31-68

INSTITUTE FOR RESEARCH ON POVERTY

HOW OBNOXIOUS IS THE "OBNOXIOUS MEANS TEST"? THE VIEWS OF AFDC RECIPIENTS

Joel F. Handler
Ellen Jane Hollingsworth

DISCUSSION PAPERS

THE UNIVERSITY OF WISCONSIN, MADISON, WISCONSIN

HOW OBNOXIOUS IS "THE OBNOXIOUS MEANS TEST"?

THE VIEWS OF AFDC RECIPIENTS

Joel F. Handler
Ellen Jane Hollingsworth

Mr. Handler is Professor of Law at the University of Wisconsin and Assistant Director of the Institute for Research on Poverty, where Mrs. Hollingsworth is his project specialist. This research was supported by funds granted to the Institute pursuant to the provisions of the Economic Opportunity Act of 1964.

January, 1969

ABSTRACT

This paper focuses on the administration of intake procedures, or means tests, to welfare applicants. In particular, the authors are concerned with: (1) the purposes and procedures specified for intake; (2) the implications and limits of the means test; (3) what kinds of questions pertaining to eligibility are asked at the time of intake; and (4) how clients respond to the questions they are asked and to the activities they must perform to meet eligibility requirements.

Survey data drawn from six counties in Wisconsin indicate that county officials charged with intake tend to confine their questions to basic areas concerned with finance, usually not exploring social service oriented questions at the time of the first interview. Clients, for the most part, report little feeling of bother or privacy invasion for questions about their own finances or about employment possibilities, but indicate more concern for queries about marriage plans and resources of relatives.

In short, although the means test casts a very wide net in terms of its theoretical concerns and limits, in point of fact, it tends to be restricted to only a few kinds of questions.

HOW OBNOXIOUS IS THE "OBNOXIOUS MEANS TEST"? THE VIEWS OF AFDC RECIPIENTS

In September, 1968, Wilbur J. Cohen, Secretary of Health, Education, and Welfare made the following statement about the administration of eligibility in public assistance:

> It is an unnecessarily destructive process when the determination of eligibility involves the most detailed examination of one's needs and expenditures and indeed frequently seems to search into the intimate details of one's way of life. We could do a great deal toward protecting the dignity and self-respect of assistance recipients by moving from detailed budgeting to broad categories of allowances and to simplified determinations of income and resources.[1]

This criticism about the administration of the application process and particularly the means test in public assistance is not atypical, except perhaps in its restraint. For decades, it has been the received learning that eligibility determinations in public assistance are vindictively administered, that inquiries extend unnecessarily into private areas of life, and that welfare applicants suffer deeply from this humiliating experience. Yet, one can search the literature in vain for systematic information on what the intake process and the means test consist of, what is being administered and how, and what, in fact, welfare applicants think and feel about the experience.

This paper attempts to fill some of this gap for the Aid to Families with Dependent Children program with materials from Wisconsin. The data consist of the state laws and administrative regulations setting

forth the policies and procedures of the intake process and survey responses from 766 AFDC recipients. The survey was taken in the summer and fall of 1967 in Milwaukee County, the state's largest, and five other Wisconsin counties. Two of these counties (Dane and Brown) contained middle-sized cities, and three were rural (Walworth, Sauk, and Dodge). In Milwaukee and the middle-sized counties, the respondents were randomly selected; in the rural counties, all AFDC recipients were solicited.[2] The distribution of responses by county was as follows:

Table 1

AFDC Recipients Surveyed by County

Milwaukee	Dane	Brown	Walworth	Sauk	Dodge	Total
302	179	86	80	57	62	766

First, we will describe the state policies and procedures with regard to intake. From this, we will try to examine more precisely what is meant by the means test. Then, we will turn to the recipients themselves.

A. State Policy

In Wisconsin, the AFDC program is administered on the county level and supervised by the State Department of Health and Social Services. State policy is set forth in the State Department Manual in the form of administrative regulations. Some of the regulations are binding on the county departments of welfare, and others are hortatory.[3]

The regulations covering the intake process are divided between "administrative methods"[4] (procedures) and substance--what the caseworker has to find out in order to determine eligibility. The "administrative methods" regulations urge the county departments of welfare to make the intake process as painless and as smooth as possible. The opportunity to apply for public assistance shall be "freely and easily accessible

to everyone"; therefore, "it is important that the county agency office be conveniently located" (preferably on the first floor), well marked, and with adequate waiting rooms and other amenities. Privacy, says the state department, is important; the client is entitled to this, but also it is "conducive to good client-worker relationships." The initial contact is thought to be very important for subsequent client attitudes, and the counties are asked to be careful in the selection of their receptionists and intake personnel. Whenever possible, a caseworker has the responsibility for taking the initial application. He has a duty to give clear explanations of the procedures, services and functions of the agency. Applicants are not to be discouraged from signing the aid applications even if ineligibility is apparent. Signing of the application should take place at the first interview and should not be held up pending a home visit. (The home visit is made as soon as possible after the application has been initiated.)

The substantive areas of eligibility determination are: (1) the basis of the children's dependency; (2) residence; (3) the suitability of the parent or custodian; (4) employability of the mother; (5) financial resources; and (6) financial responsibility of relatives.

Deprivation of Parental Support. The statute defines a "dependent child" as one who has been deprived of parental support by reason of the death, the continued absence from the home, or the physical or mental incapacity of a parent, or because the parent is unemployed. This study did not include dependency caused by unemployment, and with minor exceptions, incapacity.

The AFDC statute uses the criminal definition of abandonment:

> Any person who, without just cause, deserts or willfully neglects or refuses to provide for the support and maintenance of his wife or child under 18 years

> (legitimate or born out of wedlock) in destitute or necessitous circumstances shall be fined not more than $500, or imprisoned not more than 2 years, or both.[5]

The wife must charge the father with abandonment as a condition of eligibility. Moreover, the charge must be criminal; a civil action for support does not satisfy this eligibility requirement. On the other hand, eligibility may be recognized if there is a court order for support which is either unenforceable or support from the father is insufficient to meet the needs of the family. Abandonment or non-support has to have occurred at least three months prior to the granting of aid.[6]

Eligibility based on divorce or legal separation requires an actual court judgment. In addition, the mother "must use all the provisions of the law to compel her husband to adequately support the child for whom aid is sought." A non-support warrant is not required if it can be shown that the husband is unable to give support.

A wife may be eligible for AFDC if her husband has been sentenced to jail for at least three months.[7] The wife may still be eligible if her husband is on parole if the condition of parole (or probation) is the "principal factor" limiting the husband's ability to support the family.

AFDC is available for unmarried mothers as long as the alleged father is not a member of the household and other eligibility requirements are met. The mother is required to name the alleged father of the child if she has this knowledge; this is an absolute condition of eligibility.

Residence.[8] The basic residency requirement is one year. If the child for whom aid is sought is less than one year old, the parent or

relative with whom he is living must have resided in the state for one year just preceding the birth of the child. The mother of an unborn child must have resided in the state for one year immediately preceding the application. If a resident leaves the state, but returns within a year, the residency requirement is still satisfied.

Suitability of the Parent or Custodian. The statute requires that the person having the custody of a child must be a "fit and proper person to have such custody." However, AFDC cannot be denied on this ground unless there has been a court determination of lack of fitness. If there is evidence of child neglect, the agency has a statutory duty to file a petition in juvenile court or to refer the case to a "proper child protection agency."

Employability of the Mother. Under the statute, a county agency can "require the mother to do such remunerative work as in its judgement she can do without detriment to her health or the neglect of her children or her home." The state regulations, in an attempt to guide the county caseworkers, include an extended discussion of the employment problems of AFDC mothers. In no event should a mother work if the children will be neglected or poorly cared for. Beyond this, there has to be a "careful evaluation" of the "total situation." "Most individuals prefer to be independent and self-supporting." And in some cases, children are better off if the mother works and there is a "good substitute parent for part of the day." On the other hand, some children do need the continual presence of the mother at home. Counseling may be called for "if the mother can be employed without detriment to the children but resists employment." To assist the mother, plans should be worked out with regard to the care of the children and the re-training

of the mother. As part of eligibility determination, "the work potential of all employable family members is discussed and evaluated. Older children [too] may need job counseling."

Financial Resources. With some exceptions, the extent of need is the difference between public assistance standards and the resources actually available to the applicant. "In evaluating resources, it is necessary to consider all income which the client is receiving, resources which could be made available to him without undue hardship or loss, and goods and services he receives or can receive without cost to him." And to implement these standards, "the agency shall assist the client in developing potential resources which can be utilized for his support. After consideration of all the available resources, a plan shall be worked out between the agency and the applicant in order that the resources may be fully utilized."

There are many specific regulations on how to calculate the value and interest in real and personal property. Home ownership is permissible provided the cost of maintenance does not exceed the rental which the family would otherwise have to pay for living quarters. Recipients can have personal property (e.g., clothing, household appliances, personal belongings) of "reasonable value in actual use." Liquid assets, including the cash value of life insurance, cannot exceed $500 per family. Automobiles cannot be kept unless they are essential, and then the wholesale value cannot exceed $500. The agency "shall make no allowance for the purchase of a television set."

In evaluating potential resources, the regulations provide that court-ordered support is presumed available unless shown to the contrary. However, the extent of the need is based on the amount of the

court-ordered support that can in fact be enforced. With unwed mothers, the caseworker, "as a part of the total case plan," should consider exploring the possibility of establishing paternity and the father's making either a lump-sum "settlement" or regular support payments.

Related to the determination of need, is the federal statutory requirement that in cases of desertion or abandonment, notice be given to law enforcement officials (hereafter referred to as NOLEO). State law also requires that law enforcement officials be notified of any parent who neglects to support a child or who fails to comply with a court order concerning support payments. Thus, with unwed mothers, referral is to be made to the district attorney who decides whether "appropriate" legal action should be taken to establish paternity or provide support for the child. The agency is supposed to explain to applicants the legal obligation of parents to support their children and to "help parents recognize the available resources of law enforcement officials and courts, and the responsibility for cooperating with these officials." The explanation is to be made prior to the granting of assistance so that clients who object to NOLEO procedures can withdraw their applications.

Responsible Relatives. Under state law, parents, spouses, and children are legally responsible for the support of a dependent person. However, the position of the state department is that as part of social services for the client, "any relative, whatever the degree of relationship, is a potential resource to public assistance clients." "Resource" is broader than financial contributions; it includes various kinds of family services, help, and support. The regulations go on:

> To determine ability to support in whole or in part, and interest in helping, information is

> secured from the client and/or the responsible relative when necessary. . . .
>
> When the social worker interviews the client concerning the ability of responsible relatives to assist, much will be identified and clarified concerning the relationship of relatives with the client, as well as their financial status. . . .
>
> The social worker shall secure from the client information concerning the relative's financial situation; his financial status, if known; any contribution or service he is presently giving; feelings and attitudes of client toward relative and relative toward client; the frequency and nature of the contacts between them; and any feelings about the required investigation of resources and collateral contacts.

Much stress is laid in the regulations on the importance of contacting absent fathers for purposes extending beyond obtaining support. The caseworker is to try to find out the reasons for the father's absence, what contributions to his children he can make other than financial support, and whether he may be in need of casework services. Moreover, the caseworker is to make an effort to have him recognize the importance of his role in the family.

Although unwed mothers also come under the responsible relatives provisions, the Manual, attempting to recognize the delicacy of their situation, provides that parents need not be contacted directly "if collateral sources determine that there is inability to support. However, if there is unwillingness by the unmarried mother to have her parents informed of her condition, and it is impossible to determine accurately their financial situation without informing them of the request for assistance, no aid can be granted under the ADC program."

Finally, the regulations contain elaborate formulae for calculating how much responsible relatives should contribute.

The laws and regulations governing the intake process and the means test set practically no limit to the amount of legally authorized substantive penetration into the lives of the applicants. Almost everything about the welfare client can be the official concern of the agency. In determining need, not only are "all" resources to be considered, but the agency is authorized to work out "plans" in order that "resources may be fully utilized." The agency may inquire into the value and "actual use" of personal property, and it has influence on the extent of law enforcement efforts against absent fathers. In administering the responsible relatives provisions, official authority extends not only to the possibility of support but also to the investigation of social relationships between the applicant and her relatives. Under the fit and proper rule, the agency has the authority to inquire into all matters that bear on the fitness of the parents and the suitability of the home. Concerning employment, there is authority to "counsel" the AFDC mother and her children into working even if they are reluctant to do so.

The extensive powers authorized at intake are part of the social service approach that was engrafted onto the AFDC program by the 1956 and 1962 amendments to the Social Security Act. The purpose of the social service program is "to stimulate and extend services that are designed to help families and individuals use their capacities to maintain or attain self-sufficiency and to function as useful, productive individuals or lead a more satisfying life." The social service component of AFDC is to start at intake through the initiation of what the state department calls the Social Study. This is the process of "acquiring and organizing information pertinent to the client as a

person, his situation and his needs." It is "a systematic approach to the use of self and the environment to effect a significant change." The purposes and principles of the Social Study have a strong psychiatric flavor. The caseworker, through the development of the Social Study "as the primary tool in the provision of direct casework service to the client,. . . distinguishes between problem, symptom, reality, and fantasy." The study "is an account of how [the client] experiences life, of its impact upon him in determining his potential and self-value. From its beginning, at the initial meeting of client and worker, the social study will be developing, expanding, shifting emphasis, narrowing and focusing. Information, direction and change in the client's behavior will modify it, and it is altered by the social worker's growth in skill and understanding." The Social Study is to start at intake and continue until the client leaves the program. The justification for this recognized "intrusion into the intimate life of the client" is based on the client's "awareness of the intent, purpose, and utilization of the inquiry."

The extensive substantive power to inquire is combined with an enormous amount of discretion in the hands of the caseworker. Some intake and means test rules are narrow and fixed; with rules of this type, there is little or no discretion. For example, an unwed mother must name the father of the child if she has this knowledge. This is absolute. But such rules are few. Generally speaking, it is up to the caseworker to decide within very broad limits how much and in what manner he wants to question and investigate finances,[9] responsible relatives, the suitability of the home, employability, and the more intimate aspects of the applicant's life. It is the existence of this

power--both its substantive scope and its discretionary double-edged character--that causes so much concern in the literature about welfare administration, and in particular in discussions of the administration of the means test.

B. What is the Means Test?

Definitions of the means test depend on who is doing the defining and for what purpose. Using the Wisconsin regulations, we can see how difficult and complex the problem of defintion becomes.

At the very minimum, the means test must include inquiries about resources and needs. Resources includes current available income (which requires a definition) and can encompass liquid assets (in many different forms), assets that can be liquified fairly easily, and the potential support of fathers and relatives. If the purpose of the aid program is to give assistance only when the mother is unable to obtain adequate support from the father, then his potential resources and her efforts to obtain these resources become part of the means test. If she fails to satisfy the requirements, she has an unused resource and may be judged ineligible.

Resources can also include the earning potential of the members of the family, that is, anticipated earnings. If the purpose of the aid program is to give money to unemployables, then capacity to work becomes part of the means test in that it is part of the applicant's resources. The test of employability can range from the mother's free choice of whether she wants to work or not, to requiring a mother to take a job suited to her skills with a reasonably satisfactory day-care plan, to requiring a re-training course, and so forth. Any or all of these can

become part of the means test in the sense that failure to fulfill the requirement may result in a determination of ineligibility.

By the same logic one could argue that the social service components of AFDC are also part of the means test. If the purpose of the program is to encourage mothers to be self-supporting, then refusal to utilize social services designed to achieve this end could be considered failure to use a resource.

Defining the criteria of need is also complex. Since benefit levels are related to family size, one must define the family. The matter becomes increasingly complex once it is decided that the aid program is going to support certain types of expenditures but not others--for example, education costs but not high rents.

Finally, although the means test functions as a gatekeeper, its application is not restricted to the intake stage. Its administration extends from the time of application until the recipient leaves the program. At any time, resources and needs can change and eligibility can be lost.

In sum, one cannot tell what the means test is from an inspection of the Wisconsin laws and regulations. The purposes of the AFDC program are not clear and many of the regulations are too loosely drawn. One cannot tell the actual relationship between areas of investigation and eligibility.

The difficulty of talking about the means test is increased when one looks at it from the client's point of view. This is the focus of the major policy debate--how the client views the means test. If it is analytically impossible to extract the content of the means test from the laws and regulations, how can a client ever be sure that an area of inquiry will not somehow be related to eligibility.

For purposes of discussion, then, the definition of the means test has to be somewhat arbitrary. Since a great deal of attention is focused on the intake process, it is reasonable to fix that as the time period of the definition. The means test is the determination of eligibility at intake. We can also reasonably assume that at its core, the means test includes the client's income and resources; it is unlikely that some form of income and resources test for public assistance will be abandoned in the near future. In this study, we have chosen to examine other intake items. Although some or all of them can now be considered part of the means test, it is often proposed that these items should not be determinants of eilgibility.

The six items tested in this study, in addition to (1) the client's financial resources and property, are: (2) the responsible relatives provisions; (3) the use of law enforcement officials; (4) employment; (5) marriage plans; and (6) child care. Most commentators would place responsible relatives and NOLEO inquiries within the definitions of the means test. Although Wisconsin tries to build a social service component into these items, they are, nonetheless, compulsory for most applicants. Designed to reduce economic dependency, they are very controversial. Opinions differ on the inclusion of employment as a means test item. Obviously, the crucial question is how employment policies are interpreted and administered. This item could be no different in practice from the administration of the above three items. Marriage possibilities and the suitability of child care should probably not be considered as part of the means test, at least in Wisconsin. However, we did examine their application at intake, as examples of the kinds of things that critics of AFDC administration use to illustrate the prying nature of the program and what reformers want to strip out of future income-maintenance programs.

We turn now to the clients. To what extent were the six areas subjects of inquiry and what was the impact on the clients?

C. What is Asked at Intake

The respondents were asked whether, at the time of their first interview, the caseworker asked them "a lot of questions" concerning the six items. Table 2 tabulates, by county, the percentages of AFDC respondents who reported caseworker activity per item.

Table 2

Intake: the Means Test Activity

"At the time of your first interview with the welfare department (for the most recent AFDC experience), did the caseworker ask you a lot of questions about . . . ."

			Percent responding "yes"*					
Item	Total Respondents	Total %	Milw.	Dane	Brown	Wal.	Sauk	Dodge
1. Your financial resources and property	736	84.0%	85.6%	81.4%	94.9%	85.3%	86.5%	78.9%
2. Financial support by parents or relatives	744	45.5	65.5	68.0	65.4	71.1	59.6	66.7
3. NOLEO	609	39.1	53.6	41.0	31.4	54.4	43.6	20.8
4. Possibility of a job for either you or your children	735	43.8	44.1	39.1	54.2	45.3	42.6	40.4
5. Possible marriage plans	728	66.5	47.3	37.8	31.9	23.4	36.4	36.4
6. The care you give to your children.	737	45.1	48.7	39.3	47.6	54.4	63.5	41.7

*For some respondents, not all the items listed were applicable to their situation. Therefore, the total percentages listed in the second column are based on the number of respondents for whom the item is relevant. For example, number one was relevant to 736 out of the 766 in the sample. And out of that 736, 84.0% felt they were asked "a lot of questions" about that item.

What accounts for the responses in Table 2? Undoubtedly, some welfare clients forgot what was discussed at the first interview. It is not unreasonable to imagine welfare applicants so preoccupied with income maintenance, that discussions about other areas simply did not register. This form of forgetfulness should be randomly distributed throughout the counties. We find, however, in Table 2, that for almost all of the areas of inquiry, there is considerable variation between the counties. It would seem, then, that client forgetfulness was not a major factor in failure to report caseworker inquiries.

We also found that reported inquiry was not related to length of time on the program. In fact, in some counties, for a few of the items (child care, marriage plans), AFDC mothers who had been in the program longer tended to report more inquiries than those who had been in the program for shorter periods of time. Failure to report questions at intake was evidently not due to forgetfulness caused by the lack of time.

For the most part, inquiries were not related to obvious client characteristics. Although one would expect fewer employment inquiries to be made of older women than of younger, there was little relationship between these two variables. In five of the six counties, there was no relationship between the age of the applicant and inquiries about child care; in the sixth county (Dane), the relationship was the opposite of what was expected: we found younger women reported fewer discussions about child care than did older women. We expected to find inquiries about marriage plans related to marital status--that unmarrieds would report the most inquiries, followed by the divorced, separated, deserted, and married, in that order. In Milwaukee, the hypothesis was supported but not in the other five counties. On the other hand, for all the

counties, discussions about marriage plans was related to age in the anticipated direction--more younger than older women reported such inquiries.

There was no difference in the administration of NOLEO among divorced, separated, and unmarried applicants, whereas married applicants reported fewer inquiries than the other groups. This is reasonable, since NOLEO is less applicable for this group. Also, it is interesting to note that unmarried mothers do not report more NOLEO pressure than the other categories.

Was administration of intake related to race? In Milwaukee County (the only county where there were sufficient Negroes to make comparisons), inquiry about financial resources and employment was not related to race. Race appeared to be related to inquiry for the four other items. More Negro than white applicants reported inquiry with regard to NOLEO, possible marriage plans, and child care; and the reverse was true concerning responsible relatives. However, the relationships were either weak (e.g., responsible relatives) or attributable to client characteristics other than race. For example, more Negores than whites reported inquiries about possible marriage plans, but Negro applicants were generally younger than white applicants and this accounted for the different responses. Similarly, more whites than Negroes said that they were married and NOLEO was used less for marrieds than the other groups of applicants.

Our first general conclusion is that the administration of the six intake items was not rationally related to client characteristics. Rather, administration appeared to be highly discretionary, particularly with regard to the more service oriented items. Seemingly, areas of caseworker

activity were the result of either county welfare department policy or individual caseworker initiative. For example, the Brown County caseworkers seemed to stress detailed inquiry into financial resources more than the other counties. Dodge County caseworkers usually did not apply NOLEO. There was more concern with marriage plans in Milwaukee than in Walworth, but then Milwaukee had more unmarrieds than Walworth.

Our second principal conclusion is that at least at intake, the primary focus is on the income-maintenance aspects of the program--financial resources and responsible relatives. The stress is on basic financial eligibility rather than on NOLEO and the more elusive and potentially more sensitive social service aspects of AFDC. It is more likely that this is the result of individual caseworker initiative than of systematic county policy. Some caseworkers may be uninterested in the non-economic aspects of AFDC. To them, the program is fundamentally one of income maintenance, and it is not worthwhile to bother with social service. For others, letting the more sensitive areas wait may seem a sensible way to proceed. Applicants are interested in money. At intake, it is best to get through the bare minimum of establishing financial eligibility as quickly and as painlessly as possible and then on to calculating the family budget, rather than prolonging the anxiety by exploring other areas which may be threatening. A home visit has to be made after the application is completed, and there could be sound casework principles for leaving other discussions until then. In any event, apparently most AFDC caseworkers do not raise non-economic areas of inquiry at intake.

D. Attitudes of Clients

The literature on AFDC administration describes three types of client reaction to the intake process. Means test administration, it is

claimed, invades a welfare applicant's sense of privacy; the applicants feel this, and resent it. The opposite claim is that the social and psychological events requiring people to apply for assistance so humiliate them and produce such anxiety that welfare applicants lose or repress feelings of privacy and outrage. Personal disasters, such as the break-up of the marriage or the birth of an illegitimate child, and the failure of attempts to go it alone, combined with extreme economic insecurity, produce a very frightened and dependent person. A third position is also described, one in which applicants feel an invasion of privacy but not a sense of outrage; they think their personal rights are being invaded but that they have no right to complain--invasion is the price one has to pay when going on the dole.

The respondents who reported being questioned on the various intake items were asked whether they were "bothered or annoyed" by the questions, and, in addition, whether they thought that any of the questions "were about personal matters that should not concern the agency." For each of the intake areas, then, we sought to find out whether and to what extent two types of client reactions had been felt--a sense of invasion of privacy as well as a sense of outrage.

But to what extent did applicants object at all to the administration of intake?

Comparing the responses across the six intake items (Table 3), negative attitudes were highest with NOLEO and responsible relatives and lowest for financial resources, employment, and child care. For the three least bothersome items--financial resources, employment and child care--the questions concern the affairs of the applicant only. With responsible relatives and NOLEO, the inquiry extends to other people

Table 3

Respondents' Attitudes toward Caseworker Questions at Intake

"To what degree were you bothered or annoyed by questions on . . ."

	Financial Resources	Relatives Support	NOLEO	Job (self; children)	Child Care	Marriage Plans
Percent of respondents that were asked a lot of questions by the caseworker	84.0%	66.5%	45.1%	43.8%	47.5%	39.1%
Degree bothered by questions*						
Very much	11.1	18.7	23.4	11.6	8.7	17.1
Moderately	7.8	11.5	9.5	6.1	7.0	6.8
Only slightly	11.8	10.8	11.7	10.3	9.3	8.6
Not at all	69.3	59.0	55.4	71.9	75.1	67.5
Actual numbers reporting questions of intake	612	471	325	310	345	234
"Do you feel that any of the questions. . . . were about personal matters that should not concern the agency?"						
Yes*	21.7% (609)	35.1% (476)	**	9.1% (309)	22.0% (345)	32.6% (233)

*Percentages are calculated on the numbers who were questioned.

**The survey instrument did not include NOLEO.

which may cause embarrassment or even painful and dangerous experiences. Moreover, there is the element of legal coercion involved. Attitudes concerning inquiries about possible marriage plans fell in between. The marriage question touches on what may be embarrassing relations with others (for example, the applicant may fear agency contact with a boyfriend), but it lacks the compulsion aspects of NOLEO and responsible relatives.

For the "core" item of the means test--questions about the applicant's financial resources and property--about 80 per cent of the respondents

did not sense an invasion of privacy and were either not bothered or "only slightly" bothered. In Dane County, these proportions rose to 90 per cent.

Negative attitudes ran considerably higher with responsible relatives. In all of the counties, between 10 and 15 per cent more respondents reported negatively to this part of the means test, as compared to inquiries about financial resources.

Almost half of the respondents said that they were required to go to the district attorney's office to do something about obtaining child support payments from the father of the child. What they did at the office is tabulated in Table 4.

Table 4

What Respondents Did in District Attorney's Office in Regard to NOLEO

	Total	Milw.	Dane	Brown	Walw.	Sauk	Dodge
Sign warrant, complaint abandonment papers, name father	51.2%	59.7%	22.5%	48.1%	67.4%	50.0%	58.3%
Swear out paternity suit	5.7	5.0	14.1	3.7	0	0	0
Lie detector test	3.0	0	12.7	0	0	4.2	3.0
Go to court	11.3	11.9	7.0	3.7	16.3	16.7	16.7
Fill out forms (unspecified)	9.8	6.3	18.3	3.7	16.3	8.3	0
Answer questions (unspecified)	17.9	18.2	28.2	7.4	7.0	25.5	0
Other	17.6	3.8	19.7	51.9	27.9	41.7	25.0
Number that went to district attorney's office in each county	336	159	71	27	43	24	12

*Percentages equal more than 100 because some respondents listed more than one thing they were required to do at the office.

Although our numbers are very small, the clients who had to file a paternity suit had the highest proportion who were "very bothered." Signing a warrant or a complaint, etc. or going to court, on the other hand, seemed to have the opposite effect. The groups that did these things had the highest proportion who said that they were not bothered at all.

There was some indication that negative attitudes about NOLEO might have been related to county administration. Brown and Dodge Counties used NOLEO considerably less often than the other counties, and when they did use it, there was less negative reaction. Walworth had a comparatively high use of NOLEO, but a particularly high incidence of negative attitudes, perhaps due to the practices of the local district attorneys' offices.

Employment is the one area where feelings of privacy and annoyance with the questions diverge. Although comparable proportions of the respondents in each of the six counties felt bothered or annoyed by these questions, very few thought that employment possibilities were a personal matter that should not concern the agency. Most of the respondents had worked before applying for AFDC and, as data from other parts of the study indicate, most would prefer to work rather than to continue on the program. Questions about job possibilities were not perceived as a privacy issue.

Overall, questions about child care produced less negative feeling than any of the other items. Although theoretically this area strikes at the very core of the family, child care is a normal part of conversations between women and this may account for the comparative lack of negative attitudes.

C. Conclusions

It must be kept in mind that the data are survey responses from welfare recipients. How willing were the women to reveal negative attitudes about the welfare program? We can never know the answer to that question, but the response rates themselves indicate some measure of reliability. There were variations in the rates by item, and by county. For most items, there were variations as great as 20 per cent. If a respondent were afraid to report her negative attitudes about one set of intake questions, why would she report negative attitudes about another set?

The respondents in this survey had already passed the eligibility requirements. The fact that these women were already on the program might make a real difference in the extent to which the administration of intake produces negative attitudes. It could very well be that those who were found ineligible were much more resentful than those who gained entry. We have no way of knowing this.[10]

The interpretation of the data in this study depends on one's values. The percentages alone do not tell us whether the administration of intake and the means test (however defined) is good or bad, whether policies and programs ought to be changed or not. Questions about non-economic matters (e.g., child care; marriage)--the prying, intrusive kind--were asked for less than half of the respondents. The same is true for employment and the NOLEO requirement. Some could argue that not much prying goes on. For others, subjecting even one welfare applicant to this sort of thing is bad enough. Similar issues are raised concerning the findings about negative attitudes. The means test may still be considered undesirable even if its administration does not upset most welfare recipients.

Despite the limitations of this study, some tentative observations can be made and some questions can be raised about the major issues of the AFDC intake process.

First, most of the intake seems to be devoted to the more central means test items--financial resources and relatives support. We would guess that for those who are eligible on these grounds, the rest of the interview is probably devoted to calculating the budget rather than to inquiring about employment, child care, and marriage plans. At least at intake, then, there is some separation of income maintenance from social services. A major criticism of AFDC is that when social services are combined with income maintenance, social services are felt by the recipients to be coercive. It would appear to us that this criticism may not be particularly applicable to the intake process. On the other hand, it should be pointed out that budget changes can occur throughout the recipient's life on the program, and later social service inquiries can be tied by caseworkers to income maintenance administration.

Second, there seems to be far less negative feeling on the part of welfare recipients than one would have expected from reading much of the literature. Proportions of clients reacting negatively to any one item never rose above 35 per cent, and for most items, they were considerably smaller. We are not sure why this is so. There is some evidence that negative attitudes might be related to the quality of local administration. However, the lack of negative attitudes cannot be explained away on the basis of small-town, local (and therefore personal) administration. Overall, the results in Milwaukee County, with its mostly urbanized ghetto welfare population, did not differ much

from the results in the other counties. It may also be that objections raised by the critics of AFDC administration are not shared by the welfare recipients themselves. A middle-class housewife may object to a discussion about child care from a social worker whereas an AFDC mother may welcome an expression of interest in her life.

Third, most of the negative attitudes we did find could probably be reduced considerably by eliminating MOLEO and the relatives support provisions. Both of these areas are highly controversial and these data indicate that this is where the real stress is.

Fourth, this study supports the idea that a decent, humane intake process is possible in two of the most critical policy areas--employment and financial resources. On the basis of current debate, it looks as if the twin goals of reform efforts are better administration of a very simple income and resources test and an improved work-incentive or employment program. Both of these objectives would encounter little negative response on the part of welfare recipients.

Concerning employment, less than 10 per cent of the respondents felt that these inquiries were invasions of privacy (this was the lowest percentage for any item) and only 11.6 per cent felt very bothered or annoyed by these questions. When percentages are this low, policy makers could be justified in thinking that perhaps these are people who would be annoyed anyway and that employment programs, properly administered, can meet with client approval.

We suggested earlier that the irreducible minimum of any future means test would involve a fairly routine, not-very-probing inquiry into the applicant's income and resources. We note here that only 11.1 per cent of the entire sample was very bothered or annoyed by these

questions. Contrary to popular belief, inquiry here appears not to be a significant source of irritation. A means test restricted to the applicant's financial resources can be administered in a manner consistent with client interests and feelings.[11]

Footnotes

[1]Statement of the Honorable Wilbur J. Cohen, Secretary of Health, Education, and Welfare for the President's Commission on Income Maintenance Programs, September 13, 1968, p. 10.

[2]The average response rate for the six counties was about 80 per cent.

[3]The Wisconsin statutes provide that the State Department of Health and Social Services "shall adopt rules and regulations, not in conflict with law, for the efficient administration of ... aid to dependent children ...." Wis. Stat., Ch. 49.50 (2) (1965). The Manual is issued pursuant to this statute.

Whether or not a state department regulation is binding on a county is a complex question. Certain areas of administration are to be decided at the state level and these regulations are binding. For example, the state department has the authority to set statewide budgets, and state regulations covering the computation of the budget must be obeyed. Other areas are within the discretion of the county departments and state regulations here serve only as guides; they are hortatory. For example, the statute says that, "The county agency may require the mother to do such renumerative work as in its judgment she can do without detriment to her health or the neglect of her children or her home ...." Wis. Stat., Ch. 49.19 (6), (1965). State regulations set forth guidelines for the counties but so long as the counties do not abuse their discretion, they are not required to follow the state regulations. The enforceability of regulations also depends, to a large extent, on whether the substantive area has been quantified. For example, even though the state department has the authority to set the budget rates for rents (and therefore its regulations governing the rent grant are binding), it decided to peg rents to prevailing rents in the localities. The state department could set the rents for each county and these regulations would be binding. Instead, the state department said that the counties are to set "reasonable" rents. Legally, this is a binding regulation. Practically, discretion has been delegated to the counties, and unless an abuse of discretion is shown, enforcement becomes problematic.

The above are just some obvious examples. There are many degrees of enforceability, which is true of many aspects of the legal system. See, generally, L. Friedman, Legal Rules and the Process of Social

Change, 19 Stan. L. Rev. 786 (1967); J. Handler, The Role of Legal Research and Legal Education in Social Welfare, 20 Stan. L. Rev. 669, 678-79 (1968). In practice however, or at least for the purpose of this paper, this problem is not very important and indeed for most of the regulations, a surface reading will indicate whether the regulations are intended to be binding or not.

[4]Unless otherwise indicated, all quotations from the regulations are from the State Department of Health and Social Services Manual, Sections II and III, Revised 2-1-68. Statutory references and quotations, unless otherwise indicated are to the Wisconsin AFDC statute, Wis. Stat., Ch. 49.19 (1965, as revised).

[5]Wis. Stat., Ch. 52.05 (1) (1965).

[6]The three month requirement has since been eliminated.

[7]The three month requirement has been dropped here too.

[8]Since the time of this study, Wisconsin has been enjoined from applying its residency laws. The only residency test now being used is whether the applicant intends to make Wisconsin her home.

[9]For some types of financial information, the caseworker is required to investigate and verify--for example, bank accounts, employment, etc. But generally, it is up to the caseworker or the agency to decide whether to accept the client's word as to her financial situation.

[10]The respondents were on the AFDC program for at least 6 months prior to the interview. It is also possible, therefore, that they might have recovered from ill-feelings at intake or decided to balance their resentment against the benefits of the program.

[11]On July 1, 1969, "the declaration method in determination of eligibility for financial and medical assistance" for AFDC applicants (as well as other public assistance categories) will be made mandatory on the states. Memorandum, Department of Health, Education, and Welfare, Social and Rehabilitation Service, Assistance Payments Administration, Washington, D.C., October 30, 1968. The self-declaration method (as it is called in Wisconsin) involves the client filling out a form containing basic eligibility questions which, in general, the agency is to accept at face value. "Additional substantiation or verification is to be sought ... when the statements of the applicant or recipient are incomplete, unclear, or inconsistent, or where other circumstances in the particular case would indicate to

a prudent person that further inquiry should be made." Ibid. Some of the purposes of this reform are: (a) to reduce the intake questions to what is essential for eligibility, according to state and federal law; (b) rationalize and streamline welfare administration; and (c) preserve the applicant's dignity and self-respect by trusting her to give honest answers and sparing her the indignities and shame of investigations.

The declaration system is already in operation in varying degrees in several parts of the country, including about 31 counties in Wisconsin, on an experimental basis. The Wisconsin form, which can be filled out at home or at the agency, with or without agency or professional help, is six pages and covers the basic items such as age, residence, marital status, reason for dependency (e.g., divorced), assets, and resources of those for whom assistance is sought and some special needs (e.g., whether laundry is done at home). The agency is to accept the applicant's statements concerning age, residence, assets, resources, relationship to a child, and absence of a parent, "without further verification, unless there is serious doubt of the reliability of the information based on information available to the agency." Wisconsin State Department of Health and Social Services, memo.

At the present time, it is difficult to assess the impact of this reform on the responses to the kinds of questions raised in this paper. There is great variety in the application of the declaration system. In Wisconsin, even under a declaration system, the laws pertaining to NOLEO, responsible relatives, the suitability of the home, and employability are still on the books. It is unclear how questions concerning these matters are to be handled. One effect of the reform may be merely to postpone inquiries concerning these matters until after initial eligibility has been determined. This seems to be the case with responsible relatives. The State Department instructions read: "Since primary emphasis will be placed on using relatives as a social resource, ability of responsible relatives to support will be explored during the social study. Contact with responsible relatives as a financial resource will only be pursued when information from the applicant/recipient indicates the appropriateness and desirability of this course of action." Ibid. The amount of administrative discretion in implementing this provision should be apparent. Stricter guidelines have been set up concerning investigations, but again, one cannot predict the impact. We lack information on the incidence and type of investigations that now occur and the regulations do have loopholes.

Nevertheless, if the states carry out the reform as federal policy intends, then our data supply quantitative support to impressionistic evidence that the reform will indeed be welcomed by AFDC applicants.