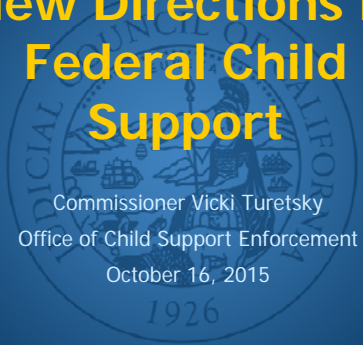


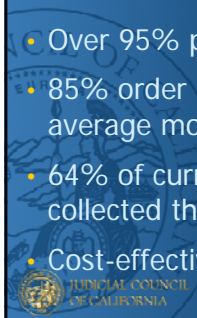
New Directions in Federal Child Support

Commissioner Vicki Turetsky
Office of Child Support Enforcement
October 16, 2015



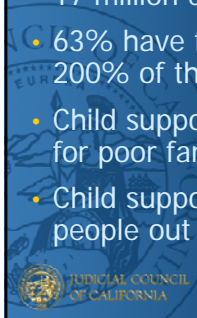
Child Support Works Well for Most Families

- Over 95% paternity establishment rate
- 85% order establishment rate; average monthly order is \$285
- 64% of current support is paid; 71% collected through income withholding
- Cost-effectiveness ratio is \$5.25



Child Support's Impact

- 17 million children (1 in 4)
- 63% have families incomes below 200% of the poverty level
- Child support is 45% of family income for poor families who receive it
- Child support lifts nearly 1 million people out of poverty each year



Child Support Has Not Worked Well When the Noncustodial Parent is Poor

- Most arrears owed by noncustodial parents below the poverty level
- Poor noncustodial parents have significant barriers to payment
- Orders often too high; set by default with no parental involvement
- Income often imputed at full-time minimum wage or higher; no longer realistic
- Jail and threat of jail too frequent



Future Direction

- Develop more holistic and family-centered strategies to address low income parents
- Emphasize procedural fairness
- Use evidence-based orders whenever possible
- Limit use of standard imputation
- Reduce use of contempt process
- Fund employment services
- Support problem solving courts
- Encourage coordination with parenting time



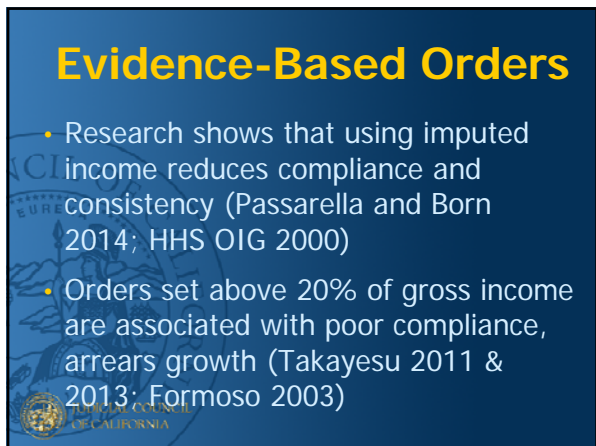
Procedural Fairness

- Dozens of studies find that procedural fairness is an evidence-based and cost-effective way to improve compliance
- Perceived fairness matters more than a favorable outcome.
- Elements: voice, respect, lack of bias, understanding, and helpfulness



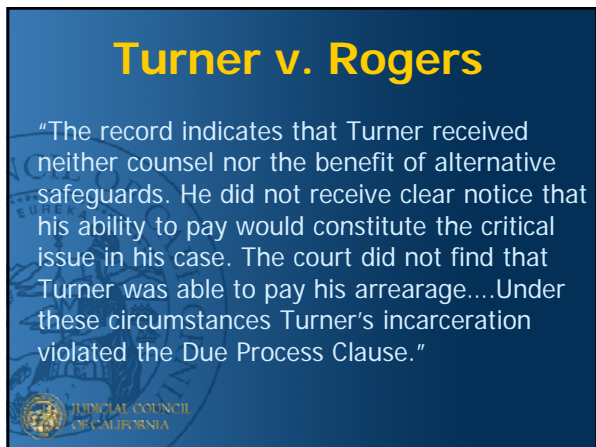
Evidence-Based Orders

- Research shows that using imputed income reduces compliance and consistency (Passarella and Born 2014; HHS OIG 2000)
- Orders set above 20% of gross income are associated with poor compliance, arrears growth (Takayesu 2011 & 2013; Formoso 2003)



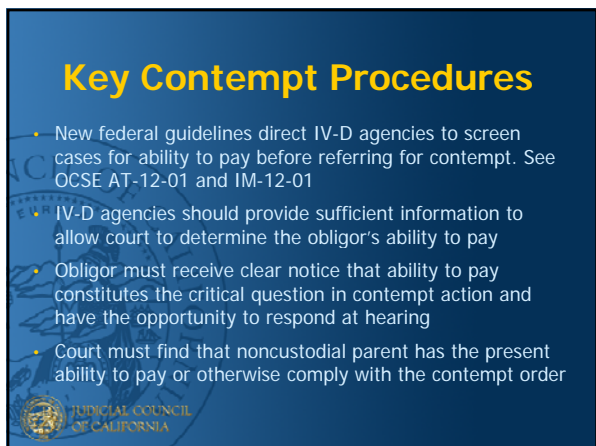
Turner v. Rogers

"The record indicates that Turner received neither counsel nor the benefit of alternative safeguards. He did not receive clear notice that his ability to pay would constitute the critical issue in his case. The court did not find that Turner was able to pay his arrearage....Under these circumstances Turner's incarceration violated the Due Process Clause."



Key Contempt Procedures

- New federal guidelines direct IV-D agencies to screen cases for ability to pay before referring for contempt. See OCSE AT-12-01 and IM-12-01
- IV-D agencies should provide sufficient information to allow court to determine the obligor's ability to pay
- Obligor must receive clear notice that ability to pay constitutes the critical question in contempt action and have the opportunity to respond at hearing
- Court must find that noncustodial parent has the present ability to pay or otherwise comply with the contempt order



Illinois Contempt Process Post-Turner

- IV-D agency refers civil contempt cases only where the facts demonstrate an ability to pay child support
- Easy to understand information for parents
- An informal opportunity for parents to explain
- A new financial affidavit tailored to the critical ability to pay issue
- Specific findings by the court after an evidentiary hearing on (1) past ability to pay order and (2) present ability to pay the purge amount



Illinois Child Support Collections Increased by \$14.5 Million

Year	Contempt Cases	Contempt Collections	Administrative Collections*
2010	7,796	\$809,379	\$105,000,000
2013	2,783	\$485,533	\$119,800,000

* Administrative collections reflect state fiscal year and do not include collections from income withholding



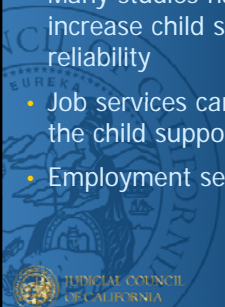
Jail

- Too-high orders, debt, and the threat of jail drive parents underground and increases recidivism
- Research shows time in jail has negative effects on employment and earnings (Travis, Western, Redburn 2014; Pew Charitable Trusts, 2015)



Job Services

- Many studies have shown job services can increase child support compliance and reliability
- Job services can work at different points in the child support process
- Employment services are cost-effective




JobsnotJail

WORK-ORIENTED SERVICES help parents find work, stay employed, pay child support, and avoid crime - at relatively little cost. Unemployed parents who are behind in their child support payments are referred to a work-oriented program.

With job services, a study shows

- Over **80%** find work within 2 months
- Participants are **33%** less likely to file unemployment
- Participants paid **51%** more child support
- Families are **21%** less likely to receive public assistance



JAIL is more expensive and less effective in producing child support payments than alternatives such as job services. Research shows that jail reduces a person's ability to work, to find work, to be employable, and to make child support payments.


After jail release, a study shows

- Individuals are unemployed **9** weeks more per year
- Annual earnings are reduced by **40%**
- Hourly wages are **11%** less
- Annual family income is reduced by **22%**

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Child Support Noncustodial Parent Employment Demonstration (CSPED)

- OCSE funding 8 states to test efficacy of child-support led employment services (includes Stanislaus County, CA)
- First Evaluation Report available at: <http://www.acf.hhs.gov/programs/css/resource/csped-interim-implementation-report>



Problem Solving Courts

- Research shows child support problem solving courts are a cost-effective method of increasing child support
- Addresses underlying reasons for recurring contact with justice system
- Widely used throughout the country



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- Honorable Ellen White and Craig Burshem. *Problem Solving for Support Enforcement: Virginia's Intensive Case Monitoring Program* (2012) National Center for State Courts, available at: http://www.ncsc.org/sitecore/content/microsites/future-trends-2012/home/Courts-and-the-Community/~media/Microsites/Files/Future%20Trends%202012/PDFs/ProblemSolving_White.ashx



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