrain from getting into the same problems.

I think another way CSE adds credibility, is that the public feels better if the person, who in some measure created or helped to create the welfare burden, is paying their share of the costs that are needed to help resolve it. Nationally, as I understand it, about 5.5% of the assistance payments funds or welfare funds come from the recoupment of child support enforcement payments. It was mentioned today by one of the previous speakers that in his state it was around 9%. This past year, Utah was at 11.2% and led the nation in the percentage of welfare payments that were recouped from child support enforcement.

There's also a cost avoidance in staff. I mentioned to you that we had nearly tripled the staff in the Child Support Enforcement Agency, but over that same period of time, we have not added one staff person to the assistance payments unit, and the welfare eligibility determination unit has not had any staff increases because we have been able to hold down the public assistance population. Now there are obviously a lot of other factors that go into place such as the economy, employment and unemployment pictures and so on, but I do suggest that a strong child support enforcement program is a part of the reason that we have been able to hold down the public assistance burden within the State of Utah.

The second reason I mentioned for the support that both the Executive Branch, the Legislative Branch have given to the child support enforcement program is that it generates additional revenues. I've already mentioned a portion of the revenues that go to the AFDC program. In addition to that, this year Utah passed through to the 29 counties $\frac{1}{2}$ million dollars of unrestricted revenues, which is their share of the incentive program. We have, of course, passed through all of the costs of the counties being involved in the child support enforcement program.

In Utah, child support enforcement is a part of what we call the Office of Recovery Services. As that office has developed staff with expertise and background in collections, we have given them greater responsibilities. For example, they do the collections for the medical fraud and abuse and for any other welfare fraud and abuse. They do the collections for court awards in foster care cases and we will be starting this year to have them become the collection agency at our State Mental Hospital, to collect the fees, the Title XIX reimbursements, SSI payments and so forth.

The reason this program has the support and credibility of the people in the State of Utah is that it reinforces personal responsibility. We have a problem in this society with a lack of wanting to be held accountable for our actions. In this program, the government is not saying, if you fail to meet your obligations the government will pick them up. What it is saying, is that you have an obligation and we're going to help make sure that you meet that obligation. It reinforces the responsibility of parents to support their children. In those families that separate or divorce, the man must know that he cannot simply walk out on that obligation. Where we have the young people, with the real problem of teenage pregnancies, these young 16-17-18 year old boys must be aware that they cannot be socially and sexually irresponsible.

There are certain kinds of obligations that they will incur. We have to reinforce that sense of personal responsibility and I think this program helps to do that. But not only does it reinforce and stress parental responsibility, it also reinforces the rights of children - the rights of children to have their fathers support them and care for them.

We have found many cases where, as a man starts paying, pays off his past debts and starts making his payments regularly, he resumes contact with the children. It creates a linkage again because he realizes he is paying for part of their keep and that he does have some responsibility to also share part of his life with them. And for those others, the children have a right to know who their father is, to have their paternity established, and to have the rights of inheritance and all the other rights that they ought to be able to share.

Those are three reasons then why I think this program has received support from the legislature in the State of Utah. It does provide great credibility for the welfare program, and it does generate revenues that are greatly needed and it does reinforce personal responsibility.

About a year and a half ago Dennis Cooper, who is now the Director of the National Institute for Child Support Enforcement and who used to be the Director of Utah's program, gave his presentation to the legislature. At the end, one of the senior senators said to him, "Well, what can we do to help you?" One of the things they did to help us was to give us a flexible budget. We fund that program entirely out of income and as long as we have a collections ratio that is acceptable, we have some latitude to expand that staff.

And I suppose that's why all of you as legislators are here, because you want to also know what you can best do to help make sure this program succeeds in your state. Obviously, during the conference you'll be studying some model legislation and discussing things you can do within your legislature.

Let me also suggest, secondly, that you look at providing greater budgetary flexibility for this office. I suggest you not treat it the way you do all other offices, because it performs a very different function. As long as they have a collections ratio that is acceptable, and as long as they are not being too loose with their monies and spending them responsibly, I think that you allow them greater flexibility to expand so that they can get greater penetration into their caseloads. Instead of affecting only 20% of those people who owe a duty of paying support, they can raise that level. And I think the third thing you can do as legislators is to continue to exert your influence to lend strong public support to the Child Support Enforcement Program.

Lavon D. Loynd, Technical Assistance Coordinator,
National Institute for Child Support Enforcement

Mr. Loynd is responsible for providing technical assistance to people administering the child support programs in the states. He is also the former Director of the child support agency in Idaho.

"Program Basics and Major Variations Among the States"

The following speech excerpts give Loynd's description of the steps involved in handling a child support enforcement case and the points where major problems occur which could be addressed by legislation.

I am going to talk to you today about the very basics of child support enforcement. I want to cover the trail of a case from its initiation into the system to where it is ultimately successful or is put into a dead file. There are variations in agency structure and in state laws that make the handling of cases different from place to place. While dealing with these, I want to take particular pains in pointing out problem areas in the support enforcement field. This is fitting with this audience because most of the problems may be solved or greatly affected by legislative action in each state.

Child support units across the nation are normally set up under an umbrella agency, usually the social service agency. The reason for this is that when the IV-D law was enacted, most everyone at the state level interpreted it as being a foster child of the welfare eligibility unit. A few states placed the child support unit in a department of revenue and taxation or in a department of justice or even split it up between agencies. This may be the first problem in the support enforcement process. Is the support unit in your state located where it can be most effective in collecting child support? If the unit is stifled where it is, then maybe a change should be made.

The first step is for cases to come into the child support agency. Cases may come from two sources. In the case of mothers who are on welfare, the case will automatically be referred by the welfare agency.

There are several times as many non-welfare cases that need services as there are welfare cases, and they pose particular problems. One is that emphasis in most of the states has been to recover the welfare dollar. It is easy to see that there is an immediate offset of welfare funds to the benefit of the state and federal governments. However, there appears to be little doubt that an active non-welfare support program can also enable mothers to stay off welfare. Failure of such a program to serve non-welfare cases either places a burden upon the welfare mother, who is too proud to ask for public assistance, or forces her to give up and go on welfare. Her case is then automatically referred to us anyway. This is a problem. Are non-welfare mothers helped in your state?

The next step is for the child support case worker to locate the absent parent. Major legislative consideration in the IV-D Act was to increase the absent parent location success nationwide. It was quickly noted that if we could look to the government records and into the doings of state agencies, our location frequency would increase greatly. The federal Parent Locator Service was created. They are trying to develop computerized retrieval, by state agencies, of information as to the whereabouts of absent parents. The states can key into the system by CRT units, which is a computerized process, and get information out fairly rapidly, or be sending in the proper paperwork, which amounts to a location application form. That takes a long time. Some states have not bothered to give their IV-D agency the ability to locate these parents. The whereabouts of up to 60% of the absent parents, in some areas, may not be known. This is the front end. There is no need in worrying about what follows, if emphasis is not put here.

Many absent parents are within the same city, county, or state as the mother but cannot be located. Many states have legislation that commands all agencies to cooperate with the child support enforcement unit for the location of absent parents. In the states that do have it, most of the agencies try to ignore requests anyway unless they are forced or unless the law is very clear. For instance, the employment agency, the state tax commission, and the motor vehicle division could help a great deal. Some states have no provisions at all for the utilization of other agency records. You can imagine what the location success is in those places. A state needs adequate location tools. States and agencies should cooperate with each other in the location of absent parents. The law should be very clear.

Contrary to popular belief, the cases that come to the worker are not just divorce cases where the father has failed to pay. In fact, divorce cases seldom comprise more than 50% of the caseload. Many are separation cases where the father or the mother have just picked up and left. There is no order for support. There is no definite amount that should be paid. But, in most states, there is an obligation to support children. In these, the state must establish paternity before any collection can be made in court. Paternity cases occupy an alarming high percentage of the total caseload. The lowest percentage in any state appears to be in the neighborhood of 25%. There are a couple of states where the paternity cases amount to over 65% of the total caseload. These figures are important in understanding the work load in a IV-D agency.

The next job for the CSE worker is to make every attempt to persuade the absent parent to begin paying child support. If the support officer is unable to persuade the father to pay willingly, there is only one answer left, and that is court in most cases. Each case requires a different effort. Some need a paternity determination. Separations need a court order. Others with court orders may be ready for the actual collection. How is it done? This is another problem. Caseworkers are normally not attorneys and only attorneys can appear in most court systems. Who in your state are these attorneys? Do they cooperate with the caseworkers, or put them off, as has happened in Idaho for years? A few attorneys will conscientiously do a good job. However, most consider support enforcement work to be the pits. Support work will take a back seat in any case where an attorney has other things to do. Establishing a system where child support cases are a priority to attorneys is important to an efficient operation.

For a child support system to work, under the normal court system, there must be legal counsel who will pursue cases aggressively, preferably be co-located with the child support unit and do only child support work. Idaho is trying something new. They have passed legislation that allows the unit to work with private attorneys. With private attorneys, there is the profit motive that has made America the powerful and industrial nation that it is. These attorneys will pursue child support as if their paycheck depended on it, and it does. It will be interesting to see how this program works out. How is your state's legal counsel situation?

In those cases where it is needed, the establishment of paternity can be a mind boggler. Very few states have decent paternity legislation. There is a new and fine uniform act called The Uniform Parentage Act that incorporates all the advantages that modern science has to offer as well as being fair to all parties. Unfortunately, at my last count, only six Western states and none of the Eastern states have adopted it. Most of the states have been trying to shore up their old paternity acts to meet present day requirements. Some have done well. Others have simply backed off from pursuing paternity cases through court until they can get better legislation. When the paternity caseload amounts to from 25% to 65% of the total cases that can be pursued, it is obvious that something should be done legislatively. Does your state have this act or enough amendments to the old one that will allow it to be an effective tool? Are blood tests admissible as evidence?

The next step in the process is to petition the court for a support order. The procedure is to file a petition or a complaint claiming that the person is the father of the children who have been abandoned and who need support

in a reasonable amount, or in the case of welfare children, the claim could be for third party recovery of monies expended by the state to support his children. In response to the claim, the judge may issue a summons for the father to appear in court and answer the complaint. If he fails to appear, judgment will be made against him. If the father secures an attorney, there can be a great deal of time pushing and shoving, sparring and knocking. In the meantime, the mother, with the children, could be having a very difficult time making a go of it unless she resorts to public assistance.

Finally, we may get the case to court. There may result (we hope) an order for support. Now the officer has his work cut out for him. An order does not mean that we have money. In fact, the hardest work comes now. How do we turn a court order for support into money? It is true that a few cases will pay as soon as an order is handed down by the judge. However, most need to be forced. We'll also assume that in this support order, the judge set an amount for arrearages owed to the state or to the mother.

Prior to entering court or as soon as possible thereafter, it may be advisable, if the location of assets are known, to tie the assets up so that when a court order is given, there will still be something around to satisfy the judgment. Attachment is the proper tool. The way the attachment works is that a prayer is made to the judge that the defendant will probably hide, secure, sell or otherwise dispose of collateral, land or money during the proceedings in court and that the mother, or the state, will be unable to collect after getting an order. If a proper pleading is made on a good attachment law, the court will normally issue a writ of attachment that merely tells the debtor that he shall not, under pain of contempt, dispose, secret, hide or sell or otherwise deal with this property until the conclusion of the case that is before the court. After winning the order, the state should immediately apply for a writ of execution upon that property.

The process of forcing payment is called execution. Contrary to popular beliefs, a sheriff does not just go out and take everything he can find and bring it back to the plaintiff. He will take only what he is ordered in writing to take. This means the support officer must determine what the debtor has that can be executed upon. Where is his job? How much does he make? Does he have a snowmobile, a four-wheel drive pickup, a couple of expensive hunting dogs? Most important, does he have real estate?

It does the support officer no good to find out these things if your state does not have effective execution remedies. Does your state have adequate execution laws? Is your garnishment act workable? Wage assignments are a must in some cases to assure that payments are given to the children before they are given to the bartender. To be effective, wage assignments must follow the employment of the father without the necessity of going back to court each time he changes jobs.

Lien laws are important too. The state of Iowa has, what I call, a strong abstract law. In effect, the child support owed acts as a lien on any property that the debtor may have or acquire. For instance, if he were to try to sell a house, the title insurance company would show a lien for child support. He would be required to pay it to finish the sale. Few states have strong lien laws such as this. But they are certainly worth their weight in gold.

It is very cost-effective to have support officers cajole, worry, harrass or encourage absent parents to pay support. This is especially true if they can get the absent parents' attention. There is nothing quite so attention-getting as the sheriff taking a paycheck, a process known as garnishment. We have found in 100% of the cases where we take the paycheck that the father calls within eight hours. At that point, he is usually ready to negotiate, especially with the new wife on his case. There are other attention-getters that can be included in laws. Most of them revolve around the judge's willingness to act. Jail time, fines, probation are examples.

An undiscussed problem is that the absent parent may be outside of the state. State borders form quite a barrier. A number of years ago, the law enforcement officials of many states determined that interstate enforcement of support was enough of a problem that states should enact reciprocal laws and help each other out. As a result, the National Conference of Commissioners on Uniform State Laws pioneered the Uniform Reciprocal Enforcement of Support Act for this purpose. All 50 states have enacted such a law. However, the only thing uniform about them is their non-uniformity.

Some provide for establishment of paternity through URESA and others do not. Some provide for the collection of support arrearages, others do not. There are many differences in the URESA Act, but there are even more interpretations of it by different counties, localities, and judges.

Possibly the greatest distinction is that the state enforcing the URESA law is taking one of its own good citizen's money to send away to a stranger in another state. As a result, enforcement has always been carried out in an unenthusiastic, if not downright apologetic manner. Hopefully, the effort that is going into coordination of interstate cooperation will convince the states that if they enforce orders for other states, they can expect something back in return. The net result could be significant. Maybe there is some legislation that might help.

There is one other possible answer to out-of-state enforcement of support. Many states have the Registration of Foreign Judgment Act, which is also a uniform law. This provides that one state can send a judgment with proper papers to another state who will register it, and then the second state will treat that judgment as its own.

The accounting unit for child support enforcement does many things. It seems that cases pay for a while, then drop off, and it is very important that the support officer be notified immediately because the cases most likely to pay are those that have recently paid. The distribution section must have a system whereby they can determine when a case has failed to pay and notify the lineworker as soon as possible. Where the average case pays approximately \$100.00 each month and if the state is collecting three million dollars each year (and that is what most of the very low population states should be collecting, or more), then the distribution unit must take in 30,000 payments per year. Each payment may require numerous steps. In addition, there is the non-welfare money coming in that must be returned to the mother in a speedy fashion, due to the fact that she needs it now to stay off welfare. Believe it or not, some states are still trying to do this accounting manually. Even those who have a computer system are realizing that designing and installing such a system does take time and it must be tailored to the job.

There are variations in the enforcement of support other than through the standard court system. Two noteworthy ones are the Administrative Hearings Procedure and the Master Referee System. Michigan has been in the enforcement field for many years. They do a very fine job using what they call a Friend of the Court system. A Friend of the Court is nothing more than a master or referee that has been appointed by the circuit judge to hear, investigate, and determine what should be done in support enforcement cases and then to make a recommendation to the judge. As a result, the judge normally finds that the recommendation is correct and issues an order in keeping with the referee's findings.

Maybe you wonder "why do you need a friend of the court when we have judges." The answer is that the judges' courts are normally overloaded anyway, and in child support enforcement overloaded dockets have proved to be a bottleneck through which the cases do not flow readily. It is, after all, traditional for courts to hire young attorneys to brief cases and otherwise to help them to save the court time. It is far cheaper than hiring more

judges because the attorneys come to work at a much more reasonable salary.. Referees are the same. They can do a great deal of work for less money. The friend of the Court in the Michigan system does this as a vocation, not a sideline. The beauty of the system is that the recommendation of the referee is then adopted by the court as its own ruling and the support unit has a full fledged court order to work with. It was done quickly and efficiently.

The other variation on the enforcement system is the Administrative Hearings Procedure. Washington, Alaska, Utah, Maine, Oregon and a few other states have a version. It is similar to the Administrative Hearings Procedures that have been set up in so many state and federal agencies. The cases can be funneled through the system quickly and fairly. In Utah, the debtor then has 20 days within which time he can appeal. The appeal, however, must be based upon fact or error such as failure in due process. The reviewing court must find error before the case can be reversed. Even if the judge would find differently from the fact, the case will not be disturbed if there is sufficient evidence from which the hearings officer could arrive at the conclusion he did, without evidence of arbitrary and capricious decision making. If there is no appeal in 20 days, the Utah court also adopts the order as its own. From that point on, the execution process that I described before can be carried out as it would be on a regular court order.

The Administrative Hearings Procedures should be considered in each state as a possible alternative to pure court. Now many states have a tie-up in court to where it takes a great deal of time for a case to be heard.

Setoff laws could be a money maker for the states. The problem is that each year the state income tax people compute returns for thousands of taxpayers, many of whom are absent parents who owe money to the state. It does not make much sense for one agency of the state to return money to the taxpayer while another agency is trying to collect money that it owes the state. There are very few states that have a setoff law where computers would match up names of absent parents with returns; but if there were, the return (nationally) would be in the millions.

Last year Idaho tried, on a manual basis, to match up names of absent parents with return lists and then issue garnishments in those cases. They hoped that they might collect \$10,000 the first year. Within the first couple of weeks of the tax season, they had identified and put into motion the papers to collect \$30,000. It went up from there.

This system required the state to fill out papers for garnishment in each and every case. That was no simple matter. It required a motion, affidavits, and the writ itself, which as served on the tax commission after the check was made out to the individual taxpayer. The money was then taken back into the state system and redeposited. In most states, it takes \$20 or so just to cut a check. Think how wasteful this situation is over a pure computer matchup that makes a paper transfer of the money from one account to the other. It sounds like good business to me. It would be an easy piece of legislation.

"THE BENEFITS OF EFFECTIVE STATE CHILD SUPPORT ENFORCEMENT PROGRAMS"

William T. Smith, State Senator, New York

Senator Smith is the chairman of the New York State Temporary Commission to Revise the Social Services Laws. His interest in child support enforcement is a result of his work on that commission.

"New York State's Big City Problem"

Senator Smith addressed the NCSL Eastern Regional Child Support Enforcement Seminar. The following excerpts from his address focus on the problems of New York City.

The obligation of parents to provide financial support for their children has always been an integral part of our public assistance laws but it took passage of the Title IV-D legislation by Congress (in 1975) to put "teeth" into the program. Our State of New York, encouraged on one hand by the large commitment of federal funds and on the other hand by the threat of fiscal penalty for noncompliance, enthusiastically established the Child Support Enforcement Program in 1976.

I will provide an assessment of New York's progress in implementing this program, along with some recommendations for directions in the future.

From the very start of the IV-D program in New York State, the legislature was fully involved. This legislative commitment to the program has continued to date, and I'm sure this has been a major factor in keeping pressure on the involved bureaucracies to improve their performance. We have had numerous meetings with state, federal and local officials. We've held conferences with Family Court judges across the state. And every year we've enacted a package of bills to remedy any new problems which seem to impede program performance. Some of the requirements in our state statutes include:

- Centralizing responsibility for collecting support payments for both AFDC and non-AFDC cases in the local social services departments;
- Automatically assigning the absent parents' wages if three consecutive support payments are missed;
- Serving summonses and petitions by mail in support proceedings, (rather than leaving these matters to the general discretion of the courts);
- Prohibiting the court from cancelling or reducing arrears in child support payments unless good cause is shown;
- Mandating an absent father who has health insurance available as an employment benefit to make such coverage available to his dependent family;
- Establishing a Wage Reporting System which requires the State Department of Taxation and Finance to maintain a file on wages and employer information for all individuals subject to income tax withholding. Such data is made available to the State Department of Social Services for various purposes, including location of absent parents, verification of their income, and establishment of support obligation.

One of the most important pieces of IV-D legislation passed in 1977 provided for a Statewide Child Support Collection goal to be established each year in the local assistance budget. This goal was initially set at \$60 million; by this fiscal year (1979-80) it has increased to \$75 million.

A portion of the statewide goal is allocated to each of New York State's 58 Social Services Districts, and a financial penalty is assessed to any district not meeting its goal. A district not meeting its goal is denied reimbursement of AFDC program expenditures. The formula for this is equal to the difference between 1) how much in non-federal funds the district is required to repay to the state out of the collections actually made and 2) the amount of non-federal funds the district would have been required to repay to the state had it met its collection goal.

Last year, New York assessed penalties of \$5.78 million on 12 social services districts. Of that, \$5 million was assessed to New York City. Upstate districts in the aggregate exceeded their goals by more than 5.0% (\$1.4 million) but New York City caused the state as a whole to miss its goal by approximately 29% (\$17.2 million).

I consider this IV-D goal legislation one of the most important pieces of legislation passed in our state. It illustrates that the legislature means business and expects performance.

In addition to these statutory efforts taken by New York to strengthen the program, HEW has provided us with valuable assistance in funding various special programs. As one example, HEW is fully funding the development of a computerized IV-D case-tracking system in our state as part of the Model Child Support Enforcement Program. This tracking system will provide a quick trace of each case in which a parent owes child support to ensure that a series of enforcement steps are taken expeditiously. The computerized tracking system will monitor each child support case from the time the absent parent is located through receipt of monthly support payments. Should payments lapse, the system sends dunning notices. If the notices are ignored, the system will alert state child support enforcement staff to the need for violation orders through Family Court. If an absent parent in arrears of child support payments leaves the state, the system will refer the case to the Federal Internal Revenue Service for collection of arrears through whatever means necessary.

The State Department of Social Services is developing, on its own, a parallel computerized accounting system ASCU (Automatic Support Collection Unit) to keep track of the amounts of child support payments that have been made by the parents to ensure the proper distribution of funds. This system will also have the capability to issue regular billing notices to the absent parents, reminding them of their on-going responsibility to support their dependent children.

In spite of all these and other measures, New York State still has a long way to go. According to the latest federal data available, our state is among the 17 states in the nation where the AFDC IV-D is not cost effective. In other words, the amount of money needed to administer the program exceeds the amount of child support collection received from absent parents.

As one would expect, New York City again brings our state down to a level of a negative cost/benefit. Statewide, we're collecting only 85 cents for every dollar spent in administrative costs. If we extract New York City's performance (70 cents per dollar spent), the program in upstate districts is effective, returning \$1.42 for every dollar spent. I should give credit here to the State of Massachusetts which ranks first in the nation in IV-D performance, returning \$5.12 for each dollar spent in administering its program.

Let me digress just a moment to comment on the "numbers games" being played with IV-D cost/benefit ratios. This year in a Report to the Governor and the Legislature, our State Social Services Department informed us that New York state was making progress "at somewhat of a reduced level". The Department pointed out that IV-D collections now exceeded program expenditures, returning \$1.05 for every dollar spent. After a closer review of the data, I discovered that the expenditure data included not only support payments received in the cited 12-month period, but also more than \$5 million received in prior years, (This information, of course, was omitted in the report). Obviously, you can't charge administrative costs of one period against collections received in another period. In correcting the "numbers", we find New York state does not have a positive cost/benefit ratio, as we were told by the Department of Social Services, but has instead a negative position.

The point I'm making is not how smart legislators are, but rather the importance of maintaining a level of legislative expertise to allow independent assessment of publicly sponsored programs. No one - least of all public administrators - likes to admit that the programs they are administering are not successful. And as we have seen in New York State with the IV-D program, many of the needed remedies were the result of the aggressiveness, expertise, and stick-to-itiveness of the members of the state legislature.

Lastly, I'd like to comment on some of the problems which prevent the state from achieving the full potential the IV-D program affords us. The most serious problems are clearly centered in New York City, although they are not solely New York City problems. Obviously, some of the problems are management-oriented, resting with the purview of the state and local social services departments. These difficulties, I'm sure, are faced by most of the larger urbanized states. Once these management systems are debugged and operating statewide, performance should be increased substantially.

On the other hand, many other problems rest outside social services within the judiciary and law enforcement systems. These problems are more pervasive and can't be solved by simply implementing new technical management systems. They include:

-The Failure to Enforce Established Support Obligations

Not surprisingly the problem is most severe in New York City. It's not bad enough that a court ordered or voluntary support agreement exists for less than 8% of the ADC-IV-D caseload, but only slightly more than a third (37%) of these cases are paying. I do not need to tell you that men who have been ordered to pay child support learn all too quickly and easily that non-payment is likely to be ignored by both the courts and by law enforcement authorities. The arrearages alone for these cases run about \$28 million and are growing month by month.

An HEW-funded demonstration project in the city which funded city police officers to execute arrest warrants has not proved cost effective, although the deterrent effect has yet to be examined. Data suggests that more fathers are surrendering voluntarily in demonstration areas. Presumably, this occurs when the word has gotten out that police officers are actively pursuing arrest of fathers who are delinquent in making support payments.

-Delays in Processing Court Cases

Even if an absent father can be located, it often takes 3 months in New York City before a court hearing can be scheduled. Even if an order is issued immediately, substantial opportunity for collecting support has already been lost. Moreover, long delays between service of notice to appear and the actual hearing date probably contribute to the high rate of non-appearance among respondents in support cases which further "backlogs" the calendar.

It was in response to this problem that the state legislature authorized the establishment of the referee system. In 1977, the law "permitted" the establishment of a panel of hearing officers; in 1978, we amended the law to "require" the court to take such action for referral of support and paternity proceeding. Since the effective date of the legislation was January 1, 1979, it's a little early to assess its impact.

Another major barrier to increasing the effectiveness of the IV-D program which rests with the judiciary is in the area of court-ordered support payments. Although the state legislature passed legislation which required judges to take account of the Department of Social Service's support formula, many judges are still establishing child support obligations, without regard to the financial assessment made by the department. Some feel that such independent court-ordered obligations are unreasonably low.

New York City's child support enforcement is particularly affected by this problem. First of all, nearly 50% of the cases in the city brought to Family Court are dismissed outright. Of the remaining cases, the average support payment is only \$122, although the state formula would have required an average of \$200.

We are currently awaiting HEW approval for a demonstration project for funds to allow the city to hire attorneys to appeal these "adverse" Family Court decisions. It's hard to believe that no appeals have been made on adjudicated IV-D cases since the inception of the program. The results of this demonstration should prove interesting.

Another example which is reflective of the problems presented by the judiciary is the suit recently initiated in New York City by Family Court judges challenging the legislation mandating the automatic placement of wage assignments on parents who are in default. Pending the outcome of this action, automatic placement of wage assignment, for all intents and purposes is enjoined in the city.

Obviously, state legislators are going to have to look more closely at the role the court plays in implementing the IV-D program. We should expect the courts to maintain a position of neutrality in a proceeding that is, in a sense, adversarial between the social services agency and the respondent. But it appears to some of us that the courts often lean too far "on the side" of the deserting parent. I presume some judges feel that, since the financial needs of the dependent family will be taken care of by welfare anyway, ordering support payments adds nothing to the family income and only present "an undue hardship" for the absent father. If this attitude persists to the detriment of the IV-D objectives, it may be that legislative involvement will be necessary in order to protect the taxpayer who, in the end, is called upon to "foot the bill".

Although the progress made in New York State in implementing the Child Support Enforcement Program isn't as substantial as I would like, it's a big step in the right direction. Support collections in the state jumped 70% over the level preceding the initiation of the program. However, since the administrative costs seem inordinately high, it is the responsibility of state legislators and our colleagues on the hill, to make sure the program, or I should say, the fathers pay off.

Thomas Fruechtenicht, State Representative, Indiana

Representative Tom Fruechtenicht is an attorney and member of the Indiana Legislative Advisory Committee which oversees the IV-D program. His committee works with the CSE agency on all legislation presented to the legislature.

"Indiana's CSE Legislative Advisory Committee"

Representative Fruechtenicht addressed the Eastern Regional Seminar. The following excerpts of his address focus on the Legislative Advisory Committee.

It is my pleasure to meet briefly with you and tell you about Indiana's history of child support enforcement and also our current situation. I think it's excellent that we can get together and share ideas when we're all working on the same type of problems and maybe approaching it from slightly different procedures. Through the sharing of these ideas I think we can all come away with some new concepts and possibly new legislative type situations to implement our program to make them more effective.

One of the most helpful procedures we have in Indiana is a committee called the Child Support Advisory Committee and I would suggest that each of you think about such a committee for your state. This was established in 1976 when we implemented the program and it's composed of ten members, three House, three Senate, one Governor's representative, one state budget representative, and one State Department of Public Welfare person and one Prosecutor's Association representative. The committee meets four times a year and receives reports from the State Department of Public Welfare regarding the IV-D performance. It was created initially, I think, as kind of a watch dog. Certain members of the General Assembly were fearful that the IV-D program would enter into agreements and contacts that the legislature should be aware of, and they wanted some control over the IV-D program.

I think what has happened, is that it has given the legislature and the IV-D administration a direct contact for communication and deliberation to implement necessary legislation and has made the program more effective. I think this has been a great benefit to Indiana in its performance, with three House and three Senate members on the committee. It's been our task (as one of the members myself) to sponsor the legislation necessary to modify our existing statute, that was created back in 1966. One of the problems that we ran into is that the legislature generally does not have a great deal of interest in IV-D or a knowledge of its workings. The Advisory Committee creates a credibility situation where you have members of both houses who are familiar with the operation of IV-D who can sponsor legislation, answer questions in an intelligent fashion and make rapid legislative changes as they are necessary.

As an example of what this committee has implemented in the last two years we have passed the access information regarding the tax return for parent locator implementation. Indiana recently passed a new criminal code and juvenile code and had some things cross-wise with the IV-D section, so we had to make some quick changes to comply with those new statutes. We implemented a reciprocal support statute with four jurisdictions because we found we had some parents in Canada and some servicemen in West Germany. We had no statutory basis for entering into agreements with those foreign countries to establish reciprocal support agreements so we passed that statute. We also had a couple prosecuting attorneys who were reluctant to contract and do their job, under IV-D and we passed or threatened to pass legislation to authorize the hiring of private counsel in certain counties and all of a sudden the prosecutor decided to cooperate. So we did not need to pass that bill, but we have full cooperation among our prosecuting attorneys.

I think overall, we've had a very good experience with that type of relationship and I would highly recommend that you think about that simple type statute and that cooperation between your agency operator and your IV-D program. Indiana, of course, is not as big as some states in population or welfare problems, but we did have a return ranking us very high in the nation, getting \$2.46 back for every dollar we spent in the program, which placed us probably in the top ten somewhere.

The benefits of the program are, of course, to the children receiving this support. To show you the impact that we've had in our collection program since 1966 - we've had a reduction in AFDC cases in Indiana from 60,000 in October of '76, to 50,000 this current year. So that's a reduction of over 17% in our AFDC caseload, which I think is due largely to the IV-D program. And I think when you can make that become an impact on your AFDC caseload, you're certainly doing something in the right direction. We also located 22,000 absent parents in less than three years. 15,000 of those were out of state. We are just now starting to see the benefits of the court ordered support and paternity really came in line about 1977, but it's really starting to reduce the caseload in a very rapid fashion.

We've also had a marked increase in non-AFDC cases in the last year and I had a question of our director, why did it take so long to start seeing some rapid increase in non-AFDC cases. Well, first of all, I think we've had a very poor publicity and you may check your own state situation and see how much is being used in non-AFDC caseload. I think the mothers who were not on welfare did not know about the program available to them through the prosecuting attorneys office in the local county. In our state, we charge a fee of \$20.00 for a non-AFDC case. That covers the basic costs of the interview, the application and the initiation of the pursuit. Also it gives them access to the Parent Locator Service and this can be used by their attorneys and as far as the purpose for finding support. I think as more and more people are aware of this program, it certainly is much more cost effective to go through that situation than it is to hire private counsel and go through regular contempt proceedings.

I think also our prosecuting attorneys were reluctant to publicize the non-AFDC type cases. I think that they had enough work to do already so we had to set up a program to guarantee 100% reimbursement for their costs and time in handling non-AFDC caseloads. Again, they are coming along now and I think we will have a very dramatic increase in our collections for non-AFDC cases. The other problem, which I don't know how to solve, is the slowness of which some of these procedures work. And when a mother is without funds to support her children, and reluctant to go on welfare, she's dismayed when she applies for services on the non-AFDC side to find out that it may take 3-4 months to find the absent parent. Even with our fancy nation-wide network of computers and tracers, it sometimes takes that long to locate the person. And I think, at least I hope, the federal government may be improving their speed in cooperation of location and Indiana is now like Connecticut, implementing a fairly funded computer service, which will greatly improve our capabilities.

I believe that child support enforcement is an extremely important issue for all state legislators. Those of you who have been familiar with child support in the court system know the agony and grief that sometimes is caused by the non-payment of support. I think that whatever we might share today and know to improve our state systems would be of great benefit to this country.

Herman M. Holloway, State Senator, Delaware

Senator Holloway has been an active advocate of custodial parents seeking support from absent parents in Delaware. He has worked to streamline the procedures for establishing and monitoring child support obligations. Senator Holloway is chairman of the Health and Social Services Committee.

"How Delaware Has Tackled Its CSE Problems"

The following is an abbreviated transcript of Senator Holloway's address to the NCSL Eastern Regional Seminar.

My assignment here today is to discuss the benefits of an effective child support collection and enforcement program. The benefits are so obvious and the previous speaker has so clearly outlined them, that I would like to deviate a bit and describe for you some of the problems and successes, we in Delaware have had during our attempts to realize some of these benefits.

Delaware is a small state, about the size of a county or two in some of your states. Because we are small, we can address many of our problems on a state-wide basis. And because we are small, our successes and our failures are often magnified. For while a good program is readily disearnable, in a state where almost everyone is on a first name basis with the Governor, the citizens can readily recognize when a program isn't working and producing the benefits promised or expected. Until recently, I'm afraid our Child Support Enforcement Program was one of those programs which promised much and produced little. I am, however, happy to report we have turned the corner and very shortly should be reaping the benefits we expected.

Now as a father and as a legislator, I am unable to understand why a parent would refuse to support his blood offspring. But I recognize that thousands of parents do, and there is an imperative need for a mechanism to determine the amount of support a child needs, the amount that a parent is able to contribute, and a mechanism for making sure the parent makes that contribution regularly.

Under Delaware law prior to 1974, the father had the sole responsibility to support a minor child, whether or not he was the custodial parent and this generated innumerable injustices. Such as a poor father supporting his child while living with a wealthy mother. There were separate family courts in Delaware in each of our counties, three counties and child support orders often bore no relationship to either the father's ability to pay or the legitimate needs of the child. Often, support orders were used as a means to attempt to force parents back together. Often the court orders were inequitable. With one father making a thousand dollars per month, paying the same amount of support as a father making two hundred a month. Often two fathers with the same income would be ordered support of widely differing amounts, for the same number of children. In other words, the system bred injustice, and tended either to drive fathers out of the state or fill our jails with them.

In July 1974, the Delaware General Assembly changed the law to read as follows and I quote "The father and mother are joint natural custodians of their minor child and are equally charged with their child's support, care, nurture, welfare and education. Each has equal powers and duties with respect to the child and neither has any right for presumption of right or fitness superior to the right of the other concerning such child's custody or any other matter affecting the child." The adoption of this law has forced a complete change in the way Delaware's Family Court, which three years earlier had become a state-wide court, establishes and enforces support orders against absent parents from broken homes. It also created a problem of equitably assessing support responsibilities of both parents, enforcing and collecting the support orders, and getting the support funds to the custodial parent. That became evident early after the enactment of the new definition of support responsibility. The Family Court had to be relieved of its responsibility of actually collecting support payments if it was to fulfill its judicial function in other areas, rather than to become bogged down in what was essentially an administrative function.

Thanks to the Federal Social Services Amendment of 1974, Delaware's Bureau of Child Support and Paternity was established within the State Department of Health and Social Services, to take over from the Family Court a function of collecting child support payments from the Family Court orders. Now I have been a frequent critic of the bureau since that time. My criticism has been a reflection of wide spread dissatisfaction on the part of mothers in the State of Delaware as it relates to having the support order honored by the supporting

parent and at some time, reasonably soon, having that check passed on to the parent. I've not only criticized the Bureau of Child Support, I've invited them to tell me, when they appear before the Joint Finance Committee, their needs in terms of staffing to get the job done. I've taken the Senate floor on many occasions to insist that this agency do the job with which it was entrusted and mandated under the law, collecting funds and promptly dispersing them to the custodial parents to whom they belong and locating absent parents not fulfilling their obligations.

I've had constituents complain that their support checks from the bureau were received eight weeks after the absent parent had made the support payment. I have railed at the Family Court for not enforcing its orders only to find that the absent parent had met his support order, but the check had not yet been dispersed by the bureau. Absent parents have been haled and called into our court and threatened with jail for not making support payments, only to produce canceled checks showing that the payments had been made to the bureau, but not dispersed. A period of getting the new agency into gear was truly a dramatic one. One time the judges, administrators and other personnel of the Family Court unanimously branded the bureau the worst in the state. But I'm happy today to report that we have finally turned the corner.

As of this year, the bureau began to pay its own way. The bureau's collections from absent parents of AFDC families were \$190,000. In addition to these AFDC collections, the bureau collected \$468,000 due in the month of August from non-public assistant parents. And the importance of these collections cannot be overstated, because non-assistance cases quickly become public assistance cases and the responsibility of every taxpayer if support collections are not assured. The Bureau of Child Support Enforcement in Delaware, in August, showed a substantial reduction in administrative costs and the effectiveness of the bureau has increased remarkably. The agency collected about \$2.04 from absent parents in AFDC families for each dollar spent. Total collections in August were \$607,000. In other words, the agency collected \$35.70 for every administrative dollar spent by the state. They have located missing parents in hundreds of cases and reduced state expenditures significantly in AFDC cases. In August, the bureau returned \$452,000 to the Delaware General Fund for use in other programs.

Now the agency is cracking down on delinquencies which previously plagued the system. An enforcement program was launched in March of this year, concentrating on parents who had not met their support order responsibilities for a year or more. To date, this effort has resulted in 366 parents resuming payments either through wage attachments or Family Court actions. These payments amounted to \$20,000 per month. The agency has also initiated property searches in cases referred to the bureau's legal staff for presentation to Family Court as delinquents. For a \$5 filing fee, the bureau recently recaptured \$3,000 in arrearage in a single case by locating a property transferred by the delinquent. With the addition of three legal officers, the bureau is now ready to extend its crack down to cases delinquent less than a year old. It anticipates a dramatic increase in collections from absent parents of AFDC families.

In August, the agency also initiated a data processing capability through the state Central Data Processing Unit. This step is expected to reduce the processing time for non-public assistance checks from 3-6 weeks to a maximum of ten days. This alone will greatly reduce criticism of the agency. And very recently, the bureau awarded a contract to a private detective agency to help in its location efforts in specific cases. The present goals are to reduce non-public assistance check turnaround time to 72 hours, initiate a service charge to make the system self supporting with respect to non-welfare cases, and refine the parent location effort by cranking into the data files of other agencies, such as the Internal Revenue Services project 4-19, the state Division of Revenue and the State Labor Department.

John Clawson, State Representative, Minnesota

Representative Clawson became involved in child support issues during a controversy over a paternity questionnaire that included questions about the mother's sexuality. The dispute was resolved without legislation and Representative Clawson was instrumental in having a new standard questionnaire developed for interview purposes.

"The Minnesota CSE Program"

Representative Clawson addressed five major areas of concern to legislators in Minnesota. He outlined the history of Minnesota's program from its inception in 1975 and included the projected collections for 1980.

Clawson presented an overview of how a state supervised, county administered program works. State administration has been discussed as a method of improving efficiency. Because a variety of approaches used by the counties, the IV-D program would become more standardized by state administration, according to Clawson.

The judicial participation in the child support program was discussed by Clawson. He mentioned the differences between courts but emphasized that most courts follow through on their rulings. The court procedures have been streamlined, which has resulted in an increase in the number of cases that are heard.

One of the problems facing the Minnesota program is inadequate information sharing. Representative Clawson cited inter-agency difficulties as well as interstate. He offered his support to any interstate cooperation that could improve the system.

Representative Clawson also discussed a difficulty that has been resolved by Minnesota concerning paternity cases. The problem arose over a questionnaire given to the mother involved in paternity suits. The questionnaire was considered to be an invasion of privacy and was replaced by a standard form now used in all of the counties.

He closed by outlining legislation that will be considered this session in the Minnesota Legislature. The bill calls for a review board to develop state-wide standards for the county administration of the IV-D program.

Ellen Crowley, State Representative, Wyoming

Representative Crowley is an attorney in private practice and is active in child support cases.

"The Legal Base for Wyoming's Child Support Program"

Representative Crowley began by outlining all of the Wyoming laws that pertain to children and child support enforcement. Included was a description of her state's Uniform Parentage Act, the Child Abandonment law, the Domestic Relations laws pertaining to divorce, child custody and support, the Desertion and Non-Support Act, and the Public Assistance and Social Services Act.

Representative Crowley shared with participants details of some recent frustrations she's had in getting help obtaining child support for some of her non-welfare constituents. A specific situation involved a county attorney, who refused to process cases under URESA for non-welfare people. Quoting Wyoming law that states, "It is immaterial if the person to whom a duty of support is owed is a recipient of public assistance." Crowley noted that the breakdown in efficiency of a child support program can be a case of the enforcers not properly following the law.

She also pointed to a problem with Wyoming's attachment laws that require a plaintiff to post a bond equal to twice the amount of his or her claim in order to pay the defendant all possible damages if the support order proves to be wrongfully obtained.

Crowley concluded the address by referencing one Wyoming Supreme Court decision pertaining to honoring but revising a foreign state's decrees for alimony and child support, another emphasizing the state's moral obligation to establish paternity, and a District Court's rule that child support payments be made to the Clerk of the Court with cash, certified check or money order.

CONCURRENT SESSIONS

Seminar participants, who were split into two groups for the Concurrent Sessions, were provided with a background paper on "Guidelines for Discussion Groups." It began with general suggestions for discussing policy options to be considered when examining a state CSE program. Included were suggestions that participants identify issues that might arise as a result of proposing each option, consider whether the rights of all parties involved are protected, what other state experiences have been, whether options should be combined to maximize effectiveness, and whether an individual state's judicial or legal system would preclude using any option. The bulk of the paper was then devoted to defining all of the policy options which were presented for discussion under Topics A, B and C.

Resource people present for Concurrent Sessions at the Western Regional Seminar were the following:

Dennis C. Cooper, Institute Manager,
National Institute for Child Support Enforcement
Sherwood Zink, Legal Counsel,
Wisconsin Bureau of Child Support
Robert E. Keith, Assistant Attorney General, Iowa
R. James Lore, Former Associate Attorney General,
North Carolina
Lawrence R. Young, Assistant Attorney General, Oregon
Daniels W. McLean, Family Court Referee,
Hennepin County District Court, Minnesota
Lavon Loynd, Technical Assistance Coordinator,
National Institute for Child Support Enforcement
Kenneth Muroya, State IV-V Director, Colorado

Resource people present for Concurrent Sessions at the Eastern Regional Seminar were the following:

Dennis C. Cooper, Institute Manager, National Institute
for Child Support Enforcement
Sherwood Zink, Legal Counsel, Wisconsin Bureau of
Child Support
Robert E. Keith, Assistant Attorney General, Iowa
Daniels W. McLean, Family Court Referee, Hennepin County
District Court, Minnesota
Lavon Loynd, Technical Assistance Coordinator,
National Institute for Child Support Enforcement
Representative Thomas E. Fruechtenicht, Indiana
R. James Lore, Former Associate Attorney General,
North Carolina

Topic A: Establishment Legislation

The policy options to be covered were:

Enabling Legislation
Legislative Advisory Committees
Court Representation
Disclosure
Interest Charges on Arrearages
Debt Set Off Collections

The resource people at each seminar split between the two groups to discuss these options.

In Denver the discussions did not follow closely the policy options as laid out for Topic A. Questions on Oregon's administrative procedures were addressed by Larry Young. He particularly focused on the appeals process, provisions for handling contested, agreed and default cases, and the ability to establish paternity. He cautioned against trying to establish paternity by just assuming the power under administrative procedure as one state had tried. He pointed out that Oregon's administrative costs are not as low as HEW's Annual Report indicates. Daniels McLean described and recommended Minnesota's Referee System for handling CSE cases.

Formulas for setting support order amounts were discussed. The consensus was that no single formula can or should exist to serve all states. Consent orders, which are legal in all states, were cited as common in AFDC cases. Bob Keith stressed the key to obtaining consent orders from absent parents is personal contact.

Lavon Loynd urged legislators to make enabling legislation for CSE as broad as possible. Court representation restrictions can cause severe time lag problems if legislation limits the legal counsel that can represent the state (e.g. Idaho only allowed the State Attorney General to represent the state).

Nevada's disclosure law was briefly discussed as well as a recent change in federal law that permits arrearages to be discharged under bankruptcy. Resource people pointed out the importance of not mixing up establishing visitation rights with obligations and payments for support. They are separate issues calling for separate determinations.

Oregon's debt set off program was briefly described. Participants were interested in learning that the Oregon tax department compares names of absent parents owing support with those people receiving a state income tax return. In cases where names match, the department channels the tax return to the CSE unit.

Problems of state supervised, county administered programs were described by Ken Muroya. Participants discussed a response of combining support enforcement personnel to work for a group of counties.

In Hartford, discussions of court representation focused on paternity. Legislators were very interested in finding out about evidence and testimony in paternity cases. The discussion centered around forcing either parent's cooperation in paternity case. James Lore explained that it is constitutional to take evidence by force. Civil contempt was presented as a method for forcing compliance. It is a father's privilege to bring suit to be recognized as a legal parent.

Family courts were discussed. Representative Fruechtenicht stated that the success varies with the population and they are more successful in larger urban areas than rural areas. Senator Holloway explained how family courts work in Delaware.

Statutes of limitation on paternity cases was another topic that interested legislators. James Lore explained some of the constitutional inequities involved in barring action for legitimate children at a different time than for illegitimate children. With current blood testing procedures, evidence can be gathered and used years after a child's birth.

Debt set off was presented by James Lore, who explained North Carolina's experience in that area. He explained how the procedure works and the success North Carolina had with their first experimental match. Contested cases are referred to administrative hearings.

Wage assignments were also discussed as a method of collecting support obligations on a regular basis. It was pointed out that wage assignments increase the collection ratio and the cost effectiveness of support enforcement. Representative Fruechtenicht commented that wage assignments can take pressure off of crowded court dockets.

Topic B: Enhancement Legislation I

The policy options to be covered were:

- Public Support of Children
- Post Judgment Remedies
 - Attachment
 - Judgment Lien
 - Garnishment
 - Wage Assignment
 - Order to Withhold and Deliver
- Budgeting
- Paternity

In Denver, the resource people for Topic B were Sherwood Zink, Bob Keith, Larry Young and Dennis Cooper. The bulk of the discussions focused on wage assignment, garnishment and paternity. There was also some brief exchange on debt set off collections and budgeting.

Participants in one group spent time discussing the difference between garnishment and wage assignments. Resource people felt that wage assignments were the most effective mechanism for collecting child support. It is less pejorative, and better for both employee and employers than a one time garnishment action. The importance of personal contact with the employer was stressed by Bob Keith. The value of placing some liability on the employer who does not cooperate, and a caution to make sure the state as an employer is bound by wage assignments was also brought up. The difference between the Wisconsin, Oregon, California and Iowa laws was discussed.

Sherwood Zink suggested making "income assignments" that would cover a broader range of income sources than just salary. These could cover unemployment compensation, workers compensation, disability benefits and so forth. When writing wage assignment legislation, Bob Keith urged participants to restrict the process only to child support cases to make passage into law easier. The fact that states may already allow wage assignments, but that the power is not specified in the child support laws was also brought up.

In reference to garnishments and liens, Bob Keith suggested that state-wide registries be established for keeping track of property. Then any orders for child support could quickly be put into an automatic lien on that property of the absent parent.

Dennis Cooper briefly described the flexible budgeting process in Utah and stressed that it had been a key factor in allowing the Utah program to attain such success. Sherwood Zink described the flexible budgeting capabilities that Wisconsin gives to its counties.

Legislators were also very interested in paternity issues. Bob Keith gave the background on how blood testing to determine paternity became a part of the IV-D program. He explained the difference between HLA and red cell blood testing and discussed specific types of legislation to allow blood test evidence to be used in paternity issues.

The expense of blood testing versus court costs was discussed. It was pointed out that the cost of blood tests seems expensive until it is compared with court costs. The blood tests usually obviate the need for a court case. The relative certainty of prosecution with the help of the blood tests is the major benefit.

Jim Lore explained the concept of debt set off laws. He recounted the experience of the North Carolina Legislature in adopting the set off procedure. Legislators were interested in the success of the program and the relative ease with which a program can be established.

In Hartford, the resource people for Topic B were Sherwood Zink, Bob Keith, and Dennis Cooper. Paternity was the dominant topic of discussion. In response to a request for a listing of the highlights of paternity law, Bob Keith discussed first the problems with most state statutes of limitations. (The average limitation is now 3-4 years after birth for bringing a paternity action.) He suggested that ideally "illegitimate" children should have the same rights as "legitimate" children. In most states, the statute for legitimates begins tolling at the age of majority (18 mostly) plus a few years. In any case, a five year statute would be more reasonable. For equity's sake, a state could eliminate all limits, but foreclose any right to collect arrears in support money. Sherwood Zink described Wisconsin legislation being drafted which would set the statute as six years for mothers bringing an action and the age of majority plus one year (19 years of age) for children bringing an action. This allows the opportunity to recover back support. He pointed out that a paternity action is separate from a recovery action.

The use of jury trials for paternity actions was discussed, with its benefits and detriments explained by various resource people and participants. Generally, it was felt that there are not, nor should there be, many jury trials to establish paternity. Discussion then focused on blood testing and empirical evidence. Again, the different types of blood testing were described. Various procedures for ordering and paying for blood tests were listed. Medicaid was mentioned as an option for AFDC clients.

There was a great deal of interest among legislators about long arm statutes. Establishing and enforcing the statutes, as well as the technicalities of long arm suits were discussed. Long arm statutes can be much more effective than URESA for paternity cases. Participants were directed to the Uniform Parentage Act for good examples of provisions to use in drafting blood testing, long arm and other statutes. States may only want to focus on concepts one or two at a time to ease passage. The importance of working with all branches of government in drafting and getting passage of laws was stressed. Sherwood Zink suggested that other states may want to follow Wisconsin's example and begin codifying common law concepts and putting them all in one place in their statutes to ease CSE work.

In a short discussion, wage assignments were again cited as the best (or least onerous) collection device. Setting up ongoing agreements with major companies to send one check equal to the total of support money owed by all affected employees, as has been done in Utah and Iowa, was recommended.

There were also brief discussions of normative standards for setting support orders, judgment liens, and interest charges on arrearages.

Topic C: Enhancement Legislation II

The policy options to be covered were:

Consent Orders

Alternative Court Systems

Criminal Enforcement

URESAs

Extradition

Uniform Registration of Foreign Judgments

Resource people for Topic C in Denver were Jim Lore, Daniels McLean and Lavon Loynd. James Lore introduced the topic of URESA by discussing the crucial parts of the statute that were added in the 1968 version. He explained the philosophy of URESA and the incentive for an absent parent to flee from his home state without reciprocal enforcement. He also discussed areas of the uniform law that are not particularly strong and need to either be strengthened or have other laws passed to replace them, e.g. interstate paternity cases. Further points raised by Lore focused on criminal enforcement. He stated that the new URESA remedies for criminal enforcement preempt the need for foreign judgments. (Since all states have provisions for criminal enforcement there was minimal discussion on this.)

The variety of uses for computers in child support cases was discussed. Legislators showed particular interest in the discussion of the accounting and locating functions of computers. A discussion of their cost effectiveness followed.

A question was asked about enforcement for non-AFDC clients in terms of what states are doing in this area and any studies on its cost effectiveness. Several resource people addressed the issue, stressing that non-AFDC services can lead to cost avoidance where the custodial parent does not have to turn to AFDC when support payments are received regularly. Cost recovery for non-AFDC was suggested as a method to offset the cost for service to non-AFDC clients. The bill to reinstate federal participation was discussed.

Contempt, extradition, and criminal enforcement were discussed. James Lore made a presentation on long arm statutes that may be used to prosecute paternity cases based on the act of sexual intercourse within a state even though the putative father has left the state.

Other topics discussed included consent orders and alternative court systems. Court Referee, Daniels McLean, explained how the referee system works in Minnesota. He talked about his experiences and how cases differ when they are heard in a family court versus a district court. The need for a speedier court process through adding more judges or another alternative was cited as the primary reason for adopting a referee or administrative procedures system. Opinions were expressed that either system just added one more step in the appeals process. On the other hand, greater speed and less expense in handling most cases were cited as benefits.

Resource people for Topic C in Hartford were the same. The discussion was also very similar to the focus in Denver. There was, however, more time devoted to the idea of making other family members — grandparents, brothers, sisters, etc., responsible for support of children. Daniels McLean described Minnesota's Relative Responsibility Act.

Normative standards were also discussed, with recommendations from resource people that the standards not be tied to hard numbers. Demographic data showing the drastic change in our social structure — increase in women workers, family income levels, etc. — was emphasized as having a major impact on the philosophical basis for setting support levels. McLean offered the Minnesota philosophy which begins with the premise that both parents have a duty to support based on their education and experience. That duty takes precedence over all other duties except requirements for self-sustenance (clearly defined) for either parent. Finally, parents have an obligation to try to find work based on their education and experience.

Paternity discussions concluded with Jim Lore restating the three major laws he felt were most needed: long arm statutes, provisions for HLA blood testing, and changing statutes of limitation.

CLOSING REMARKS

"Observations on the Seminar - What Are the Benefits of the CSE Program"

Ronald H. Strahle, State Representative, Colorado

Representative Strahle is Chairman of the Judiciary Committee of the Colorado House of Representatives and has a history of interest in child support legislation.

"A Colorado Perspective"

Representative Strahle was Program Moderator and the Summation Speaker for the Western Regional Seminar. In the following excerpts from his remarks he shares some of his thoughts on the program.

Speaking for myself, I've seen this conference from two vantage points. One as a lawyer in general practice, the other as a legislator. I might say paranthetically, a lawyer who is pondering much of the time whether he is a full time lawyer and a part time legislator or a full time legislator and a part time lawyer. One of the tough human problems has been the wife, generally, who is left by a fade away father. She doesn't qualify for welfare because she is desperately doing what she can, out of pride and the willingness to consume her own energies, to somehow keep that family afloat, without charity and with no help from this father that either can't be located or is in a sheltered position because of the deficiencies in our laws.

I applaud the effort that is being made on the national level and the successful efforts that appear to be at least starting in many states. I applaud because of what this program can do both for all of us as guardians of the state treasuries, and for those of us who have the kind of interest we should have in the non-welfare mother. This mother works herself into an early old age, in some cases, trying to hold that family together and make enough money to make it go, and doesn't get as much as she should or perhaps any help from that missing father. All of us know, of course, that it is a continuing and worsening problem, particularly in the area of illegitimacy.

I was not surprised at the figures that were quoted in this conference about the awesome rise in the race of illegitimacies. It seems to me that one of our problems is not only the teenager or even sub-teenager who gets pregnant and has an illegitimate child as a result. This problem is not just one of ignorance. We're inclined to say, here is a child who needs to be counseled about contraceptives and given access, if she is sexually active, to contraceptives. Of course I can't argue with that. But, I see as many as three generations who have been involved in this situation and have come to look at the receipt of welfare benefits as a kind of profession, much as one of the traditional vocations might be. Although it seems incredible to me when I look at the dollars we give our mothers under the AFDC program, still I know of some cases and I'm sure if I know of some there are many more, where young girls whose mothers and grandmothers have reared their families under this program they simply take 'or granted the fact that as they get to be old enough, they will start a family by whatever means and get on welfare. It has become a way of life for some folks. I think we would eliminate a great deal of that if our programs for locating and pressing runaway fathers could be expanded and made more efficient.

I was, for several years, a member of the National Conference of Commissioners on Uniform State Laws, and I can tell you that they have been and are still very interested in working out uniform laws in areas where states are having difficulty, or where, if there is a vacuum, the feds will move in. We're getting a lot of federal help in this program. I'm certainly the last to be ungrateful to the federal government for the help it is giving us under IV-D. But I would recommend to you, if you are not familiar with them, the Uniform Acts as they deal with this subject. As someone said, they get to be pretty ununiform. Most state legislatures will not accept them without some changes, some substantive and some procedural. The commissioners have been very concerned about this field because they have felt, as I have heard some of you say, that there has been a vacuum here. It is a vacuum which may some day be filled by the federal government, hence putting us in a position of receiving more help from the feds than we think we need. The Uniform Acts were the first place that the child support effort really got started on an interstate basis because the Commissioners drafted the Uniform Reciprocity Enforcement Act.

We have an interesting situation on garnishment in Colorado. The federal government has put restrictions on usual wage garnishments which essentially say that you cannot take more than 75% of an employees wages when you garnish.

In the last couple of years, the feds have increased the limitation so that garnishments for child support can take more money than can normal garnishments. The problem is that most of the states amended their law when the feds first put in the 25% limitation to conform to the federal law. Then when the situation was eased on the federal level, many of us simply didn't know about it or didn't hear about it, and our laws stayed at that level. This last year we conformed our garnishment law as it related to child support with the federal act. Hence we have a more generous garnishment situation for mothers and child support claimants than we've had in the past.

In our state we also have fought the battle of continuing garnishment a number of times. To the best of my knowledge, the bill has always died in committee. It has not so much been sponsored in our state by persons who are interested in the enforcement of child support orders and similar child support matters, but rather by collection agencies and people who are in the collections business. Obviously they don't like to have to garnish every week or every two weeks or every month, depending on what the pay period is. There are, however, some problems that I ought to bring to your attention about continuing garnishments. The one that has been most vocally and effectively voiced in our legislature is that continuing garnishment results in a race to the employer. The first person to get there with his continuing garnishment has it. If you happen to be the second person, you probably can't collect anything under that garnishment until the first writ of garnishment has been satisfied completely, which may be a matter of months or years. So although it helps the first creditor to get there, it really can create some problems for the second and third creditor who gets there.

We've had some amendments attempted to ameliorate that situation, but the bill has never passed here. To be perfectly honest, even though I understand its utility in many situations, I have not been one who's supported the bill here.

We've been concerned too in our judiciary committees about the problems of the very zealous persons in this field (and I don't think those problems have been posed so much by our Department of Social Services as they have by some of the attorneys in the various District Attorney's offices around the state) who sometimes are so anxious to do a good job and feel so strongly about this situation that they propose legislation which, I think to some degree, does not take into account that the fade away father, even though he may be reprehensible, is still a citizen. We have to move slowly in making our

collections too automatic or so stringent as to get away from what we have traditionally thought of as something approaching due process of law. I'm talking now about some of the proposals that have been made for administrative rather than judicial entry orders.

I remember one young assistant District Attorney who came in with a proposed bill and got someone to carry it. We had it in the Judiciary Committee. It involved a very long administrative process and an appeal process. Then when you finally have exhausted your administrative remedies you could go into the courts. But that too was made as difficult and as complex as possible and he was quite candid in saying that he'd drawn the bill so that we'd have as few appeals as possible from the administrative master's or administrative referee's decision. Obviously, we need to be more evenhanded than that. Obviously, we need to be careful when we get into that area.

I'm not unenthusiastic, and don't intend to be, about the efficient operation of the kinds of programs we've heard today. I think it's important to all of us, I think it's important to our citizens. In Colorado, and I suspect we share this position with the rest of the United States, I feel that a myth has grown up, or a series of myths have grown up about welfare. People hear these stories, none of which seem to hold up when they're traced down, about the welfare recipient who drives up in a Cadillac to get the check, and they give the impression that AFDC is a real gravy train and that people have some means of getting well-to-do on it. I think all those are myths. But I do think that legislators, who are always interested in their image with their people - certainly those in Colorado are - can find no better way to improve their image than to do whatever reasonable and workable things can be done to demonstrate to the citizenry that welfare is not a gravy train, that although we intend to take the best care we can afford of those people who need it, but we don't intend to subsidize persons who are really, not in need or qualified for welfare. This program, it seems to me, is one of the best ways of doing it.

Finally, the thing that has impressed me the most about this meeting has been that more than at any other of these meetings that I've attended, we have not been subjected to just the glittering generalities and philosophical truths. We have received the kind of intensive how-to-do-it training that will enable us all to go back to our state and be able to introduce and carry those bills which we think will really help us do the job, to do it well and do it efficiently. I feel that any of us who have really listened in this conference have come away with tools that will not solve, but certainly take the edge of a problem which is getting out of hand and which the citizen regards as being out of hand.

Irving J. Stolberg, State Representative, Connecticut

Representative Stolberg is House Chairman of the Joint Finance Committee of the Connecticut Legislature. He has a long standing interest in child support enforcement.

"A Connecticut Perspective"

Representative Stolberg was the Program Moderator and Summation Speaker for the Eastern Regional Seminar. The following excerpts from his address stress the strengths of the program.

On behalf of the conference, I would like to thank all of you who participated - certainly the speakers, the faculty, the legislators who came from a variety of states. People from the Office of Child Support Enforcement and the people from the institute and the academicians, balanced, I think, very nicely in the working sessions of this conference. And that rubbing of minds, as Governor Grasso put it, has hopefully kindled a number of sparks that will result in legislative introductions in individual states and also in some movement on behalf of the public that we all work to represent.

I'd like to refer to for a minute, if you'll permit me, a moment of parochialism about the IV-D program in Connecticut. In the few years that the program has been in existence, our collections have doubled. That would not certainly have happened without the incentives, obviously, without the kind of information and effort that has gone into the agency people that we have seen here this weekend at a conference for legislators and legislative staff. The figures in Connecticut are quite telling. In fiscal '78, our AFDC collections were 9.3 million dollars, in '79 over 11 million dollars. Non-AFDC collections had almost a similar increase - '78, 9.9 million dollars and in '79, 11.3 million dollars. And even though the level of increase after the first few years looks like it's going to level off, we think it's going to retain an increase level of about 20% for the next two or three years. Let me suggest that when you have any revenue producer in state government that exceeds the rate of inflation, that's an accomplishment, particularly for legislators who have to put together a budget. The problem is that so many of the other sources of revenue are having a rough time matching the inflation rate.

I'd like to just summarize for a moment my opinion of what the benefits of what a IV-D program are. For four years I chaired the Human Service Committee in the state legislature. Social service programs, welfare programs in particular, are under fire in Connecticut. I can't think of many states where our job is not essentially a defensive one. Most people have no image what the real AFDC payments are and how difficult it is to maintain a family on those level of payments. I come from a state with one of the highest levels of payments in the United States and it is inadequate. Over the last decade it has gone up at about half the rate of inflation. I presume that the same challenge faces the poor in all of our states. In that context, having a cost efficient program related to welfare is extremely important. I would suggest as you go home, one of the groups to make aware of it are your colleagues, because that's where the key votes will be on some of the important bills to meet needs of the coming years.

Last year we had a legislative election. (I happen to be a democrat.) I sent to every democrat a breakdown of our IV-D program, because the State of Connecticut recouped over 10 million dollars of which we retained 5 million dollars through better collections. I think some of that would have happened anyway, but a good half of it is a result of the increased effort in this program. From our Governor Grasso's point of view, and most of our legislative points of view, that recoupment is important with our colleagues and is certainly crucial to the public.

I was very pleased to see on the front page of the Hartford Current today, a story playing up the IV-D program as a result of this conference. Even though I got one call from an irate father who feels he's been over charged and wanted to come and address the Conference today (it might have been an interesting addition to the panel). Most of the public is very pleased to see that some of the tax burden is being lifted from their shoulders. And that fiscal fact about the IV-D program is what gave rise to it in the first place and one of the things that should sustain it and increase the various nuances of its effectiveness.

Many of my democratic colleagues, by the way, did use the fiscal facts of the IV-D program in their campaign and in their answers to the charges that welfare is just miserable through and through, and is not really meeting the needs of the public as tax payers. Certainly another fiscal aspect to bear in mind is the federal willingness to absorb 3/4 and in some cases, depending on the kinds of programs and interstate relationships, more than 3/4 of the cost of operating the program. This has reduced the fiscal burden on the states and has enabled us to reduce backlogs. In the past year the backlog of collection cases in Connecticut has gone from about 17,000 to about 11,000.

Let me move from the fiscal for a moment and summarize what I think are concomitantly important aspects of the IV-D program. This has been touched on in the discussions, but I think in this summary, they're also important to underline. This is the year of the child. The White House is doing all kinds of things for families today. One might suggest that in a family that is either broken or a family that has never been together in the first place (even though a short range liaison did produce children), there's nothing really to retain. Certainly just by causing the father to pay a little bit more money, or establishing who the father is, you're not doing very much for families. I'm not sure that in depth, this cursory analysis stands up. I would suggest that even though you might have had to bring it about through state intervention, when you establish a financial responsibility on the part of the parent, there are other levels of responsibility that accrue from that. The benefit can be to the parent, in terms of recognizing the rewards of being a parent. And even more importantly, the benefit is to the child. That tie with a father, rather than with a local welfare office is important. Even if the child continues on welfare, even if just the state payments are reduced, retaining any semblance of family relationships in these cases is an extremely important contribution. For some of us in academic life, it would be worthwhile really examining the psychological impact on children that do have this recaptured parent. What happens in the relationship, first fiscal and then human, with the parent.

I have found this conference very useful. Having participated in virtually the entire session, having worked with IV-D for a number of years, I learned some new things. With the degree of expertise that we brought here, I think virtually all of us, even panelists and people from the insititute, picked up some new things. One suggestion I would make is that you might want to examine the relationship between the federal and state government for refinement in the future.

Connecticut is not unique in being one of 7 or 8 other states that does not have an income tax. So that avenue of income tax recoupment doesn't exist for us. But we've had some exchange between our department and the IRS in terms of the Federal Income Tax. I would think that in today's world with equity built in, there can be some recapture of funds through the Federal Income Tax returns. That is something that I would guess will be looked into much more closely in the coming years.

The scope of the problem, both in financial terms, the drain on AFDC and the concomitant Medicaid and other skyrocketing costs are great. I am very pleased that my Speaker Ernie Abate referred yesterday to the central focus which I hope we will leave with; that is, the children themselves, and the quality of lives that we're affecting.

Deborah E.S. Bennington, Director
NCSL Child Support Enforcement Project

"Where Can You Get Help - Description of the NCSL Child Support Enforcement Project"

Deborah Bennington described the assistance available to state legislators and staff to help them better understand their state's CSE program. The assistance is available in a variety of forms including an information clearinghouse service, these regional seminars, technical assistance through individual state workshops, and in "A Legislator's Guide to Child Support Enforcement" to be published in early 1980.

She concluded by thanking the faculty resource people and attendees for participating in the program.

NATIONAL CONFERENCE OF STATE LEGISLATURES
CHILD SUPPORT ENFORCEMENT SEMINAR

Denver, Colorado
October 11-12, 1979

AGENDA

THURSDAY, OCTOBER 11

- 8:00-9:00 a.m. REGISTRATION
(Old Supreme Court Chamber
Second Floor, State Capitol -
OSOC)
- 9:00-9:15 a.m. WELCOME
(OSOC)
Program Moderator: Representative Ronald H. Strahle,
Colorado
Fred E. Anderson, Senate President, Colorado
- 9:15-10:00 a.m. KEYNOTE ADDRESS
(OSOC)
"Overview of Child Support Enforcement"

Louis B. Hays, Deputy Director, Office of Child
Support Enforcement, U.S. Department of Health,
Education and Welfare
- 10:00-10:45 a.m. "Putting Faces to Names and Numbers — Scope of the Problem"
(OSOC)

Judith B. Cassetty, Ph. D., Assistant Professor,
School of Social Work, University of Texas at Austin
- 10:45-11:00 a.m. COFFEE BREAK
(Ground Floor, State Capitol)
- 11:00 a.m.-12:15 p.m. "The Benefits of Effective State Child Support Enforcement
Programs"

Representative John Clawson, Minnesota
Representative Ellen Crowley, Wyoming
- 12:30-2:00 p.m. LUNCHEON
(Radisson Hotel
Colorado Room 4,
Second Floor)
"An Executive Branch Perspective on Child Support Enforcement"

Anthony W. Mitchell, Ph. D., Executive Director,
Department of Social Services, Utah
- 2:00-2:30 p.m. "Program Basics and Major Variations Among the States"
(Radisson Hotel,
Colorado Room 4)

Lavon Loynd, Technical Assistance Coordinator,
National Institute for Child Support Enforcement

2:30-3:00 p.m.
(Radisson Hotel,
Colorado Room 4)

"What a State CSE Program Might Need from a State Legislature:
Introduction to Concurrent Session Discussions?"

Panel Moderator:

Dennis C. Cooper, Institute Manager, National
Institute for Child Support Enforcement

Panel:

Topic A: Sherwood Zink, Legal Counsel, Wisconsin Bureau
of Child Support Enforcement

Topic B: Robert E. Keith, Assistant Attorney General,
Iowa

Topic C: R. James Lore, Former Associate Attorney
General, North Carolina

3:15-5:00 p.m.
(State Capitol)

CONCURRENT SESSIONS

(Attendees will break into two groups (I & II) to discuss
Topic A simultaneously)

Topic A: Establishment Legislation

Enabling Legislation

Legislative Advisory Committees

Court Representation

Disclosure

Interest Charges on Arrearages

Debt Set Off Collections

(House Committee Room F,
Ground Floor)

Group I

Moderator:

Representative Irving Newhouse, Washington

*Resource People:

Robert E. Keith

Lawrence R. Young

Lavon Loynd

Kenneth Muroya

(House Committee Room C,
Ground Floor)

Group II

Moderator:

Representative Wint Winter, Kansas

*Resource People:

Sherwood Zink

R. James Lore

Dennis C. Cooper

6:00-7:30 p.m.
(Brown Palace Hotel,
Central City Room,
Mezzanine Level)

CASH BAR RECEPTION

FRIDAY, OCTOBER 12

8:30-10:15 a.m.
(State Capitol)

CONCURRENT SESSIONS

*Affiliations of Resource People Listed at end of Agenda.

(House Committee Room F,
Ground Floor)

Group I

Topic B: Enhancement Legislation I

Public Support of Children
Post Judgment Remedies
Attachment
Judgment Lien
Garnishment
Wage Assignment
Order to Withhold and Deliver
Budgeting
Paternity

Moderator:

Representative Gretchen Kafoury, Oregon

*Resource People:

Sherwood Zink
Robert E. Keith
Lawrence R. Young
Dennis C. Cooper

(House Committee Room C,
Ground Floor)

Group II

Topic C: Enhancement Legislation II

Consent Orders
Alternative Court Systems
Criminal Enforcement
URESAs
Extradition
Uniform Registration of Foreign Judgments

Moderator:

Representative Charles Parr, Alaska

*Resource People:

R. James Lore
Daniels McLean
Lavon Loynd

10:15-10:30 a.m.
(Ground Floor,
State Capitol)

COFFEE BREAK

10:30 a.m.-12:15 p.m.

CONCURRENT SESSIONS

Topic B and C will be repeated. Groups stay in same rooms. Resource people switch rooms.

(House Committee Room F,
Ground Floor)

Group I

Topic C: Enhancement Legislation II

Moderator:

Representative Ann Mary Dussault, Montana

*Resource People:

R. James Lore
Daniels McLean
Lavon Loynd

(House Committee Room C,
Ground Floor)

Group II

Topic B: Enhancement Legislation I

*Affiliations of Resource People listed at end of Agenda.

12:30-2:00 p.m.
(Brown Palace, Onyx Room,
Mezzanine Level)

Moderator:
Dorothy K. Witherspoon, Colorado

*Resource People:
Sherwood Zink
R. James Lore
Dennis C. Cooper

LUNCHEON

LUNCHEON ADDRESS

"Observations on the Seminar — What are the Benefits of the
Child Support Enforcement Program"

Representative Ronald H. Strahle, Colorado

"Where Can You Get Help — Description of the NCSL Child
Support Enforcement Project"

Deborah Pennington, NCSL Project Director

WORKSHOP RESOURCE PEOPLE

Dennis C. Cooper, Institute Manager,
National Institute for Child Support Enforcement

Sherwood Zink, Legal Counsel,
Wisconsin Bureau of Child Support

Robert E. Keith, Assistant Attorney General, Iowa

R. James Lore, Former Associate Attorney General,
North Carolina

Lawrence R. Young, Assistant Attorney General, Oregon

Daniels W. McLean, Family Court Referee,
Hennepin County District Court, Minnesota

Lavon Loynd, Technical Assistance Coordinator,
National Institute for Child Support Enforcement

Kenneth Muroya, State IV-D Director, Colorado

NATIONAL CONFERENCE OF STATE LEGISLATURES
CHILD SUPPORT ENFORCEMENT SEMINAR

Hartford, Connecticut
October 22-23, 1979

AGENDA

A seminar for state legislators and legislative staff.

Monday, October 22

8:00-9:00 a.m.
(Outside the Senate
Chamber, 3rd Floor,
State Capitol)

REGISTRATION

9:00-9:15 a.m.

WELCOME

Program Moderator: Representative Irving J. Stolberg, CT

Governor Ella T. Grasso, Connecticut
Speaker Ernest N. Abate, Connecticut
Senate President Pro Tem Joseph J. Fauliso, Connecticut

9:15-10:00 a.m.
(Senate Chamber,
Third Floor, Capitol)

KEYNOTE ADDRESS

"Overview of Child Support Enforcement"

Louis B. Hays, Deputy Director, Office of Child Support
Enforcement, U.S. Department of Health,
Education & Welfare

10:00-10:45 a.m.
(Senate Chamber)

"Putting Faces to Names and Numbers -- Scope of the Problem"

Judith B. Cassetty, Ph.D., Assistant Professor, School of
Social Work, University of Texas at
Austin

10:45-11:00 a.m.

COFFEE BREAK

11:00 a.m.-12:15 p.m.
(Senate Chamber)

"The Benefits of Effective State Child Support Enforcement
Programs"

Representative Thomas E. Fruechtenicht, Indiana
Senator Herman M. Holloway, Sr., Delaware
Senator William T. Smith, II, New York

12:30-1:30 p.m.
(The Terrace Room,
Mezzanine Level,
The Hilton)

LUNCHEON

1:30-2:00 p.m.
(The Terrace Room,
The Hilton)

"Program Basics and Major Variations Among the States"

Lavon Loynd, Technical Assistance Coordinator, National
Institute for Child Support Enforcement

2:00-2:30 p.m.
(The Terrace Room)

**"What a State CSE Program Might Need from a State Legislature:
Introduction to Concurrent Session Discussions"**

Panel Moderator:

Dennis C. Cooper, Institute Manager, National Institute
for Child Support Enforcement

Panel:

Topic A: Sherwood Zink, Legal Counsel, Wisconsin
Bureau of Child Support Enforcement

Topic B: Robert E. Keith, Assistant Attorney General,
Iowa

Topic C: R. James Lore, Former Associate Attorney
General, North Carolina

2:45-4:45 p.m.

CONCURRENT SESSIONS

(Attendees will break into two groups (I & II) to discuss
Topic A simultaneously)

Topic A: Establishment Legislation

Enabling Legislation

Legislative Advisory Committees

Court Representation

Disclosure

Interest Charges on Arrearages

Debt Set Off Collections

(Room 408/412,
The Hilton)

Group I

Moderator:

Senator William T. Smith, II, New York

***Resource People:**

Robert E. Keith

Sherwood Zink

Daniels W. McLean

Dennis C. Cooper

(Room 416/420,
The Hilton)

Group II

Moderator:

Representative Dick J. Batchelor, Florida

***Resource People:**

R. James Lore

Representative Thomas Fruechtenicht

Lavon Loynd

5:30-7:00 p.m.
(Room 436/440,
The Hilton)

CASH BAR RECEPTION

*Affiliations of Resource People listed at end of Agenda.

Tuesday, October 23

8:30-10:15 a.m.

(Rooms 408/412,
The Hilton)

CONCURRENT SESSIONS

Group I

Topic B: Enhancement Legislation I

Public Support of Children
Post Judgment Remedies
Attachment
Judgment Lien
Garnishment
Wage Assignment
Order to Withhold and Deliver
Budgeting
Paternity

Moderator:

Senator William E. Nichol, Nebraska

*Resource People:

Sherwood Zink
Robert E. Keith
Dennis C. Cooper

(Rooms 416/420,
The Hilton)

Group II

Topic C: Enhancement Legislation II

Consent Orders
Alternative Court Systems
Criminal Enforcement
URESAs (Uniform Reciprocal Enforcement of Support Act)
Extradition
Uniform Registration of Foreign Judgments

Moderator:

Senator Rachel G. Gray, North Carolina

*Resource People:

R. James Lore
Lavon Loynd
Daniels W. McLean

10:15-10:30 a.m.

COFFEE BREAK

10:30a.m.-12:15 p.m.

CONCURRENT SESSIONS

Topics B and C will be repeated. Groups stay in same rooms. Resource People switch rooms.

(Room 408/412,
The Hilton)

Group I

Topic C: Enhancement Legislation II

Consent Orders
Alternative Court Systems
Criminal Enforcement
URESAs (Uniform Reciprocal Enforcement of Support Act)
Extradition
Uniform Registration of Foreign Judgments

Moderator:

Representative Wayne Snow, Jr., Georgia

*Affiliations of Resource People listed at end of Agenda.

***Resource People:**
R. James Lore
Lavon Loynd
Daniels W. McLean

(Room 416/420,
The Hilton)

Group II
Topic B: Enhancement Legislation II

Public Support of Children
Post Judgment Remedies
Attachment
Judgment Lien
Garnishment
Wage Assignment
Order to Withhold and Deliver
Budgeting
Paternity

Moderator:
Representative Susan H. Webb, Vermont

***Resource People:**
Sherwood Zink
Robert E. Keith
Dennis C. Cooper

12:30-2:00 p.m.
(Buffalo, New York,
Washington Room,
The Hilton)

LUNCHEON

Luncheon Address -- "Observations on the Seminar -- What are the Benefits of the Child Support Enforcement Program"

Representative Irving J. Stolberg, Connecticut

"Where Can You Get Help -- Description of the NCSL Child Support Enforcement Project"

Deborah Bennington, NCSL Project Director

WORKSHOP RESOURCE PERSONS

Dennis C. Cooper, Institute Manager, National Institute for Child Support Enforcement

Sherwood Zink, Legal Counsel, Wisconsin Bureau of Child Support

Robert E. Keith, Assistant Attorney General, Iowa

Daniels W. McLean, Family Court Referee, Hennepin County District Court, Minnesota

Lavon Loynd, Technical Assistance Coordinator, National Institute for Child Support Enforcement

Representative Thomas E. Fruchtonicht, Indiana

R. James Lore, Former Associate Attorney General, North Carolina

****PLEASE NOTE****

THE ORIGINAL FILE CONTAINS ^{A BOUND} ~~AN OVERSIZED~~ DOCUMENT THAT
IS UNSUITABLE FOR FILMING. PLEASE REFER TO THE ALASKA
STATE ARCHIVES TO VIEW THE ORIGINAL.

CHILD SUPPORT ENFORCEMENT

Third Annual Report
to the
Congress
for the Period Ending
September 30, 1978

U.S. DEPARTMENT OF HEALTH, EDUCATION, and WELFARE
OFFICE OF CHILD SUPPORT ENFORCEMENT
December 31, 1978

Lawmakers angered by 'daddy grabbers'

Paternity questionnaire may hurt agency funding

JUNEAU—Angry House lawmakers vowed Monday to slash funding for a state agency which has been demanding intimate details of the sexual lives of unmarried women who file for aid to dependent children payments.

The furor erupted following the disclosure of details of a "paternity questionnaire" adopted by the state's Child Support Enforcement Agency in its goal of helping unwed mothers chase down the fathers of their children.

But legislators said they were incredulous that the questionnaire also has been made mandatory for unmarried women who file for state assistance.

"What they are doing is requiring women to cooperate with the Child Support Enforcement Agency in filling out this form and filing suit against the fathers as a condition to receiving help," said Rep. Russ Meekins, D-Anchorage, and chairman of a Finance Committee subcommittee on Health and Social Services spending.

Meekins told a budget review meeting of the House Democratic caucus that he would ask the Finance Committee to strip any funding from the Child Enforcement Agency's budget that "has anything to do with establishing paternity."

Finance Chairman Steve Cowper, D-Fairbanks, also said he would support "defunding" the agency, which is commonly known as the "daddy grabbers."

The form includes the following questions:

—Were you living together with the child's father during the 10-month period prior to the birth of the child? If so, where?

—The estimated number of nights you spent together at the above listed address(es)?

—Number of times you had sexual intercourse together at the above listed address(es)?

—Number of times you had sexual intercourse with the child's father within the 10-month period prior to the birth of the child?

—During which incident do you believe the child was conceived? (Give

date and place.)

—Did you have sexual intercourse with any other person during this 10-month period? If so for each person state: (a) The name and address of the person. (b) The dates on which intercourse occurred. (c) The addresses and description of the place at which the intercourse occurred.

y
e
it
y
a
r
is
d
e
y
e
i

National Conference of State Legislatures

CHILD SUPPORT ENFORCEMENT SEMINAR

October 11-12, 1979
Denver, Colorado

PARTICIPANT LIST

ALASKA

Rep. Charles H. Parr
1003 Cushman
Fairbanks, AK 99701

AMERICAN SAMOA

Rep. Suaavamuli Po'u Pine Soliaf
P.O. Box 485
Pago Pago, American Samoa 96799

ARIZONA

Mr. John Ahl
P.O. Box 6123 - Site Code 966C
Phoenix, AZ 95005

Senator Jim Kolbe
5418 E. 6th St.
Tucson, AZ 86711

Rep. Ralph Soelter
177 N. Church Street, Suite 703
Tucson, AZ 85701

CALIFORNIA

Muriel O'Callaghan
HEH/OCSE
100 Van Ness, Suite 928
San Francisco, CA 94102

Ms. Masako Dolan
Principal Consultant
5175 State Capitol
Sacramento, CA 95814

COLORADO

Armene Brown
OCSE
Jefferson County Senior Resource Center
1610 Kendall
Lakewood, CO 80215

COLORADO, CONT.

Rep. Ron Strahle
4815 Hogan Drive
Fort Collins, CO 80522

Rep. Jean M. Larson
State Capitol
Denver, CO 80202

Rep. Dorothy K. Witherspoon
State Capitol
Denver, CO 80202

Rep. Jim Shepard
State Capitol
Denver, CO 80202

Patricia Lobo, Attorney
30 State Capitol
Denver, CO 80203

Page Brown
Child Support Enforcement Specialist
1901 Stout St.
Denver, CO 80202

Gary Peterson
Program Specialist, OCSE
19th & Stout St.
Denver, CO 80202

Kenneth Muroya
State IV-D Director
1575 Sherman Street
Denver, CO 80203

Flo Mendez
7590 W. Colfax Ave.
Lakewood, CO 80215

Judy Leddy
Inforex
2480 W. 26th Ave., Suite 3206
Denver, CO 80211

IOWA

Barbara K. Winters
Research Analyst
State Capitol
Des Moines, IA 50319

Senator Irvin L. Bergman
P.O. Box 116
Harris, IA 51345

Rep. Ingwer L. Hansen
201 S. 8th Ave., East
Hartley, IA 51346

KANSAS

Senator Wint Winter
P.O. Box 8
Ottawa, KS 66067

MARYLAND

Michelle D. Jefferson
Special Assistant
OCSE, 6110 Executive Blvd.
Rockville, MD 20853

Senator H. Erle Schafer
7887 Chestnut Road
Severn, MD 21144

Senator John J. Bishop
305 W. Chesapeake Ave.
Baltimore, MD 21204

Rob Hill
Management Intern
OCSE
6110 Executive Blvd.
Rockville, MD 20852

Justine Deejan
HEW/OCSE
6110 Executive Blvd., Suite 900
Rockville, MD 20852

MASSACHUSETTS

William C. Manuel
Local Govt. Marketing Manager
Inforex
21 North Ave.
Burlington, MA 01803

MINNESOTA

Rep. John T. Clawson
Room 227, State Office Building
St. Paul, MN 55155

Rep. Shirley Hokanson
Room 234, State Office Building
St. Paul, MN 55155

MISSOURI

Harvey Leroux
Senior Program Specialist
OCSE
601 East 12th, Room 1759
Kansas City, MO 64106

Rep. Phillip B. Curls
3832 Myrtle
Kansas City, MO 64128

MONTANA

Rep. Ann Mary Dussault
P.O. Box 9207
Missoula, MT 59807

NEBRASKA

Gina Dunning
Legal Counsel
1017 State Capitol
Lincoln, NE 68509

Laurie Bellows
Legislative Council
State Capitol
Lincoln, NE 68509

NEVADA

Assemblyman Marion Bennett
1911 Gold Hill Ave.
Las Vegas, NV 89106

Senator Clifford E. McCorkle
303 Hill St.
Reno, NV 89501

NORTH DAKOTA

Rep. Brynhild Haug and
Legislative Council
State Capitol
Bismarck, ND 58505

Senator Claire A. Sandness
State Capitol
Bismarck, ND 57505

OKLAHOMA

Rep. Robert Henry
1022 N. Broadway
Shawnee, OK 74801

Rep. Jerry Steward
6801 Southwestern, Suite 109
Oklahoma City, OK 73139

OREGON

Rep. Gretchen Kafoury
1508 N.E. Stanton
Portland, OR 97212

TEXAS

Rep. Dave Allred
P.O. Box 5066
Wichita Falls, TX 76307

Edwin N. Horne, Chief
Child Support Enforcement Branch
John H. Reagan Bldg.
Dept. of Human Resources
Austin, TX 78701

Senator Betty Andujar
2630 West Freeway, Suite 233
Fort Worth, TX 76102

UTAH

Senator Ronald T. Halverson
1540 Burton Court
Ogden, UT 84403

WASHINGTON

Spence Hammond
Legislative Liaison
Dept. of Social & Health Services
OB-44
Olympia, WA 98504

Barbara Henderson
HEW/OCSE
1321 Second Ave., MS/215
Seattle, WA 98101

Sandra I. Gray
Assoc. Research Analyst
AL-21 House of Representatives
Olympia, WA 98504

Robert J. Varro
District Supervisor, OCSE
P.O. Box 9162 FU-11
Olympia, WA 98504

Ruthie Jackson
CSE Specialist, HEW
1321-2nd Ave., M/S #215
Seattle, WA 98101

Rep. Irv Newhouse
417 Legislative Building
Olympia, WA 98504

Rep. A.A. Adams
House Office Building
AL-21
Olympia, WA 98504

WYOMING

T. Thomas Singer
Research Assistant
213 Capitol Building
Cheyenne, WY 82202

Rep. Ellen Crowley
P.O. Box 287
Cheyenne, WY 82001

Rep. Matilda Hansen
1306 Kearney
Laramie, WY 82070

NATIONAL CONFERENCE OF STATE LEGISLATURES
CHILD SUPPORT ENFORCEMENT SEMINAR

October 11-12, 1979
Denver, Colorado

FACULTY LIST

Representative Ronald H. Strahle
4815 Hogan Drive
Fort Collins, CO 80522

Senate President Fred E. Anderson
State Capitol
Denver, CO 80202

Mr. Louis B. Hays
Deputy Director
DHEW, OCSE
6110 Executive Boulevard, Room 900
Rockville, MD 20852

Judith B. Cassetty, Ph.D.
Assistant Professor
School of Social Work
University of Texas at Austin
Austin, TX

Representative John T. Clawson
State Office Building
Room 227
St. Paul, MN 55155

Representative Ellen Crowley
P.O. Box 287
Cheyenne, WY 82001

Mr. Anthony W. Mitchell, Ph.D.
Executive Director
Department of Social Services
150 W. North Temple Street
P.O. Box 2500
Salt Lake City, UT 84110

Mr. Lavon Loynd
Technical Assistance Coordinator
National Institute for Child Support Enforcement
P.O. Box 2526
Boise, ID 83701

Mr. Dennis C. Cooper
Project Director
National Institute for Child Support Enforcement
1601 North Kent Street
Arlington, VA 22209

Mr. Sherwood Zink
Legal Counsel
Wisconsin Bureau of Child
Support
Division of Economic
Assistance
18 South Thornton Avenue
Madison, WI 53708

Mr. Robert E. Keith
Assistant Attorney General
8th Floor
First National Building
607 Sycamore, Box 2635
Waterloo, IA 50704

Mr. R. James Lore
Attorney
Davis, Hassell & Hudson
P.O. Box 1246
Raleigh, NC 27602

Mr. Lawrence R. Young
Assistant Attorney General
Department of Justice
323 N.E. 13th, Suite 102
Salem, OR 97310

Mr. Kenneth Muroya
State IV-D Director
Dept. of Social Services
Division of Child Support
1575 Sherman Street
Denver, CO 80203

Mr. Daniels McLean
Family Court Referee
Hennepin County District Court
C-557, Government Center
Minneapolis, MN 55487

MODERATORS

Representative Irving Newhouse
417 Legislative Building
Olympia, WA 98504

MODERATORS, CONT.

Senator Wint Winter
P.O. Box 8
Ottawa, KS 66067

Representative Gretchen Kafoury
1508 N.E. Stanton
Portland, OR 97212

Representative Charles H. Parr
1003 Cushman
Fairbanks, AK 99701

Representative Ann Mary Dussaul
P.O. Box 8207
Missoula, MT 59807

Representative Dorothy K.
Witherspoon
State Capitol
Denver, CO 80202

NCSL Child Support Enforcement Staff

Ms. Deborah E.S. Bennington
National Conference of State Legislatures
1405 Curtis Street, Suite 2300
Denver, CO 80202

Ms. Carolyn Royce
National Conference of State Legislatures
1405 Curtis Street, Suite 2300
Denver, CO 80202

Ms. Susan Krumwiede
National Conference of State Legislatures
1405 Curtis Street, Suite 2300
Denver, CO 80202

Designation of Participants into Groups for Workshops

Group I

Ahl
Andujar
Bishop
Brown
Clawson
Crowley
Dolan
Dunning
Dussault
I. Hansen
Hill
Jackson
Kafoury
Kolbe
Leroux
McCorkle
Muroya
Newhouse
Sandness
Shepard
Singer
Solial
Steward
Strahle
Varro
B. Winters

Group II

Adams
Allred
Bellows
Bennett
Bergman
Callaghan
Deejan
Gray
Halverson
Hammond
M. Hansen
Haugland
Henderson
Henry
Hokanson
Horne
Larson
Lobo
McLean
Parr
Peterson
Shcafer
Schmidt
Soetter
W. Winter
Witherspoon

Technical Assistance Request Form

The National Conference of State Legislatures' Child Support Enforcement Project is offering a number of services to legislators interested in playing a more active role in their state's program for child support enforcement. The ten-month effort will provide services to lawmakers through an information clearinghouse, regional seminars, technical assistance and a "Legislator's Guide to Child Support Enforcement."

After the seminars in October, the project is offering technical assistance to legislators for the purpose of assessing problems and identifying solutions to improve their state programs. State workshops designed to respond to the particular needs of the state are available through the Child Support Enforcement Project.

If you are interested in having a Child Support Enforcement Workshop held in your state please fill out the following form and return it to:

Deborah E.S. Bennington
National Conference of State Legislatures
1405 Curtis Street, Suite 2300
Denver, Colorado 80202

NAME _____

TITLE _____ STATE _____

ADDRESS _____

TELEPHONE _____

Please specify the area in which you would like assistance (e.g. paternity, enforcement tools, legislative advisory committee, alternative court systems, etc.) in the space provided below.